



Major Laws Affecting Working People

Labor unions and supporters of worker rights fought for all of the pro-worker laws listed here. Many have been on the books for decades to protect most working Americans.

However, we should not take these workplace protections for granted. While powerful business and political interests have always opposed most of these laws as a “burden” to business, today those special interests are engaged in a serious campaign to weaken or eliminate these important laws.

There is no clearer connection between the breadbox and the ballot box! It is up to each of us to engage in our democratic political process and vote for candidates who agree that these laws remain and improve so that today’s and tomorrow’s workers are protected.

National Labor Relations Act: Passed in 1935 as part of the New Deal, the NLRA gives workers the legal right to form unions and requires employers to bargain with the union over wages, hours, and working conditions. The National Labor Relations Board (NLRB) enforces this law.

Social Security Act: Passed in 1935 as part of the New Deal to address growing poverty among the elderly, this law provides old-age, survivor, and disability benefits and health insurance. It also establishes the right to receive unemployment insurance and workers’ compensation. It is administered by the Social Security Administration.

Fair Labor Standards Act: Passed in 1938, the FLSA establishes a federal minimum wage, overtime pay requirements, and child labor standards. The U.S. Department of Labor (DOL) enforces this law.



Equal Pay Act of 1963: This law was passed to eliminate unequal pay for equal work based on sex. The law requires men and women who do substantially the same work and have the same skill, effort and responsibility, to be paid the same. The law is enforced by the Equal Employment Opportunity Commission (EEOC).

Civil Rights Act of 1964: This law requires restaurants, hotels, and other businesses to serve all people without regard to race, sex, national origin, color, or religion. It also prohibits discrimination by employers and unions. It is enforced by the EEOC.

Pregnancy Discrimination Act of 1978: The PDA prohibits an employer from discriminating against a woman because of her pregnancy, childbirth, or a related condition. Women who become temporarily disabled due to pregnancy must be treated the same way as employees with other temporary disabilities. The law is enforced by the EEOC.

Age Discrimination in Employment Act of 1967: The ADEA prohibits age discrimination against job applicants and employees who are at least 40 years old. The law is enforced by the EEOC.

Occupational Safety and Health Act of 1970: This law requires employers to establish minimum general workplace health and safety standards and sets maximum levels of exposure to asbestos, lead, and other hazardous substances that can cause health problems. It is enforced by the Occupational Safety and Health Administration (OSHA).

Employee Retirement Income Security Act of 1974: ERISA regulates private sector employee pensions and health and welfare plans. It also establishes minimum vesting requirements, protects basic pension benefits in the event of employer bankruptcy, and requires prudent investment of pension assets. The DOL enforces this law.

Employee Polygraph Protection Act of 1988: This law prohibits most private-sector employers from using lie detector tests for pre-employment screening or during the course of employment, with some exceptions. The DOL enforces this law.

Americans with Disabilities Act of 1990: The ADA forbids employment discrimination against qualified persons with disabilities and requires employers to hire disabled job applicants and promote disabled employees who can do a job with reasonable accommodations. The ADA is enforced by the EEOC.

Family and Medical Leave Act of 1993: The FMLA gives workers the right to take up to 12 weeks of unpaid leave in a year for the birth or adoption of their child, to care for a close family member with a serious illness, or for treatment and recovery from their own serious illness. It is enforced by the DOL.



Affordable Care Act of 2010: The ACA extends health care insurance to tens of millions of Americans who had no coverage before the law passed. The ACA also includes a “bill of rights” for health care insurance consumers and mandates free coverage of certain important health care tests. It is enforced by the states, but in cases where states do not enforce the law, it is enforced by the federal Centers for Medicare & Medicaid Services.

Lilly Ledbetter Fair Pay Act of 2009: This bill amends the Civil Rights Act of 1964 to provide that the general 180-day statute of limitations for filing an equal pay lawsuit resets with each new discriminatory paycheck. The law was passed to nullify a U.S. Supreme Court decision that ruled that the statute of limitations runs from the date the pay was first set, not the date of the most recent paycheck. The law is enforced by the EEOC.

Uniformed Services Employment and Reemployment Rights Act: The USERRA protects the job reemployment rights of returning members of the military so that service to their country does not adversely impact their ability to be return to work when their service ends. In general, service members must be rehired by their employer with the same seniority, job status and pay, and other rights and benefits. The DOL administers this law.

BUT WAIT!

All of the above laws *protect* working people. Here’s another “major law affecting working people” that *harms* workers!

Right to Work Laws: These are laws passed by states under a provision that was added to the NLRA in 1947 by the Taft-Hartley Act. State “right to work” laws allow bargaining unit members who reap union contract benefits and representation to opt out of paying their fair share in union dues or fees – without repercussion.

“Right to work” laws are often framed as being pro-worker, but they are really anti-worker because they are meant to erode workplace security and eliminate organized worker unions.

“Right to work” laws prevent the union and employer from voluntarily contracting to have an enforceable union security agreement where all bargaining unit members – whether they choose to join the union or not – have to pay either union member dues or non-member fair share fees.

“Right to work“ laws are passed by politicians who want to erode and eliminate union member power. They serve as yet another reminder why we must always be active and engaged in our political process – and what’s at stake when we fail to participate!

