OXFAM REPORT

BEST STATES TO WORK IN THE U.S. 2026

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CONTENTS

ABOUT THE BEST STATES TO WORK INDEX (BSWI)

Launched in 2018, Oxfam's annual Best States to Work Index (BSWI) surveys state labor policies across the United States. The BSWI scores and ranks the states based on the strength of their labor policy landscapes. The index reveals which states are enhancing workers' rights and which states are leaving workers without essential protections. The BSWI highlights models for both state and federal policymakers.

This is the 2026 edition of the BSWI.

- The interactive map for all workers is here: www.oxfamamerica.org/statemap2026.
- The interactive map for working women is here: http://www.oxfamamerica.org/statewomenmap2026.

WHY 52?

This BSWI surveys all 50 states, the District of Columbia (a federal district), and Puerto Rico (a territory). Including Washington, D.C., and Puerto Rico helps to provide a more comprehensive and inclusive picture of the labor policies covering workers in the United States. Each is home to large populations of U.S. citizens: Puerto Rico has a population of 3.2 million (bigger than almost 20 states), while the population of Washington, D.C., is almost 700,000 (larger than the populations of Vermont and Wyoming). Further, the history of labor laws in both places is essential to the story of labor policy in the United States. For simplicity, we refer to both D.C. and Puerto Rico as "states" in the BSWI.

WHAT'S THE TIMEFRAME?

All data is based on policies and laws in effect by July 1, 2026.

INTRODUCTION

The Best States to Work Index (BSWI) surveys 37 labor policies across all 50 U.S. states, Washington, D.C., and Puerto Rico. Now in its ninth edition, the annual index examines policies in three dimensions: wages, worker protections, and rights to organize and collectively bargain. The BSWI highlights where states have strong workers' rights policies and identifies the states where workers lack essential protections. It provides a roadmap to a strong labor policy landscape for both state and federal policymakers to follow. No state has a perfect score in the index, and each has room for improvement. Further, no policy tracked in the index has an adequate federal mandate. The BSWI aims to inspire a race to the top, providing models for other states—and the federal government—to follow.

Your zip code should not determine whether you are protected and supported on the job, whether you can exercise your fundamental rights, or whether your employer is required to pay you a living wage. Policies should ensure workers and their families can thrive—no matter where they live.

Gaps in labor policies do not affect all workers equally. In fact, they entrench inequality along the lines of gender, race, and class. The BSWI emphasizes policies that protect low-wage workers and working families, as well as those that can help reduce economic, gender, and racial inequality.

Economic inequality is reaching new heights for the modern era, and federal labor policy is moving in the wrong direction. In 2026, the cost of living is skyrocketing, and workers are struggling to make ends meet. Meanwhile, the federal minimum wage has been stuck at $7.25—a poverty wage—for 17 years. This is the longest period without an increase since the federal minimum was enacted in 1938.[1] While many states have raised their own minimums, the highest state minimum wage in the U.S. is still not enough to support a working family.

While workers desperately need support, the Trump administration is rolling back federal protections for workers. The administration's actions include weakening anti-harassment and overtime protections, and engaging in the largest act of union-busting in U.S. history. The Trump administration's attacks have been especially harmful to women, workers of color, immigrant workers, low-wage workers, LGBTQIA+ workers, workers with disabilities, and other marginalized workers, leaving them even more vulnerable to discrimination and economic insecurity. Women have been forced out of the workplace at an alarming rate, with mass federal layoffs and the dismantling of initiatives related to diversity, equity, and inclusion contributing to more than 300,000 Black women being pushed out of the labor force in 2025.[2]

Working families struggle to afford groceries, housing, and healthcare, while billionaire fortunes are exploding. This inequality is the result of policy choices. For example, the One Big Beautiful Bill Act, passed in 2025, was a historic upward transfer of wealth from low-income families to the ultra-rich that ushered in devastating cuts to Medicaid and the Supplemental Nutrition Assistance Program, harming millions of low-income people who need support with healthcare and groceries.[3] Labor policy is a key lever in addressing both the cost-of-living crisis and extreme inequality. The BSWI points to policy choices that can help working families thrive and help stem rising inequality. From the minimum wage to paid leave to collective bargaining rights, the policies tracked in the BSWI are essential to addressing the cost-of-living crisis and extreme inequality. These labor policy reforms are key levers of affordability policy: strong rights to organize, higher minimum wages, and robust worker protections lead to higher incomes and lower poverty.[4] They can help to increase financial security and reduce inequality along the lines of gender, race, and class.

Oxfam research demonstrates that women and workers of color are overrepresented in low-wage jobs that lack essential protections, so policy reform that raises the floor for all workers is desperately needed to address economic, gender, and racial inequality. Millions of workers lack access to paid family and medical leave and paid sick leave; they are forced to choose between caring for themselves and their loved ones and keeping their paychecks. Additionally, millions of workers—disproportionately women and workers of color—remain excluded from fundamental protections like the full minimum wage, overtime, and the right to bargain collectively.

This inequality is no accident. Landmark federal labor laws like the Fair Labor Standards Act of 1938 and the National Labor Relations Act of 1935 deliberately excluded agricultural workers, domestic workers, and tipped workers—sectors where women and workers of color were concentrated. These exclusions have deepened gender and racial inequality in our economy, leaving Black workers, women workers, Latinx workers, and migrant workers without fundamental protections. Without essential federal policy reforms to wages, worker protections, and rights to organize, this inequality will persist.

While the federal government fails to enact key labor policy reforms—and indeed rolls back workers' rights—we see exciting progress at the state level. Workers are organizing and winning landmark advances in labor policies. This year, Virginia became the first state in the South to enact a statewide paid leave program. Maine extended the full minimum wage to farmworkers. Public employees in Utah won the repeal of one of the most restrictive collective bargaining bans in the nation. Rideshare drivers in Massachusetts formed the largest private sector union to be recognized since 1941.[5] This year's BSWI highlights signs of progress across the country.

While workers continue to fight for long-overdue reforms to wage policy, worker protections, and rights to organize, they are also facing new challenges—from digital surveillance in the workplace, to increased caregiving responsibilities for the growing "sandwich generation," to the precariousness of gig work. Some states are stepping up to meet the evolving needs of workers. To capture these shifts in labor policy across the country, the 2026 BSWI includes several new policies emerging at the state level, including antidiscrimination laws that protect workers' rights to care for their loved ones, "bossware" laws that protect workers' rights against digital workplace surveillance and algorithmic decision-making, and sectoral bargaining for rideshare drivers. Each of these policies seeks to address long-standing gaps in workers' rights and newly emerging realities that leave workers vulnerable.

The policies we track in the BSWI are essential to the well-being of not only workers and working families, but also to the well-being of our communities and our economy. States that perform well on the BSWI also see lower rates of poverty, lower rates of infant mortality, and lower rates of food insecurity—while experiencing higher gross domestic product (GDP) per capita, higher household income, and higher unionization rates. There is a strong correlation between a state's ranking on the BSWI and broader measures of well-being. When policymakers invest in workers through strong wages, worker protections, and rights to organize, they invest in our collective well-being.

ABOUT THE INDEX

Oxfam's Best States to Work Index evaluates how states pay, protect, and support workers. It scores and ranks states based on policies within three dimensions: wages, worker protections, and rights to organize. The BSWI identifies which states have strong labor policy landscapes and where states lack labor protections. The index points to models that both state and federal policymakers can follow. The BSWI aims to inspire a race to the top among states, while highlighting where federal policy reform is ultimately needed.

The 2026 BSWI tracks 37 policies across all 50 states, Washington, D.C., and Puerto Rico, ranking the states from best (1) to worst (52).*

The research and policy recommendations in the BSWI provide tools for workers, advocates, and policymakers to identify the policy reforms needed to support workers and working families. While some states in the BSWI have robust labor policy landscapes, no state in the index has a perfect score. All have room for improvement. And no policy tracked in the index has an adequate federal mandate. Together, the policies in the BSWI offer a roadmap for state and federal policymakers to strengthen workers' rights, reduce inequality, and improve well-being.

In the 2026 BSWI, California ranks first, with a total score of 80.23. At the bottom of the index is North Carolina, ranking 52nd, with a total score of 4.90.

Table 1 illustrates the 2026 BSWI rankings and overall scores across all three policy dimensions in the index: wages, worker protections, and rights to organize.

TABLE 1. THE BEST STATES TO WORK INDEX, SEPTEMBER 2026

State	Ranking	Overall Score	Wages Score	Worker Protections Score	Rights to Organize Score
CALIFORNIA	1	80.23	77.32	73.33	91.67
DISTRICT OF COLUMBIA	2	78.74	91.05	62.5	83.33
NEW YORK	3	77.78	72.45	78.33	83.33
ILLINOIS	4	73.54	68.69	70	83.33
OREGON	5	71.4	60.44	65	91.67
WASHINGTON	6	67.7	78.8	57.5	66.67
MAINE	7	65.86	78.16	60	58.33
COLORADO	8	65.01	79.66	52.5	62.5
CONNECTICUT	9	64.08	68.19	54.17	70.83
MINNESOTA	10	63.77	59.23	65.83	66.67
MASSACHUSETTS	11	61.44	56.61	47.5	83.33
NEW JERSEY	12	60.42	67.26	37.5	79.17
HAWAII	13	57.81	64.63	36.25	75
DELAWARE	14	57.55	57.89	45.83	70.83

* Although this report and our interactive map refer to all 52 localities as "states," we acknowledge that the District of Columbia is a federal district and that Puerto Rico is an unincorporated territory. Our use of "states" is not a political statement of statehood and should not be taken as such; it is, rather, a standardization of language for simplicity.

State	Ranking	Overall Score	Wages Score	Worker Protections Score	Rights to Organize Score
MARYLAND	15	55.29	64.39	40	62.5
PUERTO RICO	16	54.36	34.85	63.33	66.67
VERMONT	17	52.46	57.75	35	66.67
NEBRASKA	18	51.62	61.17	29.17	66.67
VIRGINIA	19	50.41	61.99	39.17	50
RHODE ISLAND	20	50.19	45.89	47.5	58.33
NEVADA	21	49.74	61.75	37.5	50
NEW MEXICO	22	45.61	56.99	23.33	58.33
ALASKA	23	45.46	59.05	20.83	58.33
ARIZONA	24	44.34	73.34	28.33	29.17
MISSOURI	25	40.68	62.19	18.33	41.67
OHIO	26	39.92	40.01	13.33	70.83
MONTANA	27	39.41	53.54	23.33	41.67
MICHIGAN	28	37.95	53.55	19.17	41.67
SOUTH DAKOTA	29	37.72	65.52	20.83	25
FLORIDA	30	35.28	54.26	10.83	41.67
NEW HAMPSHIRE	31	32.21	20.37	21.67	58.33
PENNSYLVANIA	32	30	14.89	20.83	58.33
WISCONSIN	33	21.28	22.12	20.83	20.83
NORTH DAKOTA	34	20.81	23.27	18.33	20.83
KANSAS	35	20.73	8.76	18.33	37.5
IDAHO	36	19.5	14.53	23.33	20.83
IOWA	37	19.34	23	10.83	25
INDIANA	38	18.49	7.35	13.33	37.5
UTAH	39	17.42	11.08	20.83	20.83
WEST VIRGINIA	40	17.17	34.65	10.83	4.17
ARKANSAS	41	16.66	39.27	8.33	0
OKLAHOMA	42	15.72	11.22	15.83	20.83
LOUISIANA	43	15.53	12.36	14.17	20.83
WYOMING	44	15.24	21.62	18.33	4.17
TEXAS	45	14.71	17.02	25	0
GEORGIA	46	11.3	8.95	23.33	0
KENTUCKY	47	11.2	12.95	8.33	12.5
SOUTH CAROLINA	48	9.5	8.82	18.33	0
TENNESSEE	49	8.64	9.2	8.33	8.33
MISSISSIPPI	50	7.22	10.62	10	0
ALABAMA	51	6.66	8.8	6.67	4.17
NORTH CAROLINA	52	4.9	8.17	5.83	0

FIGURE 1. MAP OF STATES AND THEIR OVERALL BSWI SCORES, 2026.

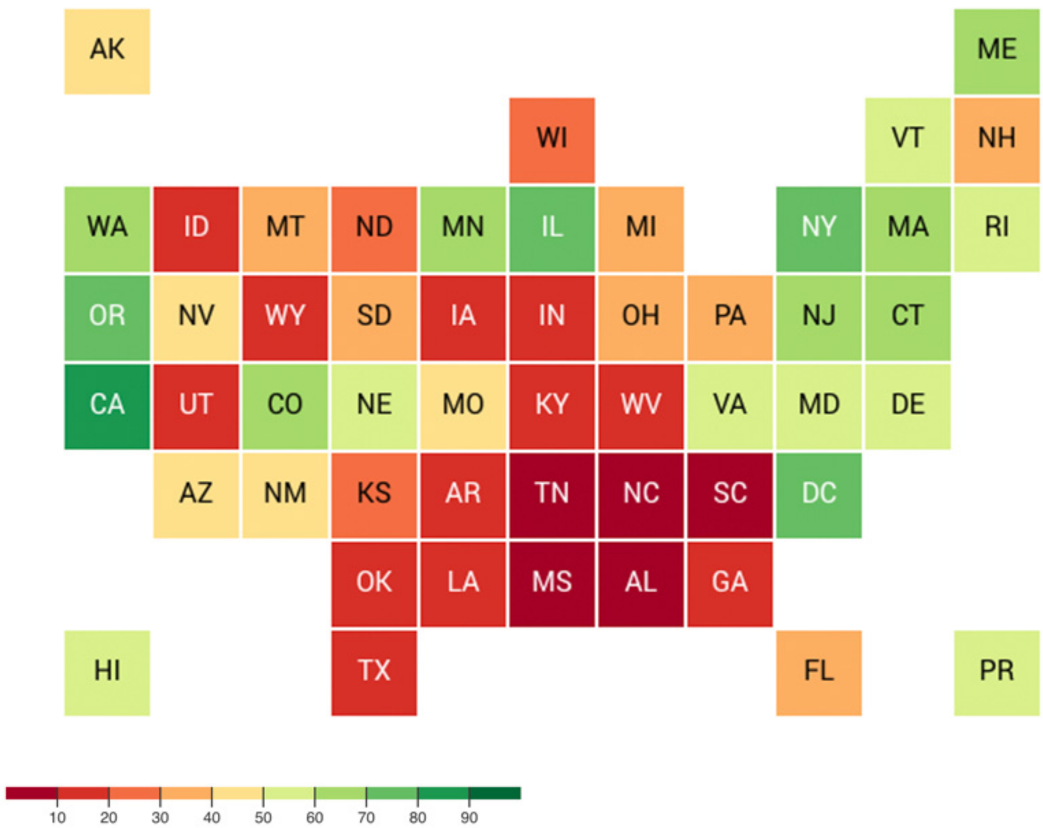

Figure 1 shows a map of the states in the BSWI. The color of each state indicates its overall score on the 2026 index. The map helps to illustrate the variation in labor policy landscapes from state to state, from region to region, and across the country. Ultimately, it points to inequality in workers' rights from one state to the next, demonstrating the need for states at the bottom of the index to strengthen their labor policies, and for the federal government to raise the floor for all workers, no matter which state they call home.

This report delves into each of the three policy dimensions in the index—wages, worker protections, and rights to organize—in the "Analysis of the Three Policy Areas" section. This report also discusses the Best States for Working Women Index, addresses correlations observed between BSWI scores and measures of well-being, and provides policy recommendations.

For a full database with state scores on each dimension and indicator, see the interactive map on Oxfam's website: www.oxfamamerica.org/statemap2026.

WHAT DOES THE INDEX TELL US?

The BSWI evaluates the strength of a state's labor policy landscape using indicators across three dimensions: wages, worker protections, and rights to organize. The 2026 index captures 37 policies across all 50 states, plus Washington, D.C., and Puerto Rico. Through state scores and rankings, the index identifies which states have labor policies that support workers and working families, and which states lack fundamental labor protections. It helps illustrate inequality in workers' rights from state to state, as well as regional trends. Further, the change in a state's ranking from one year to the next shows where progress is being made and where states are falling behind. The BSWI's data and policy recommendations provide a roadmap for states to strengthen their labor policies, while underscoring the need for federal labor reform to raise the floor for all workers, regardless of where they live. The labor policies captured in the BSWI enable workers and working families to thrive. They also correlate with broader measures of well-being, demonstrating that when states support workers, they also support our communities and our economy.

WHAT'S NEW IN THE INDEX THIS YEAR?

Workers are facing new and increasing pressures on the job, from developments in technology to increased caregiving responsibilities outside of work. Meanwhile, the Trump administration has rolled back worker protections and decimated the federal agencies charged with enforcing workplace rights, leaving workers more vulnerable. These emerging trends shine a spotlight on long-standing gaps in workers' rights and protections, underscoring the need for labor law reforms. In the absence of comprehensive federal labor policy reforms that strengthen wages, worker protections, and rights to organize and collectively bargain, some states are stepping up to protect workers and address the realities of the workplace in 2026.

This year's Best States to Work Index adds several new policies, all of which address gaps at the federal level. We expanded the worker protections dimension in three key areas. First, we surveyed state laws that explicitly prohibit employment discrimination based on caregiving responsibilities. More workers are juggling their jobs with responsibilities of caring for a loved one, and members of the growing "sandwich generation" are caring for both children and aging parents. States are enacting explicit protections against discrimination based on caregiver status, and some are defining the protections comprehensively to capture the variety of caregiving responsibilities workers hold.

Second, we cataloged state laws that enshrine worker protections against "bossware"—digital technologies used to surveil and manage workers. Artificial intelligence and algorithms are increasingly being used to perform management functions, including setting schedules and evaluating performance. The deployment of these tools is deeply harmful to workers' health, safety, and well-being, and these tools are known for replicating bias and discrimination against workers of color and workers with disabilities. While federal bossware legislation has been proposed, states are ahead of the curve in enacting bossware protections.

Finally, we also strengthened our sexual harassment indicator in the worker protections dimension, adding state mandates for sexual harassment training in the private sector. This allows for a more comprehensive view of how states approach sexual harassment. There is no federal sexual harassment training mandate; the states with this mandate are going the extra mile to reduce sexual harassment in the workplace and to educate workers about their rights and protections against sexual harassment.

The 2026 BSWI also adds new policies to the rights to organize dimension. As part of this expansion, we cataloged the states that allow sectoral bargaining for rideshare drivers. While most collective bargaining in the United States is undertaken workplace by workplace, sectoral bargaining allows workers to negotiate wages, benefits, and protections across an entire industry, sector, or region, setting binding agreements with multiple employers at once. Sectoral bargaining is a model that could increase the number of workers covered by collective bargaining agreements, including workers who are excluded from collective bargaining under the National Labor Relations Act (NLRA), like independent contractors, agricultural workers, and domestic workers. New sectoral bargaining policies covering rideshare drivers have been recently enacted at the state level.

We also cataloged where state policy gives agricultural workers the right to collectively bargain. As noted, both rideshare drivers, who are often classified as independent contractors, and agricultural workers are left out of the NLRA's collective bargaining protections, and both are uniquely vulnerable workforces made up largely of immigrant workers. Unions have been key in protecting immigrant workers from retaliation and abuse, including negotiating stronger protections against workplace raids. Policies granting these workers access to collective bargaining, whether at the enterprise level or the sectoral level, are essential to enhancing these workers' rights, wages, and protections.

These newly added policies are discussed in the "Analysis of the Three Policy Areas" section of this report.

INDEX SCORES

The BSWI scores states on a scale of 0–100 points, with each dimension comprising a percentage of that overall score: wages (35%), worker protections (35%), and rights to organize (30%).[†] These scores help to illustrate the vast differences in labor policy between the states at the top of the index and those at the bottom. These policies, which can influence whether workers are able to support their families and whether they have rights, dignity, and safety on the job, should not depend on where a worker lives. All workers deserve to thrive, regardless of which state they call home.

† For a detailed breakdown of how each policy is weighted to the overall score, see Appendixes 1 and 2 in the "Sources and Methodology" section of this report.

At the top of the 2026 BSWI is **California,** which climbs to the leading spot with a cumulative score of 80.23. California ranks first in the rights to organize dimension (tied with Oregon), and second in the worker protections dimension. It has policies protecting collective bargaining for agricultural workers and sectoral bargaining for rideshare drivers, as well as a warehouse worker protection law, a heat protection standard, and bossware protections. **Washington, D.C.,** came in second, with a cumulative score of 78.74. Washington, D.C., tops the rankings in the wages dimension, boasting the highest minimum wage in the country, including the highest ratio of minimum wage to the cost of living for a family of four. In third place this year is **New York,** with a score of 77.78. New York is first in the worker protections dimension, with strong laws on equal pay, paid leave, and sexual harassment. **Illinois** moved into the top five this year, with a score of 73.54. It has robust bossware protections and recently became the third state in the country extending sectoral bargaining rights to rideshare drivers.[6] At fifth place in the overall index is **Oregon** with a score of 71.40. Oregon is tied with California for top place in the rights to organize dimension, guaranteeing collective bargaining protections for teachers and agricultural workers. The top five states in the index all have a minimum wage of at least $15.00; all ensure child labor protections; four out of the five have both paid family and medical leave and paid sick leave; and all protect collective bargaining rights for teachers.

The bottom five states in the index are located in the South. None of the bottom five states has an overall index score over 9.5 out of 100. **North Carolina** is again at the bottom of the index (52) with an overall score of 4.90; **Alabama** is 51, with a score of 6.66; **Mississippi** is 50, with a score of 7.22; **Tennessee** is 49 with a score of 8.64; and **South Carolina** is 48, with a score of 9.50. All of these states have a minimum wage stuck at the federal level of $7.25. None mandates paid family and medical leave or paid sick leave. And all have "right-to-work" laws, which suppress union activity. This year, Georgia climbed out of the bottom five, and South Carolina returned. Georgia has a law establishing that workers should be paid for lactation break time, while South Carolina law allows that break time to be unpaid. The latter state leaves lactating workers to choose between feeding their baby and keeping their paycheck.

The states at the top of the rankings are leading the way in protecting workers from emerging challenges in the workplace while addressing long-standing gaps in federal labor policy. There is progress being made across the country, but many of the same states remain at the bottom of the index year after year, demonstrating the persistent inequalities between states. No state has a perfect score on the BSWI; the index points to where states—and the federal government—have the opportunity to enact laws supporting workers' wages, protections, and rights to organize.

CHANGES IN INDEX RANKINGS SINCE 2025

As noted, the 2026 BSWI added several new policies to the index, reflecting where states are stepping up for workers and helping to address emerging challenges in the workplace. The addition of these new policies resulted in the top score being lower than in 2025. In 2025, the top state was Washington, D.C., with an overall score of 87.66. In 2026, the top state is California, with an overall score of 80.23. This shift in scores demonstrates that as the state labor policy landscape evolves, the index points to new models and opportunities to enact stronger policies on wages, worker protections, and rights to organize.

Four of the five top states in the 2026 BSWI—California (1), Washington, D.C. (2), New York (3), and Oregon (5)—also ranked in the top five in the 2025 BSWI. Illinois climbed into the top five this year, up two spots from last year's rankings. Illinois has many of the new policies tracked in this year's index: It mandates sexual harassment training for private sector workers; it is one of only two states to meet all our criteria for policies protecting workers from the use of bossware; it has a robust law prohibiting discrimination based on family caregiving responsibilities; and it recently became the third state in the nation allowing sectoral bargaining for rideshare drivers. Washington (6), which slipped from its previous fifth-place spot, does not have a law prohibiting discrimination based on family caregiving responsibilities, preempts localities from regulating rideshare companies, and has none of the bossware protections we tracked in our index.

California beat Washington, D.C., this year for the top spot in the BSWI, owing to California's strong worker protection policies. California has robust bossware protections, a heat safety standard for outdoor workers, and warehouse worker protections. Washington, D.C., lacks each of those policies. California requires sexual harassment training for all private sector employers with five or more employees, while Washington, D.C.'s requirement only applies to businesses with tipped employees.

Colorado also rose three spots from 10th place in 2025 to eighth in 2026. In the wages policy dimension, Colorado moved from 5 in 2025 to 2 in 2026. Colorado's minimum wage was raised, and it now covers a higher percentage of the cost of living for a family of four, demonstrating that the state is using wage policy to help workers keep up with the rising cost of living. Colorado is also one of only two states to meet all our criteria for bossware protections.

Virginia jumped four spots this year from 23 to 19. In 2026, Virginia became the first state in the South to enact a statewide paid family and medical leave program and a right to paid sick days. While Virginia only received a partial score for these policies, as the laws haven't yet taken effect, their passage is a massive victory for the roughly 3.5 million workers who have lacked access to paid family leave in Virginia[7] and the 1.2 million workers who have lacked paid sick leave.[8]

Minnesota (10) and Maine (7) both climbed into the top 10 this year, owing to their policies that protect workers with caregiving responsibilities. They are the only two states to meet all our criteria for caregiver discrimination protections. And both states' paid family and medical leave programs became effective this year, boosting their scores. Maine also extended the full minimum wage to farmworkers.

Four of the five bottom states in the 2026 BSWI—Tennessee (49), Mississippi (50), Alabama (51), and North Carolina (52)—were among the bottom five in last year's index. Georgia climbed three spots this year to 46 overall, and South Carolina dropped to 48. Georgia is the only one of these states to guarantee paid lactation breaks.

While the federal government is rolling back workers' rights and protections, many states are pushing labor policy forward, helping workers meet new challenges from the rising cost of living to digital surveillance and algorithmic management. The states at the top of this year's index offer models for policymakers at the state and federal levels who want to address both long-standing gaps in federal labor policy and new developments in the workplace.

TRENDS ACROSS THE COUNTRY

The BSWI illuminates trends in labor policies across the country:

- Labor policies vary dramatically across the United States.
    - The state scores in the BSWI indicate stark differences in labor policies from one state to the next. The lowest overall state score on the index (North Carolina) is 4.90, while the highest score is 80.23 (California). The average state score is 39.04. This difference in scores demonstrates that where a worker lives can make a significant difference in that worker's rights and protections on the job. Labor policies can determine whether workers are able to support their families, whether they have health and safety protections in the workplace, whether they are able to recover from an illness without sacrificing their paycheck, and whether they are able to collectively bargain for better wages and conditions. These policies also correlate with broader measures of individual and collective well-being, including lower rates of poverty, food insecurity, and infant mortality, and higher rates of median household income and GDP per capita. This inequality between states underscores the need for federal labor policy reform that raises standards for all workers, regardless of which state they live in.
- Some neighboring states have vastly different labor policy landscapes.
    - Even states that share a border may have significant differences in wage policy, worker protections, and rights to organize. For example, the $12.77 minimum wage in Virginia covers 30% of the cost of living for a family of four in that state, while the $7.25 minimum wage in North Carolina covers only 19%. This year, Virginia passed legislation establishing a statewide paid family and medical leave program and a right to paid sick time. Workers in North Carolina are guaranteed neither paid sick leave nor paid family and medical leave.
    - In New York, the $16 minimum wage covers 33% of the cost of living for a family of four, while Pennsylvania's $7.25 minimum wage covers only 17% of the cost of living for a family of four. New York law requires employers to provide advanced written notice before electronically monitoring workers, while Pennsylvania workers have no such protection. New York law also prohibits employers from discriminating based on familial status, while Pennsylvania does not.
    - Agricultural workers' rights to collectively bargain are protected in Arizona and Colorado, but not in neighboring Utah and New Mexico.
- The states with the lowest scores on the BSWI are all located in the South.
    - The bottom five states in the BSWI—South Carolina (48), Tennessee (49), Mississippi (50), Alabama (51), and North Carolina (52)—are all located in the South. All have a minimum wage of $7.25, and in none of these states does the minimum wage cover more than 20% of the cost of living for a family of four. None of these states mandates paid sick leave or paid family and medical leave, meaning workers may have to choose between healing from an illness and keeping their paychecks. None

of these states has a heat standard law protecting outdoor workers, nor a warehouse worker protection law. And all have right-to-work laws, which suppress union activity.[9]

- The highest state minimum wage in the country is still not enough to support a family.
    - In Washington, D.C., the minimum wage of $18.40, the highest state minimum wage in the United States, only covers 43% of the cost of living for a family of four. No state minimum wage in the country goes further toward meeting the cost of living. In Arkansas, the state with the lowest cost of living for a family of four, the $11 minimum wage covers only 36%.
- States that support working women tend to score higher on the BSWI.
    - The same five states at the top of the overall BSWI score in the top five of the Best States for Working Women Index. Although their rankings vary slightly, California, Illinois, New York, Oregon, and Washington, D.C., are at the top of both indices, demonstrating that when states have labor policies that either directly or disproportionately support working women, they are more likely to have a robust labor policy landscape overall.

HOW CAN POLICYMAKERS USE THE BSWI?

The BSWI provides a roadmap for state and federal policymakers to identify labor policy reforms that will support workers and working families. From wages to worker protections to rights to organize, the BSWI highlights where states are stepping into gaps left by federal policy. It provides a comprehensive overview of each state's labor policy landscape, allowing policymakers to identify where reform is needed. It also includes policy recommendations for both state and federal policymakers. The index celebrates where policymakers support workers, and it shines a light on the states where policy leaves workers behind. It aims to inspire a race to the top when it comes to robust wages, worker protections, and rights to organize.

State policymakers who want to support workers can use the index to (1) evaluate the strengths and gaps in their state's labor policies, (2) identify where reforms can be made to address those gaps, and (3) look to model policies in states that score high on a particular dimension (or overall) in the index to explore adopting similar policies in their state. Federal policymakers can use the index to (1) identify gaps in the federal policy landscape and (2) find the policies that are gaining momentum at the state level, building the evidence base for enacting similar reforms at the federal level. Ultimately, workers deserve strong wages, worker protections, and rights to organize, regardless of where they live.

BEST STATES FOR WORKING WOMEN

The Best States for Working Women (BSWW) Index aims to reflect how well a state's policies protect women at work. The BSWW Index emphasizes policies from the overall Best States to Work Index that directly or disproportionately impact women workers, including policies like equal pay protections, sexual harassment protections, paid leave, paid pumping breaks, and collective bargaining for teachers. Although the BSWW Index highlights policies with particular impact on women workers and policies that help to fight gender inequality, these policies also lift the floor for all workers. The BSWW Index shows that when women are supported at work, all workers benefit.

The BSWW Index contains a different number of data points from the overall BSWI, and the policy dimensions are weighted differently as follows: 20% wages, 60% worker protections, and 20% rights to organize. This weighting reflects that the majority of policies in the BSWW Index fall within the worker protections dimension. Table 2 gives the rankings of states in the BSWW Index.

Women—particularly women of color—continue to be underpaid and undervalued at work. Due to occupational segregation, women and women of color are overrepresented in low-wage jobs that lack essential protections and benefits like access to paid leave. Landmark labor laws like the Fair Labor Standards Act, which governs the federal minimum wage and overtime protections, excluded industries where women of color are heavily concentrated, including domestic work.[10]

The Trump administration's attacks on workers' rights have been especially harmful to women, who have been forced out of the workforce at an alarming rate. Black women in particular have been harmed by the administration's mass federal layoffs, the decimation of agencies charged with enforcing workplace antidiscrimination laws, and the dismantling of initiatives related to diversity, equity, and inclusion. These actions pushed more than 300,000 Black women out of the workforce. They point to—and exacerbate—the long-standing gender and racial inequality in our economy.

Women make up the majority of the tipped wage workforce, where federal law entitles them to a subminimum wage of $2.13 an hour. Women of color are also overrepresented in tipped wage jobs.[11] While employers are required to cover the gap between a worker's base wage plus tips and the full minimum wage, this system often leads to wage theft. The poverty rate for tipped workers is more than double the rate for workers overall, and tipped occupations often have irregular schedules, making managing care duties even more challenging.[12] Further, requiring tipped workers to rely on customers for their tips often leads to sexual harassment. Because women of color are overrepresented in these jobs, they face higher rates of sexual harassment, wage theft, and exploitation.[13] The BSWW Index examines the ratio of a state's tipped wage to the cost of living for a family to assess the extent to which the tipped wage prevents workers from being able to afford their basic needs.

The BSWW Index also examines state equal pay mandates. Although the Equal Pay Act of 1963 requires employers to pay equal wages to men and women who perform the same job, the gender wage gap is getting wider, with Black and Latina women experiencing the worst wage gaps. In 2023, the gender wage gap widened for the first time in 20 years, and in 2024, it widened again, with women working full time, year-round earning just 81 cents for every dollar a man made.[14] Women are paid less than men regardless of their level of education. Black women working full time, year-round were paid 65 cents for every dollar paid to a white, non-Hispanic man.[15] Approximately 70% of Black mothers are the breadwinners in their households, making policies like equal pay particularly important for Black women and Black families.[16] Latina women experience an even more severe wage gap, with full-time, year-round workers paid 58 cents for every dollar earned by a white man.[17] These persistent wage gaps, which compound at the intersection of race and gender, result in massive earnings losses over the course of a woman's career.

The BSWW Index also includes policies that enable women to juggle caregiving responsibilities outside of work, as women carry the overwhelming majority of care responsibilities, with Latina women spending more time on unpaid care than any other demographic. The lack of policies that enable workers to balance unpaid caregiving responsibilities alongside their jobs disproportionately harms women workers. The lack of a federal policy guaranteeing paid family and medical leave means workers may be forced to choose between caring for themselves or a sick family member and keeping their paychecks. As this report's worker protections discussion outlines (see the "Analysis of the Three Policy Areas" section), the 2026 BSWI and BSWW Index tracked state laws protecting workers from discrimination based on their family caregiving responsibilities. These laws are particularly important for women workers, who may be passed over for promotions, fired, harassed, or otherwise discriminated against because they provide care for a loved one.

The 2026 BSWW Index also tracks where states mandate sexual harassment training for private sector workers. Women are more likely to experience sexual harassment in the workplace, and low-wage workers, women of color, immigrants, and LGBTQIA+ workers are particularly vulnerable.[18] While training alone is not sufficient to prevent sexual harassment, this indicator points to where states are proactively using policy to help workers understand their rights surrounding protections against sexual harassment. There is no federal mandate for sexual harassment training, and the Trump administration has systematically weakened the federal enforcement and protections related to sexual harassment in the workplace.[19]

The BSWW Index shows which states have policies enabling women to earn a fair wage, work with dignity, and enjoy protections that allows them to thrive. When a state scores high on the BSWW Index, it usually also scores high on the BSWI, demonstrating that when states enact policies protecting women workers, they support all workers.

The Best States for Working Women Index evaluates the following categories of policies:

- **Wages.** We examine the ratio of tipped wages to the cost of living for one wage earner and two dependents.
- **Worker protections.** We examined policies on:
    - Paid pumping breaks
    - Equal pay
    - Paid leave (sick and family)
    - Protections against discrimination based on caregiving responsibilities
    - Fair and flexible scheduling

- Protection against sexual harassment in the workplace
- Domestic worker protections

- **Rights to organize.** We examined rights to organize for public school teachers, who are overwhelmingly women.

TABLE 2. BEST STATES FOR WORKING WOMEN, SEPTEMBER 2026

State	Ranking	Overall Score	State	Ranking	Overall Score
New York	1	82.16	Colorado	27	35.33
District of Columbia	2	76.96	Nebraska	28	34.64
California	3	75.96	South Dakota	29	33.77
Oregon	4	75.93	Ohio	30	33.14
Illinois	5	75.32	Oklahoma	31	31.95
Minnesota	6	72.63	Indiana	32	31.76
Washington	7	67.86	Iowa	33	31.16
Maine	8	64.11	Idaho	34	28.96
Connecticut	9	63.98	Pennsylvania	35	28.3
Puerto Rico	10	63.44	Kansas	36	27.47
Nevada	11	58.23	Utah	37	27.14
Massachusetts	12	57.35	Arizona	38	26.17
New Jersey	13	57.08	North Dakota	39	22.25
Hawaii	14	56.18	Wisconsin	40	17.71
Rhode Island	15	54.63	Tennessee	41	17.59
Alaska	16	51.42	Georgia	42	11.67
Delaware	17	48.12	Louisiana	43	10.52
Vermont	18	46.53	Arkansas	44	8.66
Virginia	19	45.79	West Virginia	45	8.56
New Mexico	20	41.67	Kentucky	46	7.72
Maryland	21	41.49	Texas	47	7.62
Florida	22	40.65	South Carolina	48	7.55
Michigan	23	39.9	Wyoming	49	7.39
Montana	24	39.31	Alabama	50	6.12
Missouri	25	36.4	North Carolina	51	3.21
New Hampshire	26	35.69	Mississippi	52	0.57

New York is the best state for working women in the 2026 BSWW Index. It tops the worker protection dimension in both the BSWW Index and the BSWI. New York guarantees paid pumping breaks; it has strong equal pay laws, both paid sick leave and paid family and medical leave, and domestic worker protections; it mandates sexual harassment training in the private sector; it prohibits discrimination based on familial status; and it guarantees collective bargaining rights for teachers, who are overwhelmingly women.

The other states in the top five of the BSWW Index —Washington, D.C. (2), California (3), Oregon (4), and Illinois (5)—are also in the top five of the overall BSWI. All these states have equal pay laws, guarantee paid sick leave, have domestic worker protections, and protect collective bargaining rights for teachers. California and Oregon stand out among the top five as “one fair wage” states, which means they have eliminated the subminimum tipped wage.

Maine climbed from 15 to 8 in the BSWW Index this year. Its paid family and medical leave program became effective in 2026, and it also enhanced its protections for fair and flexible scheduling, boosting its score in the worker protections dimension. Maine also mandates sexual harassment training for private sector workers, and it is one of only two states to meet all our criteria for caregiver discrimination protections.

The bottom three states in the BSWW Index—Mississippi (52), North Carolina (51), and Alabama (50)—remained the same as in the 2025 index. Wyoming (49) and South Carolina (48) joined the bottom five states in the BSWW Index this year, replacing Georgia and Utah from the 2025 rankings. Teachers in Utah won a major victory at the end of 2025 with the repeal of one of the most restrictive collective bargaining bans in the country. Georgia guarantees paid lactation breaks, and both Georgia and Utah have state equal pay laws. All of the bottom five states maintain a subminimum wage of $2.13. None of them mandates paid family and medical leave or paid sick leave, has caregiver discrimination protections, or protects teachers’ rights to collectively bargain.

The state in which a woman lives and works can determine whether she can legally be paid a poverty wage, whether she has to lose her income to recover from childbirth, and whether she can be treated with dignity on the job. Some states are stepping up to support working women, and when they do, they lift the floor for all workers. Ultimately, we need federal policy reform to fill these gaps, so that women can enjoy equal rights and economic security, no matter where they live.

ANALYSIS OF THE THREE POLICY AREAS

DIMENSION 1: WAGES—35% OF OVERALL SCORE

The wages dimension demonstrates the significance of the minimum wage and how policymakers can reform minimum wage policies to help workers keep up with the cost of living. This dimension also examines unemployment insurance (UI), a form of income protection that helps workers who are between jobs feed and house their families.

The wages dimension captures state policies that govern workers' wages. These include the following:

- Ratio of minimum wage to cost of living for a family of four
- Ratio of tipped wage to minimum wage
- Local control of minimum wage (lack of local control is often referred to as preemption, as the state overrides local rules)
- Extension of the minimum wage to farmworkers
- Ratio of UI benefits to the cost of living for a family of four

Working families are facing extraordinary economic hardship in 2026. The cost of living is rising, leaving workers unable to afford basic necessities. Recent polling shows that two-thirds of Americans found groceries unaffordable, with 75% saying the price of gas has caused hardship for their household.[20] A series of intersecting factors, including recent economic shocks resulting from the war against Iran, is driving up prices and squeezing working families. According to the Economic Policy Institute, the war against Iran wiped out 18 months of wage growth.[21] For low-wage and middle-wage workers, wage growth has been suppressed for decades. In 2025, real wages declined for low-wage workers, making it even harder to make ends meet. Wage policy is a key lever in helping workers afford their basic needs.[22]

Meanwhile, the minimum wage has been stuck at $7.25 since 2009, the longest period without an increase since the federal minimum wage was enacted. Adjusted for inflation, the value of the minimum wage is the lowest it's been in over 75 years.[23] In the past year, CEO pay increased 20.4 times faster than workers' wages.[24] Because women and workers of color are overrepresented in low-wage jobs, raising the minimum wage would help millions of workers while reducing gender and racial inequality.

The BSWI examines the ratio of a state's minimum wage to the cost of living for a family of four with a single wage earner. The MIT Living Wage Calculator computes the cost of food, childcare, healthcare, housing, transportation, household goods, and other basic necessities, based on location. Even the highest minimum wage in the country is not enough to support a family of four. Washington, D.C.'s minimum wage—$18.40—only covers 43% of the cost of living by this standard. In Indiana, which ranks at the bottom of our wages dimension, the minimum wage of $7.25 only covers 19% of the cost of living for a family of four.

There is bipartisan support for raising the minimum wage. Raising the minimum wage would help lift millions out of poverty and reduce inequality, including along the lines of race and gender.[25] Most people agree that workers deserve to be paid enough to make ends meet. While 20 states have failed to raise their minimum wages above $7.25, 30 states, the District of Columbia, and Puerto Rico have a minimum wage higher than the federal minimum wage. Several of those states, such as Florida, Alaska, and Missouri, have higher minimum wages as a result of ballot initiatives, demonstrating that voters across party lines support raising the minimum wage.[26]

Increasing the minimum wage and eliminating subminimum wages like tipped wages would be especially helpful for workers of color, women, and women of color. Oxfam's 2024 report *The Crisis of Low Wages* shows that low-wage workers are disproportionately women and people of color. Our research found that 23% of all workers in the U.S. earn less than $17 an hour, but nearly 28% of women earn low wages compared to 19% of men. When considering intersectionality, the gap becomes wider: 35% of Black women and nearly 40% of Latina women earn low wages at the national level. Notably, over 42% of single parents earn low wages, a population that research shows is composed overwhelmingly of women, especially women of color. Additionally, tipped wage workers are the most represented among low-wage workers, with 53% of tipped wage workers earning low wages at the national level, underscoring the need to eliminate subminimum tipped wages.[27]

In each dimension, states receive a score on a scale of 0 to 100; scores closer to 100 indicate the states that are more invested in properly compensating workers.

The BSWI looks not only at a state's minimum wage, but also at the ratio of that minimum wage to the cost of living for a family. Some states continue to proactively raise their minimum wages to help workers keep up with the cost of living, including through annual updates indexed to inflation. Similarly, these ratios show the real weakening of the minimum wage in states that fail to raise the minimum wage as costs rise. Raising the minimum wage and ensuring that it keeps up with the cost of living are essential to helping workers afford basic necessities.

The BSWI also examines the ratio of a state's tipped minimum wage to its full minimum wage. Approximately 4.9 million workers receive tipped wages in the United States. The federal subminimum tipped wage has been $2.13 since 1991.[28] Women make up the majority of the tipped wage workforce, and women of color are also overrepresented in tipped wage jobs. The poverty rate for tipped workers is more than double the rate for workers overall.[29] The federal tipped minimum wage is 30% of the full minimum wage, which has lost more than 30% of its value since it was last raised in 2009. Seven states are considered "one fair wage" states for eliminating the subminimum tipped wage: Alaska, California, Minnesota, Montana, Nevada, Oregon, and Washington.[30] One fair wage states have lower poverty rates among tipped workers and smaller gender wage caps, particularly for women of color. Unfortunately, some policymakers, including those in Michigan and Washington, D.C., have recently overridden one fair wage policies that were approved by voters.[31] In addition, the "no tax on tips" provision in 2025's One Big Beautiful Bill Act, which provided temporary income tax deductions for tips, was not designed to help most workers, or even a large portion of tipped workers, many of whom do not earn enough money to have federal tax liability.[32] The most impactful way to put money back into the pockets of workers would be to increase the minimum wage and the subminimum tipped wage.[33]

The BSWI also examines the ratio of average weekly unemployment insurance payments for a full-time minimum wage worker to the cost of living. UI payments should provide a safety net for workers who have lost their jobs and need income support while looking for work, but most states' UI payments cover less than 20% of the cost of living. This means that workers who lose their jobs through no fault of their own may be unable to afford basic necessities while they look for work. See Table 3 for rankings and scores of states for the wages dimension.

TABLE 3. RANKING AND SCORES FOR WAGES DIMENSION, SEPTEMBER 2026

State	Wages Dimension Ranking	Wages Dimension Score	State	Wages Dimension Ranking	Wages Dimension Score
District of Columbia	1	91.05	Montana	27	53.54
Colorado	2	79.66	Rhode Island	28	45.89
Washington	3	78.80	Ohio	29	40.01
Maine	4	78.16	Arkansas	30	39.27
California	5	77.32	Puerto Rico	31	34.85
Arizona	6	73.34	West Virginia	32	34.65
New York	7	72.45	North Dakota	33	23.27
Illinois	8	68.69	Iowa	34	23
Connecticut	9	68.19	Wisconsin	35	22.12
New Jersey	10	67.26	Wyoming	36	21.62
South Dakota	11	65.52	New Hampshire	37	20.37
Hawaii	12	64.63	Texas	38	17.02
Maryland	13	64.39	Pennsylvania	39	14.89
Missouri	14	62.19	Idaho	40	14.53
Virginia	15	61.99	Kentucky	41	12.95
Nevada	16	61.75	Louisiana	42	12.36
Nebraska	17	61.17	Oklahoma	43	11.22
Oregon	18	60.44	Utah	44	11.08
Minnesota	19	59.23	Mississippi	45	10.62
Alaska	20	59.05	Tennessee	46	9.2
Delaware	21	57.89	Georgia	47	8.95
Vermont	22	57.75	South Carolina	48	8.82
New Mexico	23	56.99	Alabama	49	8.8
Massachusetts	24	56.61	Kansas	50	8.76
Florida	25	54.26	North Carolina	51	8.17
Michigan	26	53.55	Indiana	52	7.35

At the top of the wages dimension rankings is the District of Columbia, with a score of 91.05, followed by Colorado (79.66), Washington (78.8), Maine (78.16), and California (77.32). Colorado jumped to second place in the wages dimension, as the state increased its minimum wage and extended minimum wages to farmworkers, an encouraging development. Maine also extended the full minimum wage to farmworkers.

New York and Arizona continue to perform well across all the wages dimension indicators. All the states in the top five raised their wages in 2026; two are one fair wage states (California and Washington), and all have higher-than-average UI payments. With no state receiving a perfect score in this dimension, all states have room for improvement.

The states at the bottom of the wages dimension are Indiana, with a score of 7.35, followed by North Carolina (8.17), Kansas (8.76), Alabama (8.8), and South Carolina (8.82). As in the overall index ranking, the states at the bottom of the wages dimension ranking are predominantly in the South and Midwest, where wages remain stuck at the federal minimum, UI benefits are notably low, and states have legislation that allows the state to repeal higher wages at the local level.[‡] Indiana stands out as a state at the bottom of the wages dimension, but not in the bottom 10 of the overall index. While Indiana falls behind on wage policies, it scores higher in the rights to organize dimension, helping raise the state ranking to 38 overall.

DIMENSION 2: WORKER PROTECTIONS—35% OF OVERALL SCORE

The worker protections dimension examines policies that support workers inside and outside of the workplace. The BSWI features policies that are key to a care economy—policies that enable workers to care for themselves and their families, and that recognize the value of unpaid care work. Furthermore, the index emphasizes policies that directly or disproportionately benefit women, because women, and especially women of color, are overrepresented among low-wage workers. Low-wage workers are less likely to have access to protections like paid leave or flexible scheduling unless the law requires it. These policies are particularly important for workers with care responsibilities, who are disproportionately women, whether they provide care for children, aging relatives, people with disabilities, or other loved ones. They are also especially important for parents who balance the demands of work with those of family. The policies in this dimension influence whether workers are able to care for themselves or a loved one without jeopardizing their job or their paycheck.[34]

With the need for greater protections and support in mind, the policies we track for this dimension include the following:

- Paid pumping breaks
- Equal pay mandate
- Paid family and medical leave
- Fair scheduling
- Protection against sexual harassment
- Extension of workers' compensation to farmworkers
- Protections for domestic workers
- Heat standards for outdoor workers
- Warehouse worker protections
- Child labor protections

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‡ The states at the bottom of the wages dimension have UI benefits of $145 or less. See the spreadsheet of data on our website for more.

- Caregiving discrimination protections
- Bossware protections

The 2026 BSWI adds two new policies to the worker protections dimension: protections from employment discrimination based on caregiving responsibilities, and protections related to so-called bossware tools. We also strengthened our sexual harassment policy indicator by adding sexual harassment training mandates. The addition of these policies to the BSWI reflects the evolving challenges workers face in 2026—and the momentum emerging to address those challenges through state policy.

Discrimination Protections for Workers with Caregiving Responsibilities

Millions of workers juggle their jobs with caregiving responsibilities. Whether it is caring for an aging parent, an ill spouse, or a child, this unpaid care work is essential to our communities and our economy. But many workers face discrimination at work because of their caregiving responsibilities. Workers have been fired, denied a job offer, passed over for a promotion, demoted, or harassed because they need to care for a loved one with disabilities or an aging parent, or because they are, or will soon be, a parent. Unfortunately, there is no federal law explicitly prohibiting employers from discriminating against family caregivers.[§]

The lack of federal law prohibiting family caregiver discrimination or family responsibilities discrimination impacts everyone who needs to care for a loved one while also working. However, women bear the majority of unpaid caregiving responsibilities in the United States, with Latina women dedicating more time to unpaid care than any other demographic.[35] As the size of the sandwich generation—adults caring for both children and aging parents—balloons, the need for policies that protect against family caregiver discrimination is urgent.

Although no explicit federal law currently exists, the Center for WorkLife Law has cataloged more than 250 state and local laws that prohibit employment discrimination based on caregiver status or family responsibilities.[36] The 2026 BSWI incorporates these state laws as they pertain to private sector workers, as does the Best States for Working Women Index, as women perform the majority of unpaid care work in the United States. The BSWI gives states credit for these laws where they (1) prohibit employers from discriminating based on familial status or responsibilities, (2) prohibit employers from inquiring about familial status, and (3) define family responsibilities or status to incorporate care relationships beyond parental relationships. The third criterion seeks to reflect the diversity of care responsibilities workers hold.

Maine and Minnesota are the only two states to receive credit for all three criteria. Delaware and Washington, D.C., include coverage beyond caregivers for children, but neither prohibits an employer from inquiring about familial status. Connecticut prohibits inquiring about familial status,

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§ Although there are federal, state, and local laws that govern legal rights and can be used to protect caregivers from discrimination (including Title VII of the Civil Rights Act, the Family and Medical Leave Act, the Americans with Disabilities Act, and the Pregnant Workers Fairness Act), there is no federal law explicitly protecting against family caregiver discrimination.

and New York prohibits discrimination based on familial status. Washington, D.C.'s law defines "family responsibilities" as contributing to the support of a person in a dependent relationship, which regulations specify can include a person related by blood, legal custody, marriage, or domestic partnership, or someone with whom the caregiver shares a residence. Delaware's definition includes family members who would be covered under the Family and Medical Leave Act (FMLA) of 1993 (which excludes siblings, in-laws, grandparents, and unmarried partners). Alaska prohibits discrimination because of parenthood, and Illinois prohibits discrimination based on actual or perceived familial responsibilities. Illinois' law covers a wide range of family members.

Bossware Protections

More workers are being monitored and managed by "bossware" tools: digital technologies that surveil and track employees, and that automate management decisions like scheduling, assigning tasks, and even performance evaluation and discipline.[37] Bossware tools may use artificial intelligence (AI) and algorithms to make decisions that significantly impact a worker's experience on the job, often removing meaningful human review from the process. As Oxfam research has documented, systems of surveillance harm worker health, safety, and well-being, particularly for women and workers of color.[38] They also stifle worker voice. As the former general counsel of the National Labor Relations Board warned, these tools may interfere with legally protected worker organizing activity. They can also exacerbate racial inequality. Black and Latinx workers are disproportionately subjected to automated task management at work, and automated systems can replicate bias toward workers of color and workers with disabilities, entrenching discrimination in the workplace.[39] Employers may not be required to disclose what data they're collecting or how they're using it, and workers may have no ability to challenge employment decisions based on this data.

Although there are proposals at the federal level to regulate bossware, states are leading the way in protecting workers' rights from digital surveillance and automated decision-making. The 2026 BSWI surveyed state laws that (1) require employers to provide explicit written disclosure before electronically monitoring workers, (2) require employers to audit AI tools for potential bias or prohibit employers from using automated tools to infer a worker's protected status, and (3) require employers to (a) disclose when AI tools are used to make an employment decision and (b) have some human review of AI decisions, either by staff, an appeals process, or employee right to review. Eleven states met at least some of these criteria. Colorado and Illinois met all criteria; California also has strong bossware protections. Connecticut, Delaware, Maine, Minnesota, New York, Puerto Rico, Texas, and Virginia all have some form of bossware protection.

Sexual Harassment Training Mandates

We also strengthened our sexual harassment indicator in this dimension, adding state mandates for sexual harassment training in the private sector. This addition allows for a more comprehensive view of how states approach sexual harassment. There is no federal sexual harassment training mandate, so the states with this mandate are going the extra mile to reduce sexual harassment in the workplace. While these mandated trainings are not sufficient to prevent sexual harassment, they point to where states are proactively legislating to reduce sexual harassment and promote a safer workplace.

TABLE 4. RANKING AND SCORES FOR WORKER PROTECTIONS DIMENSION, SEPTEMBER 2026

State	Worker Protections Dimension Ranking	Worker Protections Dimension Score	State	Worker Protections Dimension Ranking	Worker Protections Dimension Score
New York	1	78.33	New Mexico	24	23.33
California	2	73.33	New Hampshire	28	21.67
Illinois	3	70	Alaska	29	20.83
Minnesota	4	65.83	Pennsylvania	29	20.83
Oregon	5	65	South Dakota	29	20.83
Puerto Rico	6	63.33	Utah	29	20.83
District of Columbia	7	62.5	Wisconsin	29	20.83
Maine	8	60	Michigan	34	19.17
Washington	9	57.5	Kansas	35	18.33
Connecticut	10	54.17	Missouri	35	18.33
Colorado	11	52.5	North Dakota	35	18.33
Massachusetts	12	47.5	South Carolina	35	18.33
Rhode Island	12	47.5	Wyoming	35	18.33
Delaware	14	45.83	Oklahoma	40	15.83
Maryland	15	40	Louisiana	41	14.17
Virginia	16	39.17	Indiana	42	13.33
Nevada	17	37.5	Ohio	42	13.33
New Jersey	17	37.5	Florida	44	10.83
Hawaii	19	36.25	Iowa	44	10.83
Vermont	20	35	West Virginia	44	10.83
Nebraska	21	29.17	Mississippi	47	10
Arizona	22	28.33	Arkansas	48	8.33
Texas	23	25	Kentucky	48	8.33
Georgia	24	23.33	Tennessee	48	8.33
Idaho	24	23.33	Alabama	51	6.67
Montana	24	23.33	North Carolina	52	5.83

With the introduction of the two new indicators (caregiver discrimination protections and bossware protections) and the strengthening of our sexual harassment indicator by now including private sector training mandates, the rankings and scores have shifted from previous years' scores. Table 4 provides ranking and scores for the worker protections dimension. New York ranks first with an overall score of 78.33, followed by California (73.33), Illinois (70), Minnesota (65.83), and Oregon (65). Three of the five top states—New York, California, and Illinois—implemented private sector sexual harassment training mandates. Illinois also met all our criteria for bossware protections. Minnesota and Maine meet all three of our criteria for caregiving discrimination protections.

Other factors that affected this year's rankings are laws regarding heat standards and paid leave. So far, California, Maryland, Nevada, Oregon, and Washington are the only states with an active heat standard to protect all outdoor workers. This year, Colorado passed a bill expanding its heat protection standards beyond agricultural workers, but that law has not yet taken effect.[40] Importantly, all states in the top five positions have passed some form of paid leave legislation.

On the bottom of this dimension's rankings, North Carolina is last with a score of 5.83. Alabama comes second to last with a score of 6.67, followed by Tennessee, Kentucky, and Arkansas (all tied at 48 with a score of 8.33). Importantly, after being in last place for the previous seven years, Mississippi is no longer in the bottom five in this dimension, coming in at 47, as Mississippi has not passed legislation to weaken child labor protections. Despite moving up in the rankings, Mississippi is still the only state in the country without a basic equal pay law. The bottom five states have not only failed to enact essential protections like paid family leave and paid sick leave, but they also are failing to keep up with emerging worker protection policies such as those addressing bossware and caregiver discrimination protections.

There have been exciting wins in the worker protections dimension since last year's BSWI: Delaware, Maine, Minnesota, and Virgina have all either passed new policies on paid family and medical leave, or those programs have become operational. Nebraska's paid sick leave program took effect in October 2025. Paid family leave and paid sick leave are essential protections that allow workers to take care of a loved one, bond with a new child, or recover from an illness without missing a paycheck or risking losing their job.[41] Puerto Rico now has a policy guaranteeing paid lactation breaks; Illinois' paid pumping policy took effect in January, and Washington passed a paid pumping breaks policy that will take effect next year. Connecticut and Rhode Island joined five other states in passing warehouse worker protection bills (although Rhode Island's law will not become effective until 2027). Maine and Hawaii now have policies regarding fair scheduling. These advances in worker protections are essential to guaranteeing that workers can remain safe, healthy, and supported—both inside and outside of work.

DIMENSION 3: RIGHTS TO ORGANIZE—30% OF OVERALL SCORE

The rights to organize dimension tracks laws that enable workers to organize and sustain unions and bargain collectively for better wages and conditions. This dimension also examines laws that suppress union activity and discourage collective bargaining. In states that have a right-to-work law, it is more difficult for workers to organize and sustain unions, as these laws prevent unions from collecting dues from people who benefit from their activities. The rights to organize dimension also examines policies governing collective bargaining for workers in the public sector—those who are either employed or funded by the state.

The policies tracked in this dimension include:

- Right-to-work laws
- Right to organize for public school teachers
- Project labor agreements (PLAs): Agreements that stipulate that contracts for public construction projects must go exclusively to unionized firms
- Protection against retaliation

- Protection for collective bargaining
- Sectoral bargaining protections for rideshare drivers (gig workers)

The number of U.S. workers represented by a union reached its highest point in over 15 years in 2025, reversing a years-long trend of decline. In 2025, 463,000 more workers were represented by a union than in 2024, totaling 16.5 million workers. Many more workers want to be in a unionized workplace than currently work in one. According to the Economic Policy Institute, 43% of nonunionized workers would vote to unionize their workplace. And as the Economic Policy Institute notes, unions are popular across party lines and across generations.[42] However, federal labor law has been systematically weakened, making it difficult to join a union. And the Trump administration has attacked union rights, particularly for public sector workers, including by issuing executive orders stripping more than 1 million federal workers of their collective bargaining rights. The rise in union coverage, despite a hostile policy environment, demonstrates workers' resolve to join together and collectively bargain for better wages and working conditions.

Unions make a significant difference in workers' wages, working conditions, and benefits. When workers act collectively, they have more power to fight for their rights. Workers who are covered by a union contract have higher wages; are more likely to have access to employer-sponsored health care; and are more likely to have paid sick leave, retirement benefits, and guaranteed pensions.[43] Unions are especially helpful for women, especially women of color, as union workers experience smaller wage gaps and unions can increase wages for often-underpaid professions like care work.[44]

The 2026 BSWI adds two new policies to the rights to organize dimension: sectoral bargaining for rideshare drivers and collective bargaining for agricultural workers. Both new indicators aim to capture where state law covers workers who are excluded from federal protections. The National Labor Relations Act (NLRA), which governs worker organizing and collective bargaining, excludes several categories of workers, including agricultural workers, independent contractors, and domestic workers. Many of these excluded workers are workers of color, whose sectors were deliberately excluded when the NLRA was enacted in the 1930s. Today, these workforces consist largely of workers of color and immigrants, whose precarious legal status makes them more vulnerable to exploitation at work.

Sectoral Bargaining for Rideshare Drivers

Although most collective bargaining in the United States occurs workplace by workplace, sectoral bargaining allows unions to negotiate wages, benefits, and protections across an entire industry or sector, setting binding standards covering multiple employers at once. In our economic peer countries, where the sectoral bargaining model is more prevalent, more workers are covered by collective bargaining agreements where multiemployer agreements are negotiated. Sectoral bargaining can be particularly helpful for workers who otherwise face obstacles to collective bargaining. For gig workers like rideshare drivers, sectoral bargaining is particularly important because when workers are classified as independent contractors, they lose fundamental labor law protections, including the NLRA's organizing and bargaining rights, as well as wage and overtime standards. The Center for American Progress (CAP) has noted that sectoral bargaining models could be "especially effective in fragmented industries" like gig work, including rideshare for drivers. CAP posits that the emerging sectoral bargaining models for rideshare drivers could be a "template for improving wages and working conditions in industries where workers are dispersed, managed by algorithms, or classified as independent contractors."[45]

In 2024, Massachusetts voters approved Question 3, making Massachusetts the first state in the country to enact a law extending collective bargaining rights to rideshare drivers. This law led to the certification of the largest new private-sector union since 1941. A similar law took effect in California on January 1, 2026, giving more than 800,000 rideshare drivers the right to unionize and collectively bargain. In August, the governor of Illinois signed similar legislation into law, allowing rideshare drivers to unionize.[**]

The 2026 BSWI gives credit to states that allow sectoral bargaining for rideshare drivers. We also give credit to states that do not preempt cities, counties, or other local governments from regulating rideshare companies. While Massachusetts and California are the only two states that received credit for their laws allowing sectoral bargaining for rideshare drivers (Illinois' law was not signed until after July 1), Connecticut, Washington, D.C., Illinois, Kansas, Nebraska, and Oregon received credit for not preempting localities from regulating rideshare companies.[46]

Collective Bargaining for Agricultural Workers

When the National Labor Relations Act was enacted in the 1930s, it excluded agricultural workers from rights to collectively bargain with protections against retaliation. This exclusion remains in federal law, leaving this largely immigrant workforce vulnerable to systemic rights violations, including retaliation and exploitation. Against the backdrop of the Trump administration's attacks on immigrant workers, collective bargaining rights can offer essential protections against intimidation and abuse. These rights also give workers the ability to negotiate for better wages and safer working conditions, which are especially helpful in an industry where low wages, wage theft, dangerous conditions, and unfair treatment are rampant.[47] Fifteen states extend collective bargaining rights to agricultural workers.

TABLE 5. RANKING AND SCORES FOR RIGHTS TO ORGANIZE DIMENSION, SEPTEMBER 2026

State	Rights to Organize Dimension Ranking	Rights to Organize Dimension Score	State	Rights to Organize Dimension Ranking	Rights to Organize Dimension Score
California	1	91.67	Florida	27	41.67
Oregon	1	91.67	Michigan	27	41.67
District of Columbia	3	83.33	Missouri	27	41.67
Illinois	3	83.33	Montana	27	41.67
Massachusetts	3	83.33	Indiana	31	37.5
New York	3	83.33	Kansas	31	37.5

** The law was not in effect until after July 1, 2026, therefore, Illinois did not receive credit for this policy in the 2026 BSWI.

New Jersey	7	79.17	**Arizona**	33	29.17
Hawaii	8	75	**Iowa**	34	25
Connecticut	9	70.83	**South Dakota**	34	25
Delaware	9	70.83	**Idaho**	36	20.83
Ohio	9	70.83	**Louisiana**	36	20.83
Minnesota	12	66.67	**North Dakota**	36	20.83
Nebraska	12	66.67	**Oklahoma**	36	20.83
Puerto Rico	12	66.67	**Utah**	36	20.83
Vermont	12	66.67	**Wisconsin**	36	20.83
Washington	12	66.67	**Kentucky**	42	12.5
Colorado	17	62.5	**Tennessee**	43	8.33
Maryland	17	62.5	**Alabama**	44	4.17
Alaska	19	58.33	**West Virginia**	44	4.17
Maine	19	58.33	**Wyoming**	44	4.17
New Hampshire	19	58.33	**Arkansas**	47	0
New Mexico	19	58.33	**Georgia**	47	0
Pennsylvania	19	58.33	**Mississippi**	47	0
Rhode Island	19	58.33	**North Carolina**	47	0
Nevada	25	50	**South Carolina**	47	0
Virginia	25	50	**Texas**	47	0

Two states tie for first place in the rights to organize dimension with a score of 91.67: California and Oregon. At the bottom, tied with scores of zero, are Arkansas, Georgia, Mississippi, North Carolina, South Carolina, and Texas. All six of these states have right-to-work laws, which suppress union activity.[48] This year, Utah rose in the rankings as a result of a major win for public sector workers, with the repeal of one of the most restrictive bans on collective bargaining in the country. Teachers, firefighters, and other public sector workers fought for months to reverse the ban.[49]

The 2026 BSWI adds collective bargaining rights for agriculture workers to our rights to organize dimension. The 15 states that permit collective bargaining for agriculture workers have helped to address these exclusions that still exist in federal labor policy.[50] The rankings have shifted a bit since last year, owing to the expansion of the indicators. California and Massachusetts are the only states that had laws allowing sectoral bargaining for rideshare drivers as of July 1, and six states (Connecticut, Washington, D.C., Illinois, Kansas, Nebraska, and Oregon) receive credit for having no preemption of gig firm regulations, meaning state legislation does not prohibit local governments from developing their own labor standards to regulate rideshare companies.[51] This is a major win for workers in the gig economy, who are primarily Latinx and Black workers.

The South still remains the region with the weakest protections for workers' rights to organize and collectively bargain. When the NLRA was enacted in the 1930s, Southern legislators fought to exclude agricultural and domestic workers—workforces where Black workers, and Black women in the case of domestic workers, were concentrated—from the rights to organize and collectively bargain.[52] Today, workers of color continue to make up the majority of workers in these sectors, and they remain excluded from these federal protections. These exclusions are the legacy of racial and gender discrimination in U.S. labor laws—exclusions that must be ended.

CORRELATIONS BETWEEN BSWI STATE SCORES AND INDICATORS OF WELL-BEING

The BSWI analyzes how states' scores correlate with measures of individual, collective, and economic well-being. These correlations help illuminate the relationship between strong labor policies and broader well-being. We analyzed how our index scores correlate with measures of median household income, poverty, gross domestic product (GDP) per capita, food insecurity, unionization rates, and infant mortality. These correlations illustrate that when states support workers and working families, they also support the health and well-being of individuals, communities, and the economy.

Across our measures of well-being, there was a very strong correlation with BSWI scores. For every 10 points a state's score increased, there was a correlation with:

- $4,548 increase in median household income
- 0.47 percentage point reduction in households below 100% of the federal poverty level
- $7,141 increase in GDP per capita
- 0.48 percentage point reduction in food insecurity
- 2 percentage point increase in unionization rates
- 0.23 lower infant mortality rate per 1,000 births

In other words, a higher score on the BSWI correlates with lower rates of poverty, food insecurity, and infant mortality, and higher GDP per capita, median household income, and rates of unionization.

These measures are significant, at the 99% confidence level, with this significance robust to our control set model specification (for more, see our correlation methodology in Appendix 3 in the "Sources and Methodology" section of this report). These correlations indicate that states with stronger labor landscapes (another way of saying states that score highly on the BSWI) are strongly correlated with greater investment in individual and collective well-being. These states pass policies that protect workers, individuals, communities, and the economy, through a variety of measures. Thus, there is a strong correlation between the strength of a state's score on our BSWI and states where people have higher incomes, experience less poverty and food insecurity, and have fewer infant deaths. Also, there is a clear correlation between states with robust labor policies and higher unionization rates, reflecting policy investment in worker power.

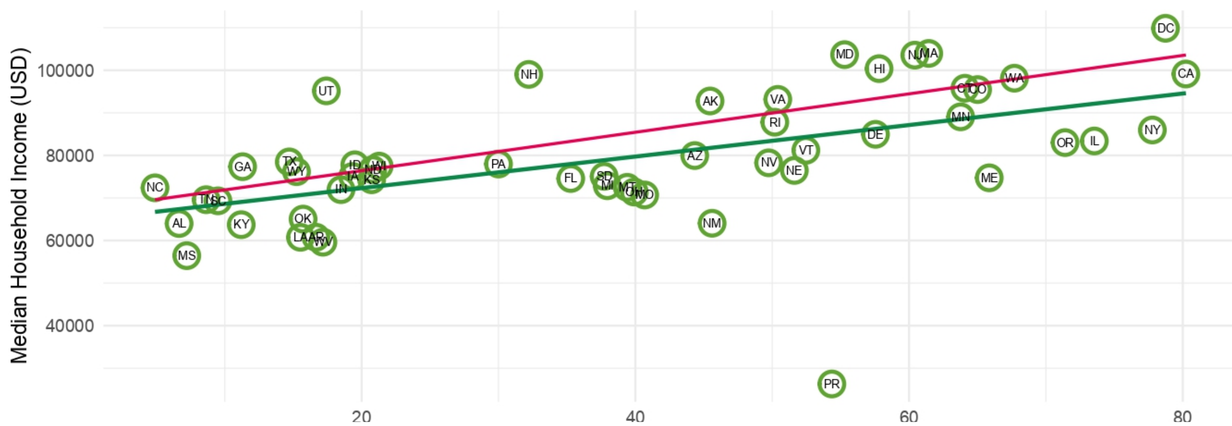
To assess the strength of the relationship between the well-being indicators and BSWI 2026 state scores, we ran three models: (1) a **base model** containing only the dependent and independent variable (BSWI score), (2) a **controlled model** that included state demographics and federal spending as a proportion of GDP to attempt to isolate the worker policy environment from state latent characteristics, and (3) a **robustness check model** that further incorporated fixed effects based on Bureau of Economic Analysis (BEA) region to isolate any regional component of variation. All correlations presented below are significant at the 99% confidence level in the controlled model.

Below are visualizations of how BSWI scores correlate with these measures of well-being:

In the case of median household incomes, a 10-point score increase correlates with an increase of $4,548 per household. See Figure 2.

FIGURE 2. BSWI 2026 CORRELATION TO MEDIAN HOUSEHOLD INCOME (U.S. DOLLARS)

Base regression fit presented in dark green; model controlling for state demographics in red.

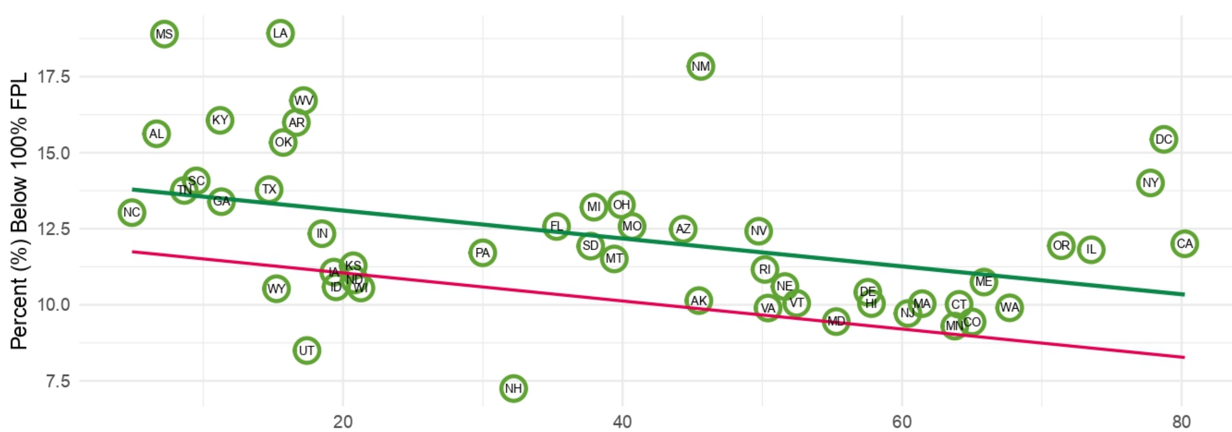


Data is sourced from U.S. government sources, including the Census American Community Survey (ACS), the Bureau of Labor Statistics, and the Centers for Disease Control and Prevention.

In the case of federal poverty levels (FPLs) at the state level, the correlation reveals that for every 10-point increase in BSWI scores, a state's federal poverty rate drops by 0.47 percentage points. See Figure 3.

FIGURE 3. BSWI 2026 CORRELATION TO PERCENTAGE BELOW 100% FEDERAL POVERTY LEVEL

Base regression fit presented in dark green; model controlling for state demographics in red.

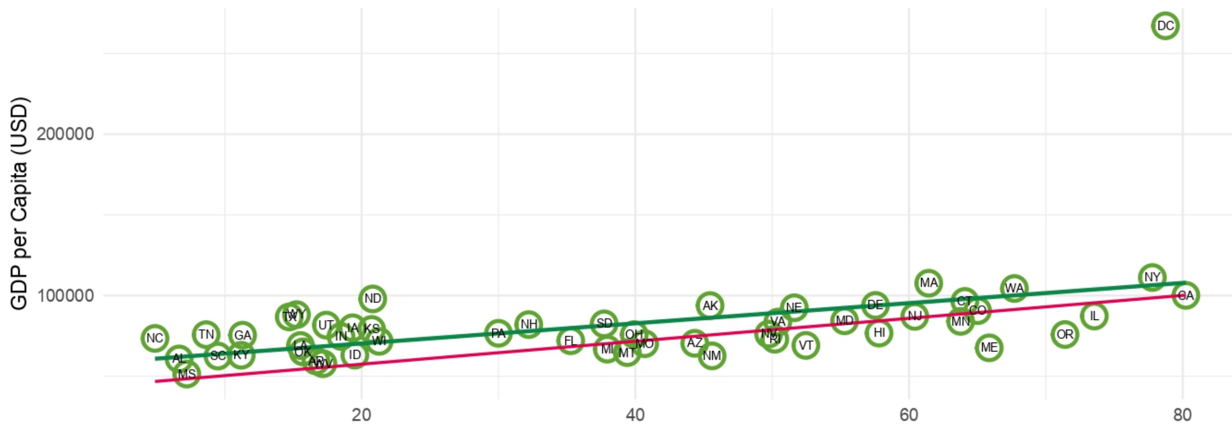


Data is sourced from U.S. government sources, including the Census American Community Survey (ACS), the Bureau of Labor Statistics, and the Centers for Disease Control and Prevention.

In the case of GDP per capita, every 10-point score increase in BSWI correlates with an increase of $7,141 per capita—a phrase to indicate average economic output per person. See Figure 4.

FIGURE 4. BSWI 2026 CORRELATION TO GDP PER CAPITA (U.S. DOLLARS)

Base regression fit presented in dark green; model controlling for state demographics in red.

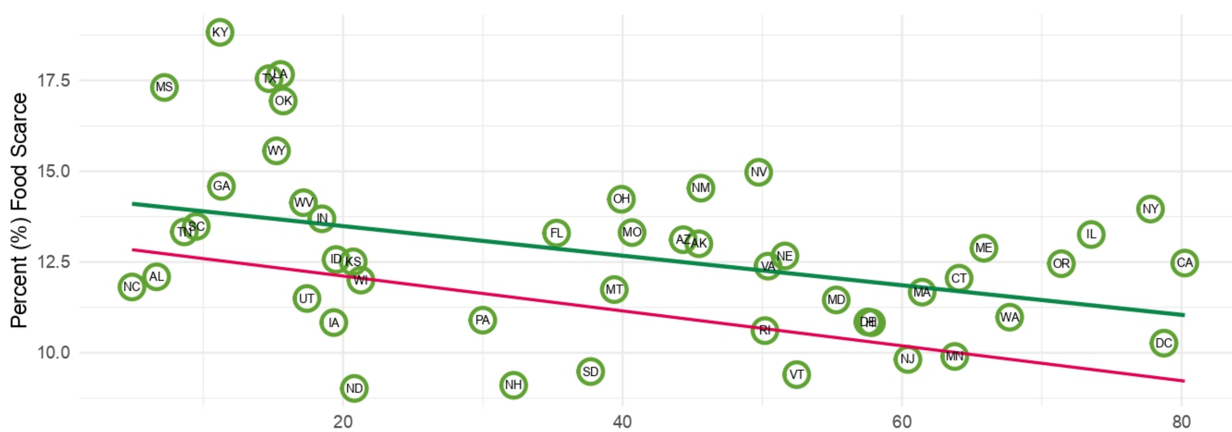


Data is sourced from U.S. government sources, including the Census American Community Survey (ACS), the Bureau of Labor Statistics, and the Centers for Disease Control and Prevention.

In the case of food insecurity, every 10-point increase in BSWI score correlates with a 0.48 percentage-point drop in the percentage of the state population experiencing food insecurity. See Figure 5.

FIGURE 5. BSWI 2026 CORRELATION TO PERCENTAGE FOOD SCARCE

Base regression fit presented in dark green; model controlling for state demographics in red.

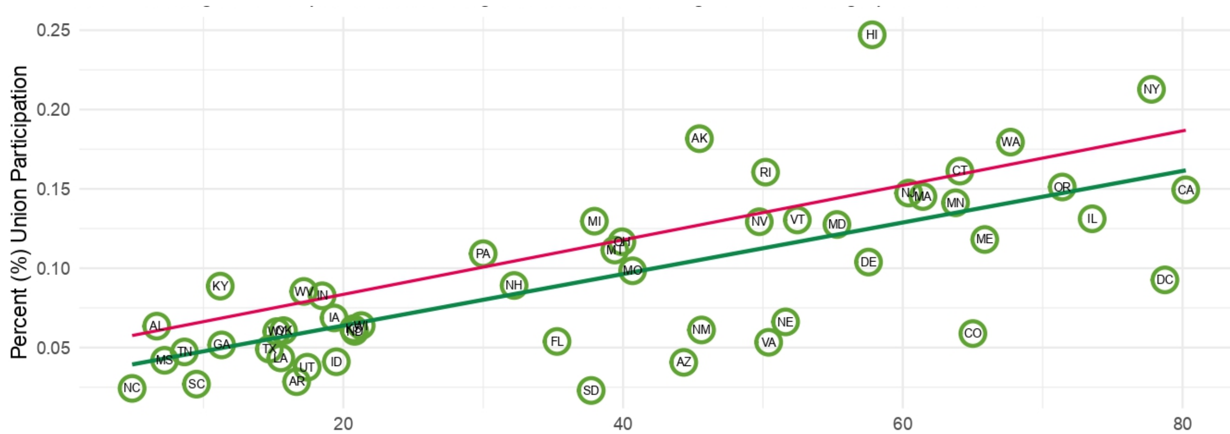


Data is sourced from U.S. government sources, including the Census American Community Survey (ACS), the Bureau of Labor Statistics, and the Centers for Disease Control and Prevention.

In the case of unionization rates, every 10-point score increase in BSWI correlates with a 2 percentage-point increase in unionization rates (a significant increase considering the average rate of unionization in the U.S. was 10% in 2025). See Figure 6.

FIGURE 6. BSWI 2026 CORRELATION TO PERCENTAGE OF UNION PARTICIPATION

Base regression fit presented in dark green; model controlling for state demographics in red.

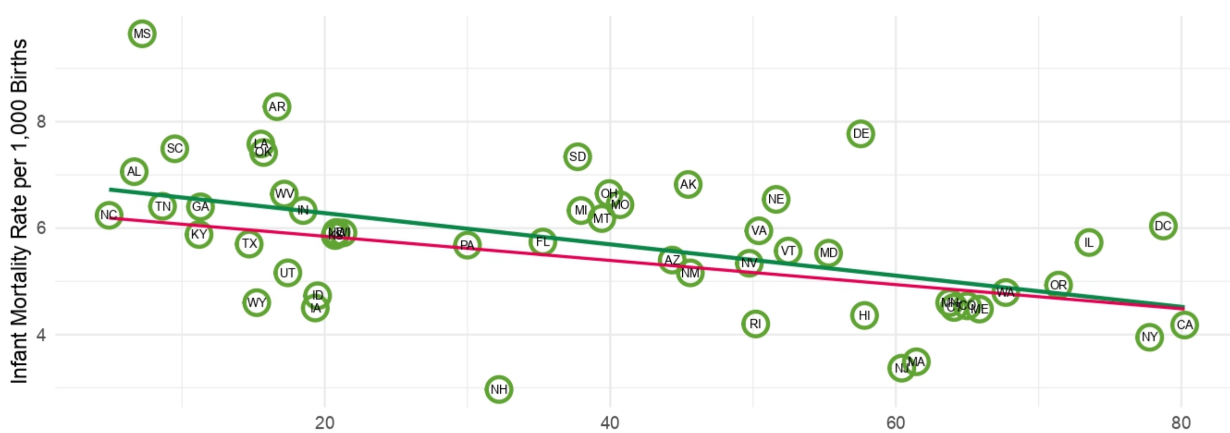


Data is sourced from U.S. government sources, including the Census American Community Survey (ACS), the Bureau of Labor Statistics, and the Centers for Disease Control and Prevention.

Finally, for infant mortality, every 10-point increase in BSWI score correlates with 0.23 fewer infant mortalities per 1,000 births. See Figure 7.

FIGURE 7. BSWI 2026 CORRELATION TO INFANT MORTALITY RATE PER 1,000 BIRTHS

Base regression fit presented in dark green; model controlling for state demographics in red.



Data is sourced from U.S. government sources, including the Census American Community Survey (ACS), the Bureau of Labor Statistics, and the Centers for Disease Control and Prevention.

While a 0.3 or 0.5 percentage difference may seem low, the impact is significant. The difference in scores across our index (a difference of over 75 points between the best and worst state) can correlate with up to a 3.6-percentage point reduction between the worst and the best state on measures of food instability. Put more simply, people living in places with the highest BSWI scores are substantially less likely to experience food insecurity than those living in places with the lowest scores.

Our correlations are predicated on score increases by factors of 10, meaning states like the District of Columbia, California, Illinois, and New York, which score above 70, are correlated with important positive measures of their residents' well-being. On the other hand, there are states like North Carolina, Mississippi, and Alabama with overall BSWI scores below 8 points. The states at the bottom of our rankings are associated with lower levels of well-being. These correlations demonstrate that a strong labor policy landscape, as measured by a strong score on the BSWI, indicates more than supporting workers within the workplace. These correlations show that when states support workers and working families, they also support the health and well-being of individuals, communities, and the economy. They also help illustrate the role of policy: When states invest in enacting policies that create a strong safety net—including policies that support workers and working families—it is more likely that people will thrive. Disparities in health, wealth, and well-being are the result of policy choices, and policy choices can offer the solutions.

POLICY RECOMMENDATIONS

The Best States to Work Index highlights opportunities for state and federal policymakers to improve the lives of workers and working families. Some states are enacting policies to address long-standing gaps in federal law, and thus serve as models for the rest of the United States on how to enhance workers' rights. Policymakers should strengthen wages, worker protections, and rights to organize at both the state and federal levels. Ultimately, federal policy change is necessary to address inequality from state to state, and raise standards for all workers, regardless of where they live.

WAGES

Policymakers must raise the minimum wage, eliminate subminimum wages (including for tipped workers, youth, and workers with disabilities), and end minimum wage exclusions. Policymakers should ensure that the minimum wage keeps up with the cost of living, including by tying automatic wage increases to inflation.

- At the federal level, the Raise the Wage Act would raise the federal minimum wage from $7.25 to $17; enact automatic, indexed wage increases; and gradually eliminate subminimum wages for tipped workers, workers with disabilities, and youth.
    - State policymakers can look to Washington's policy as a model. While Washington's minimum wage is still inadequate to support a family, it (1) ties automatic annual wage increases to the level of inflation, (2) allows localities to set a higher wage than the state standard, and (3) eliminates the subminimum tipped wage, making it a one fair wage state. However, Washington fails to fully extend minimum wage protections to farmworkers.
- The Fair Wages for Home Care Workers Act would amend the Fair Labor Standards Act to extend federal minimum wage and overtime protections to millions of home care workers.

WORKER PROTECTIONS

We need stronger worker protections at the state and federal levels, including paid family and medical leave, strengthened equal pay laws and sexual harassment protections, paid pumping breaks, protections against bossware, and protections for caregivers and domestic workers.

Paid Leave: Congress should guarantee paid sick leave and paid family and medical leave for all workers. At the federal level, the FAMILY Act would provide up to 12 weeks of paid family and medical leave for reasons ranging from medical issues to childbirth, or to support care responsibilities. The Healthy Families Act would guarantee up to seven paid sick days a year for short-term illness, preventive care, caring for a sick family member, or seeking assistance related to domestic violence, sexual assault, or stalking.

- More states are filling the gap by enacting paid sick and family leave programs. Oregon's paid leave policy is comprehensive, covering private, public, and part-time employees, and extending "safe leave" coverage for survivors of sexual assaults, domestic violence, harassment, or stalking.

Equal Pay: At the federal level, the Paycheck Fairness Act aims to close the gender wage gap by strengthening the Equal Pay Act, including limiting employers' reliance on an applicant's salary history, protecting workers from retaliation for discussing their wages, and requiring employers to prove that pay disparities are not solely related to gender.

- States can strengthen equal pay laws, too, by mandating equal pay across both the private and public sectors, and by restricting pay secrecy practices and salary history requirements in the private sector. New York and New Jersey's equal pay laws include a comprehensive list of protected classes.

Protections for Domestic Workers: The Domestic Workers Bill of Rights Act extends pay and leave rights to domestic workers while mandating health and safety precautions, including protections around fair and flexible scheduling. Twelve states, the District of Columbia, Puerto Rico, and two major cities have already passed their own domestic workers bill of rights.

Heat Protection Standards: As temperatures and heat-related worker deaths continue to climb, a set of federal heat protections for all workers is essential. At the federal level, the Asunción Valdivia Heat Illness, Injury, and Fatality Prevention Act would require the Occupational Safety and Health Administration to enact a strong standard protecting indoor and outdoor workers from heat.

- While we wait for the federal heat standard, states can implement their own heat-related worker protections. For example, Oregon, Washington, California, Colorado, Maryland, and Nevada have passed their own heat standards. Other states should follow suit, and all should include protections for both outdoor and indoor workers.

Warehouse Worker Protections: Congress should pass the Warehouse Worker Protection Act to protect workers from abusive, dangerous productivity and speed quotas that drive high rates of worker injury. The bill requires transparency around quotas, prohibits management from enforcing quotas that interfere with workers' ability to take breaks or use the restroom, and protects workers from punishment for failing to meet impermissible quotas.

- Washington, Oregon, New York, Minnesota, California, Rhode Island, and Connecticut have already enacted their own warehouse worker protection laws. State policymakers should look to these models.

Bossware Protections: Policymakers should pass laws that protect workers from the use of bossware, including requiring employers to disclose to workers when they use electronic monitoring and automated decision systems, ensuring that the use of AI and automated decision systems does not result in bias or discrimination, and enacting protections against the use of AI in employment decisions. At the federal level, the No Robot Bosses Act and the Stop Spying Bosses Act would help protect workers from bossware.

- Illinois has strong worker protections against bossware. Other states should follow this state's lead in protecting workers from electronic monitoring and algorithmic management.

Caregiver Discrimination Protections: Policymakers should ensure that workers can juggle their jobs with their caregiving responsibilities, including by enacting protections that prohibit discrimination based on caregiving responsibilities or familial status. Policymakers should define protections to capture the broad range of caregiving relationships and responsibilities that workers hold.

RIGHTS TO ORGANIZE

The federal government must strengthen workers' rights to build power collectively. Policymakers should end all exclusions from rights to organize and collectively bargain, and they should enable sectoral bargaining alongside workplace-level collective bargaining.

At the federal level, the Richard L. Trumka Protecting the Right to Organize ("PRO") Act, would expand the protections around workers' rights to bargain and organize as a collective.

States can support rights to organize and rights to collectively bargain in several ways, including:

- Repealing right-to-work laws.
- Protecting the rights of state and local employees, including public school teachers, to collectively bargain. (Illinois is a good example.)
- Passing laws enabling excluded workers, like agricultural workers, to collectively bargain.

SOURCES AND METHODOLOGY

APPENDIX 1: METRIC DESCRIPTIONS AND POINT ALLOTMENT FOR THE BEST STATES TO WORK INDEX

All data is based on laws in effect by July 1, 2026. Partial credit is given to states with laws that have passed but not yet taken effect. We allocated points across the three dimensions in the following manner.

WAGES DIMENSION (35% OF TOTAL)

Wage Ratio (15%): A state's wage ratio is created by determining the ratio of the state minimum wage to the MIT Living Wage at the state level, calculated for a household of two adults (one working) and two children. In cases where minimum wage varies by corporate size, the lower value is taken, whereas in cases where there is a secondary minimum wage for when employers provide health insurance, the higher value is taken. The final ratios are normalized between 0 and 100 for use in the index.

Tipped Wage Ratio (5%): A state's tipped wage ratio is created by determining the ratio of the state minimum tipped wage to the state minimum wage. In cases where the tipped wage varies, the one representing more workers is used (e.g., higher cash wages for bartenders versus all other workers are ignored). The final ratios are normalized between 0 and 1.

Local Control of Minimum Wage (5%): States receive a 1 if they have not proactively restricted the capacity for localities to impose higher minimum wages through preemption law. This point allocation is in contrast to the 2019 definition, which looked at passive restriction due to the implicit preemption of state constitutions.

Minimum Wage for Farmworkers (5%): States receive a 1 if agricultural workers are entitled to the same minimum wage as all other workers, and a 0.5 if they generally receive the same wage with some exceptions in the law. States with mandated lower minimum wages or no minimum wage receive a 0.

Unemployment Payments (5%): A state's unemployment payments are determined by the ratio of the average state unemployment insurance (UI) payments for full-time minimum wage workers to the MIT Living Wage at the state level, calculated for a household of four with two adults (one working) and two children. The final ratios are normalized between 0 and 100 for use in the index.

WORKER PROTECTIONS (35% OF TOTAL)

Paid Pumping Breaks (3.5%): For paid pumping breaks, states receive a 1 if they mandate that pumping breaks taken by breastfeeding workers be considered "paid breaks." States receive a 0.5 if this policy applies to at least some workers; in most cases, this applies to public employees. States receive a 0 if no workers are entitled to paid breaks for pumping or expressing breastmilk.

Equal Pay (3.5%): For basic equal pay, the state receives a 1 if it has mandated equal pay across private and public sectors. For pay secrecy, the state receives a 1 if it has specific legislation restricting pay secrecy practices in the private sector. For salary history, the state receives a 1 if it has restricted private sector salary history requirements.

Paid Leave (3.5%): Our paid leave data point covers both paid sick leave and paid family leave. For paid family leave, a state receives a 1 if it has passed and implemented paid family leave across the state, and a 0.5 if legislation has passed but not yet gone into effect. This legislation must apply for employers with 15 or more employees. For paid sick leave, a state receives a 1 if it has passed and implemented paid sick leave across the state, and a 0.5 if legislation has passed but has not yet gone into effect. This weighting differs from the 2019 index in that laws passed but not yet implemented are given partial credit.

Scheduling (3.5%): A state receives a 1 in each of the four scheduling categories (flexible scheduling, reporting pay, split shift pay, and advanced shift notice) if it has implemented a statewide policy (private and public sectors) on the subject in question. This differs from the 2019 index in that states where city-specific scheduling laws that might have applied to the majority of the state's population are no longer considered valid.

Sexual Harassment Protections (3.5%): The state receives a 1 if it has laws or legal precedent utilizing fair employment legislation explicitly regarding sexual harassment and its restriction in the workplace. A state receives full credit (1) if it has mandated sexual harassment training for the private sector, and partial credit (0.5) if it is mandated with exceptions for certain workers or sectors.

Protections for Excluded Workers (3.5%): Workers' compensation for farmworkers: A state receives full credit (1) if agricultural workers are fully covered by workers' compensation in the state and partial credit (0.5) if they either are partially covered or covered with exemptions. Domestic workers' rights and protections: The state receives full credit (1) for implementing a policy that strikes the exclusion of domestic workers. Policies tracked by the National Domestic Workers Alliance include overtime pay, paid sick days, workplace harassment and discrimination, safety and health, meal and rest breaks, protections for live-in workers, and privacy. If states have no worker policies that explicitly include domestic workers, they receive no credit.

Heat Safety Standard (1.75%): A state receives full credit (1) for implementing a heat safety standard to protect outdoor workers.

Warehouse Worker Protections (1.75%): A state receives full credit (1) for enacting a policy limiting the use of quotas in warehouse spaces to protect workers.

Child Labor Protections (3.5%): A state receives full credit (1) if it has not passed any legislation weakening or hollowing up child labor protections, including but not limited to expanding the ages of child workers to younger ages, waiving a requirement for parental consent, or extending hours child workers can work. States receive a 0 if they have passed any legislation that weakens child labor protections.

Bossware Protections (3.5%): Advanced notice: A state receives full credit (1) if they have legislation that requires employers to disclose advanced notice to employees about the bossware or AI software they are using to monitor and surveil their employees. AI bias audits: A state receives full credit (1) if it has legislation that requires employers to conduct bias audits to ensure their AI tools are not producing discrimination. Employment decisions: A state receives full credit (1) if it has legislation that requires employers to notify workers whether bossware or AI influences employment decisions. States receive a 0 if they have not passed any legislation that protects employees against bossware and AI.

Private Sector Caregiver Protections (3.5%): Inquiry protection: A state receives full credit (1) if it has any legislation around employers inquiring about caregiver responsibilities. Discrimination protection: A state receives full credit (1) if it has any legislation prohibiting discrimination based on caregiving responsibilities. Coverage beyond parents: A state receives full credit (1) if it has legislation that allows caregivers, beyond parents of children, to be covered by the law. States receive a 0 if they have not passed any legislation protecting employees with caregiving responsibilities in the private sector.

RIGHTS TO ORGANIZE (30% OF TOTAL)

Right-to-Work Law (5%): A state receives a 0 if it has passed a right-to-work law and a 1 if it has not.

Right to Organize for Teachers (5%): For collective bargaining, states receive a 1 if their statewide collective bargaining laws cover K–12 public school teachers. In wage negotiation, states must mandate that wages are a subject of teachers' collective bargaining negotiation procedures to receive a 1.

Project Labor Agreements (5%): A state receives a 0 if it has passed a project labor agreement preemption law and a 1 if it has not.

Protection against Retaliation (5%): States receive credit for legislation that protects workers against employer retaliation, specifically relating to wages. They can score 0, 0.5, 0.75, or 1. Based on the framework created by the National Employment Law Project (NELP), we gave a full point to states whose legislation provides workers with back pay, monetary damages, recovered attorney fees, and the right to bring complaints to government agencies and to court, with the potential for government-imposed fines on violators. We gave 0.75 points to states whose legislation includes all the above, with the exception of government-imposed fines. States awarded 0.5 points have not legislated government-imposed fines and do not provide easy means for workers to complain to government agencies in order to recover damages; however, these states allow for back pay, court cases against employers, recovered attorney fees, and court-mandated damages against employers. States receive no points if they have only legislated criminal penalties (and not civil) for employers who retaliate against employees who bring complaints of wage theft or have provided no framework to protect workers from retaliation beyond the Fair Labor Standards Act (FLSA).

Collective Bargaining (5%): States receive a 1 if collective bargaining is required for public sector workers, and a 0.5 if it is allowed within the state. States also receive full credit (1) if collective bargaining is permitted for agricultural workers.

Gig Work Sectoral Bargaining (5%): States receive a 1 if they have legislation that allows rideshare workers to participate in sectoral bargaining. States also receive full credit (1) if there is no preemption of gig firm regulations. A state receives a 0 if it has neither of these policies.

APPENDIX 2: EXPLANATION OF COMPOSITE SCORE CALCULATION

- Wages Dimension (35% of total)
    - 15%, Ratio of Minimum Wage to Cost of Living
    - 5%, Ratio of Tipped Cash Wage to Minimum Wage
    - 5%, Local Control of Minimum Wage
    - 5%, Minimum Wage Extension to Farmworkers
    - 5%, Ratio of Unemployment to Cost of Living

- Worker Protections Dimension (35% of total)
    - 3.5%, Paid Pumping Break
    - 3.5%, Equal Pay
        - Basic Equal Pay
        - No Pay Secrecy
        - No Private Sector Salary History
    - 3.5%, Paid Leave
        - Paid Family Leave
        - Paid Sick Leave
    - 3.5%, Scheduling
        - Flexible Scheduling
        - Reporting Pay
        - Split Shift Pay
        - Advance Shift Notice
    - 3.5%, Sexual Harassment Protections
        - Sexual Harassment in the Law
        - Mandated Private Sector Sexual Harassment Training
    - 3.5%, Protections for Excluded Workers
        - Extension of Workers' Compensation to Farmworkers
        - Domestic Worker Rights and Protections
    - 3.5%, Workplace Safety
        - Heat Standard
        - Warehouse Worker Protections
    - 3.5%, Child Labor Protections
    - 3.5%, Bossware Protections
        - Advanced Notice
        - AI Bias Audits
        - Employment Decisions
    - 3.5%, Private Sector Caregiver Protections
        - Inquiry Protection
        - Discrimination Protection

        - Coverage Beyond Parents

- Rights to Organize Dimension (30% of total)
    - 5%, Right-to-Work Law
    - 5%, Right to Organize for Teachers
        - Collective Bargaining
        - Wage Negotiation
    - 5%, Project Labor Agreements
    - 5%, Protection against Retaliation
    - 5%, Collective Bargaining
        - Public Collective Bargaining
        - Collective Bargaining Permitted for Agricultural Workers
    - 5%, Gig Work Sectoral Bargaining
        - Sectoral Bargaining for Rideshare Workers
        - No Preemption of Gig Firm Regulations

APPENDIX 3: CORRELATION CALCULATION METHODOLOGY

The authors recognize that the wage policies and worker protections passed in a given state are likely reflective of many socioeconomic indicators that may be used in defining worker welfare. However, we believe a purely correlational exercise may still be of intrinsic value, particularly in generating suggestive evidence that may warrant further exploration by other researchers. With this limited scope in mind, we ran a simple ordinary least squares (OLS) regression across several socioeconomic metrics chosen to represent the experience of low-wage workers in several spheres of welfare. This included metrics for median household income and poverty rate as defined by the federal poverty level (FPL), but also metrics on infant mortality, food insecurity, union participation, unemployment, and GDP per capita.

To assess the robustness of the relationship between the indicators and BSWI 2026 state scores, we ran a total of three models: (1) a **base model** containing only the dependent and independent variable (BSWI score), (2) a **controlled model** that included state demographics and federal spending as a proportion of GDP to attempt to isolate the worker policy environment from state latent characteristics, and (3) a **robustness check model** that further incorporated fixed effects based on Bureau of Economic Analysis (BEA) region to isolate any regional component of variation. Our control model accounts for state demographics (percentage female, percentage African American/Black, percentage Latinx, percentage white) and federal spending on a per capita basis; the fixed effects model seeks to separate latent "fixed" characteristics from each state from the relationship between the BSWI and various outcomes. All correlations presented are significant at the 99% confidence level in the controlled model. Apart from the federal poverty level and unemployment rate, which are significant in the controlled model, all relationships highlighted above in the correlations remain significant at the 99% confidence level and of similar magnitude in the robustness check model as well, giving more suggestive evidence for further research in this policy area.

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