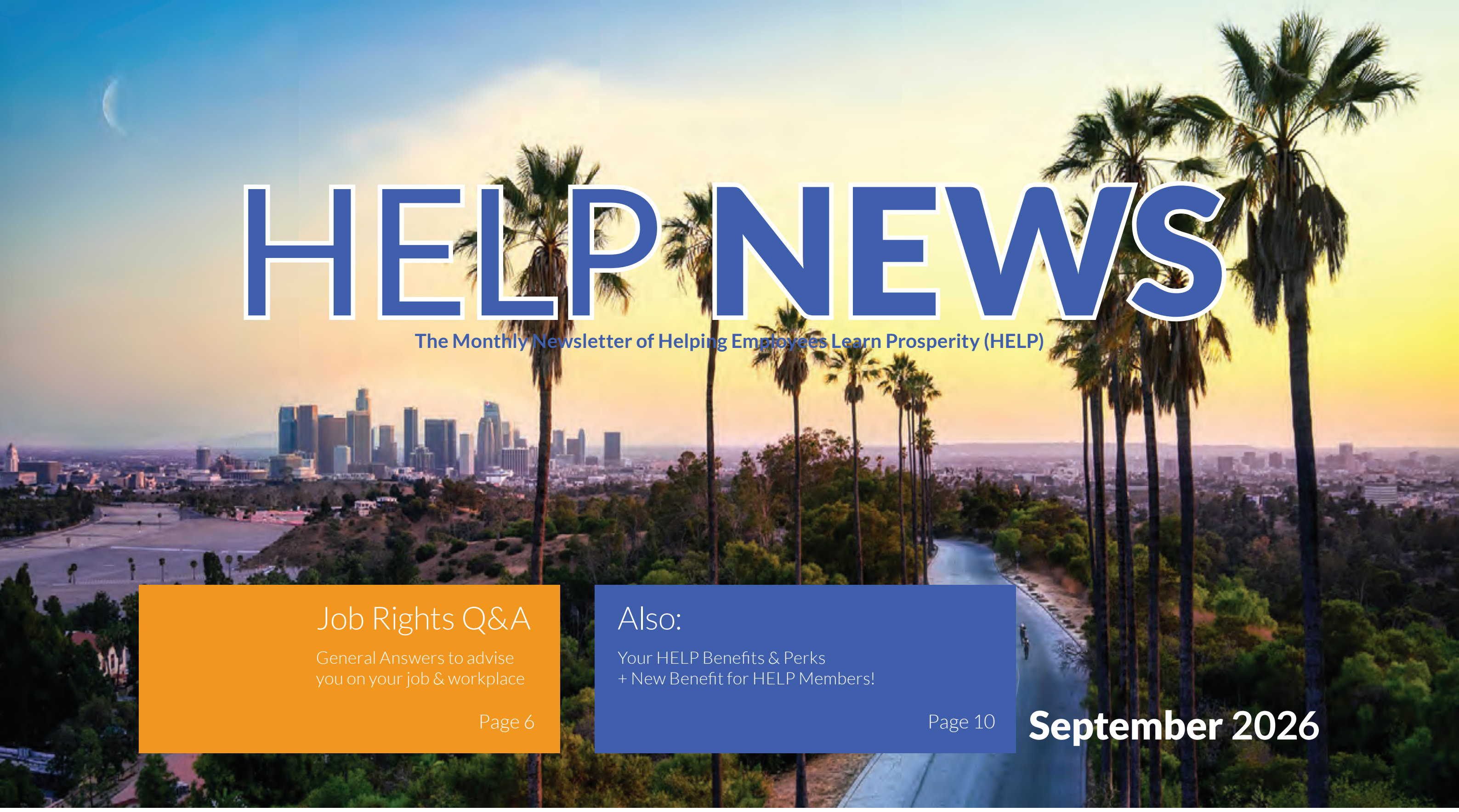

HELP NEWS

The Monthly Newsletter of Helping Employees Learn Prosperity (HELP)

Job Rights Q&A

General Answers to advise you on your job & workplace

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Also:

Your HELP Benefits & Perks
+ New Benefit for HELP Members!

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September 2026

Welcome!

help
Helping Employees Learn Prosperity

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HELP is a Registered Employee Organization with the County of Los Angeles and has a County assigned payroll deduction code.

HELP's status with the City of Los Angeles is a Qualified Employee Organization.

Happy Labor Day!

Labor Day is for celebrating the history of the American labor movement, which of course, is how we got the holiday to begin with. The U.S. Department of Labor has a good history on Labor Day as an official holiday here (History of Labor Day).

It is also a good time to check in to see how the labor movement is doing now. Although many people might envision factory workers or truck drivers when they think of the labor movement, the reality is full-time local government employees continue to represent the dominant share of unionized workers in America.

A U.S. Department of Labor, Bureau of Labor Statistics (BLS) report from earlier this year looked at union participation data from 2025. This month, we look at the BLS data (a full report can be found here Union Membership News Release) and how local government employees continue to lead America's labor movement.

A Brief Overview of Union Membership Figures and Trends

The percentage of workers who are members of a union – known as the "union membership rate" – was 10% in 2025. This means 10% of all U.S. workers belonged to a union in 2025. This amounts to 14.7 million people (a figure we will come back to). The total number of people covered by a union contract was 11.2%, or 16.5 million workers. This latter figure represents the total number of people eligible to join a union which represents workers at their workplace.

As these figures show, most people who are eligible to join a union choose to do so, in part because unions offer such strong benefits and protection for their members. These numbers have not changed since the U.S. Supreme Court's decision in Janus v. AFSCME (2018). Janus invalidated state laws allowing for agency shop arrangements, where state and local government employees were compelled to join the union or pay a service fee as a condition of employment.

For example, the BLS report from 2018 (the same year as the Janus decision) showed the union membership rate was 10.5%. This also amounted to 14.7 million workers. This was down only 0.2% since the prior year, 2017. Comparing the data from 2018 and 2025, the overall number is the same (14.7 million workers belonging to a union). Although the overall working population has increased during that time, leading to a lower percentage of the overall workforce (10.5% versus 10%), the percentage reduction is not because less people are choosing to belong to a union. The first year that comparable data exists is 1983, when the union membership rate was twice what it is today, with 20% of workers belonging to a union. But the overall number of union workers was only 3 million higher, at 17.7 million people. In short, the total workforce was smaller in 1983 than in 2025, resulting in a higher percentage for 1983 and a lower percentage for 2025. This is what is driving the percentage reduction. Statements about the decline of union membership are greatly misplaced. Over forty years, the total number of union members in America has not fallen precipitously. Although the percentage of union members compared to the total U.S. workforce has fallen in half, the percentage decline in union membership is because union membership rates (and total eligible union members) are not growing. Meanwhile,

the total U.S. workforce continues to expand. Furthermore, the total number of union members has not decreased at all since the Janus decision; it is the same 14.7 million workers. Union membership simply has not expanded to more sectors of the workforce that are nonunionized.

1935

changed workers'

right to organize

Legal Protection for Union Membership

Prior to 1935, there was no legal protection to form or join a union. That changed in 1935, under President Franklin Delano Roosevelt's (FDR's) administration, and with the help of Frances Perkins, the first woman ever to serve in a presidential cabinet. Labor Day is a good time to remember the contributions that both FDR and Perkins had on the labor movement and for working people.

Perkins and FDR helped make labor issues important in the emerging New Deal coalition. Perkins served as the U.S. Secretary of Labor (the head of the U.S. Department of Labor) for FDR's entire presidency. Together, they helped secure the passage of the National Labor Relations Act (NLRA), which for the first time, granted protection under Federal law for private sector workers to form and join a union in their workplace. From 1935 to 1983, union membership grew, both in percentages and in total number of workers, thanks to the new legal protections afforded by the NLRA. Union membership rates grew even more, starting in 1968, when local government employees in California gained similar legal protection with the passage of the Meyers-Milias-Brown Act. For ninety years, the growth of union membership in America can be summarized by a roughly 50-year period (1935-1985) where union membership grew rapidly, coinciding with (or because of) the granting of legal protections to form and join a union, and a roughly 40-year period (1985-2025) where union membership remained relatively stable but the overall U.S. workforce (and the share of the nonunionized workforce) grew more.

Local Government Employees Lead the Way

Today, the union membership rate for public sector workers continues to be much higher than for private sector workers. Over five times higher, in fact. About 33% of public sector workers were union members, compared to only about 6% of private sector workers.

In the public sector, 7.28 million workers belonged to a union (32.9%) and 8 million were covered by a union contract (36.4%). Within the public sector, union membership rates were the highest in local government, with over 3.85 million belonging to a union (37.8%). A total of 4.2 million local government employees were covered by a union contract (41.4%). When comparing the total number of local government union members (3.85 million) with the total number of union members (14.7 million), local government employees represent over 25% of all unionized

workers in America.

The figures for local government employees are noticeably higher than for Federal government employees and state government employees. A total of 1.1 million Federal government employees belonged to a union (27.2%), and 2.3 million state government employees belonged to a union (29.6%). A total of 1.3 million Federal employees were covered by a union contract (31.1%), and 2.5 million state employees were covered by a union contract (32.7%). These figures did not change significantly over the prior year (2024).

The BLS has a chart breaking down and comparing the various figures for both 2024 and 2025 here (Labor Force Statistics from the Current Population Survey).

Unionization varies widely by industry

Private Sector Union Membership Rates

Industries in the private sector with some of the highest unionization rates in 2025 included transportation and utilities (14.3%), and construction (11.1%). Among the lowest unionization rates were financial activities (1.5%), professional and business services (2.1%), and leisure and hospitality (which includes food services and drinking establishments) (3.0%).

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Effect of Union Membership on Wages

As you might expect, workers without unions earned significantly less. Nonunion workers had median weekly earnings that were 84% of what union members earned. Median weekly earnings for union members were $1,404, versus only $1,174 for nonunion workers.

California is a Leader in Union Membership

Combining both private and public sectors, California

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had the largest number of union members of all 50 states. California had 2.5 million union members (14.9%) and about 2.78 million workers eligible for union membership (16.7%). Hawaii (24.8%) and New York (21.3%) had the highest union membership percentages. South Dakota had the lowest number of union members – just 10,000. South Dakota (2.3%), North Carolina (2.5%), South Carolina (2.7%), and Arkansas (2.8%) had the lowest union membership percentages. Over half of the 14.7 million union members in the U.S. lived in just seven states – California (2.489 million), New York (1.834 million), Illinois (758,000), Texas (673,000), Washington (632,000), Pennsylvania (620,000), and New Jersey (612,000). California's share (2.5 million) of the total U.S. figure of union members (14.7 million) is 17%.

Other Demographic Factors

Workers aged 45-54 have the highest union membership rate (12.6%). Younger workers aged 16-24 have the lowest (4.7%). Union membership rates are also higher for full-time workers (10.9%) than for part-time workers (5.7%). The rate is higher for men than it is for women, but according to the report, that gap is narrowing considerably. For 2025, the rate was 10.4% for men and 9.6% for women, almost even. In 1983, the rate was 24.7% for men and 14.6% for women. Women are also a larger share of the overall workforce today than in 1983. African Americans continued to have the highest rate (11.4%) of membership, compared to Caucasian (9.9%), Hispanic (8.9%), or Asian (8.7%). Although there are slight differences, these numbers show that, for the most part, there are not any statistically significant differences when looking at gender or race.
In short, unions today are extraordinarily diverse and reflect the demographics of the entire U.S. workforce. The biggest indicator of union membership seems to be if the person works full time in local government in California.

Public Perception of Unions

Although union membership percentages have slowly fallen, Americans still view labor unions positively. According to a Pew Research study from 2024, 55% of Americans hold a favorable view of unions, and 41% hold an unfavorable view. Over the past 30 years that Pew has asked the question, they found that Americans have viewed unions at least somewhat more favorably than unfavorably. These figures have not changed much in recent years. For example, one year ago, a similar Pew study found that 60% of Americans said the decline in the share of unionized workers has been bad for the country, and 62% said this has been bad for working people.

Conclusion

In sum, the data shows that the labor movement is still very strong, led by full-time local government employees in California. What makes this result even more remarkable is the fact that unions have been under attack legally and politically, and at a time when union membership growth rates have not been expanding both nationally and worldwide.
Increasingly, Americans are demanding a greater voice in the workplace. Americans believe workers need strong unions to accomplish this. Support is now universal across demographic groups and is becoming even stronger with younger workers. The excellent showing amongst full-time local government workers in California provides a beacon of hope. That's certainly something to celebrate this year!

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News Release - CPI Data

The U.S. Department of Labor, Bureau of Labor Statistics, publishes monthly consumer price index figures that look back over a rolling 12-month period to measure inflation.

3.4% - CPI for All Urban Consumers (CPI-U) Nationally (July)

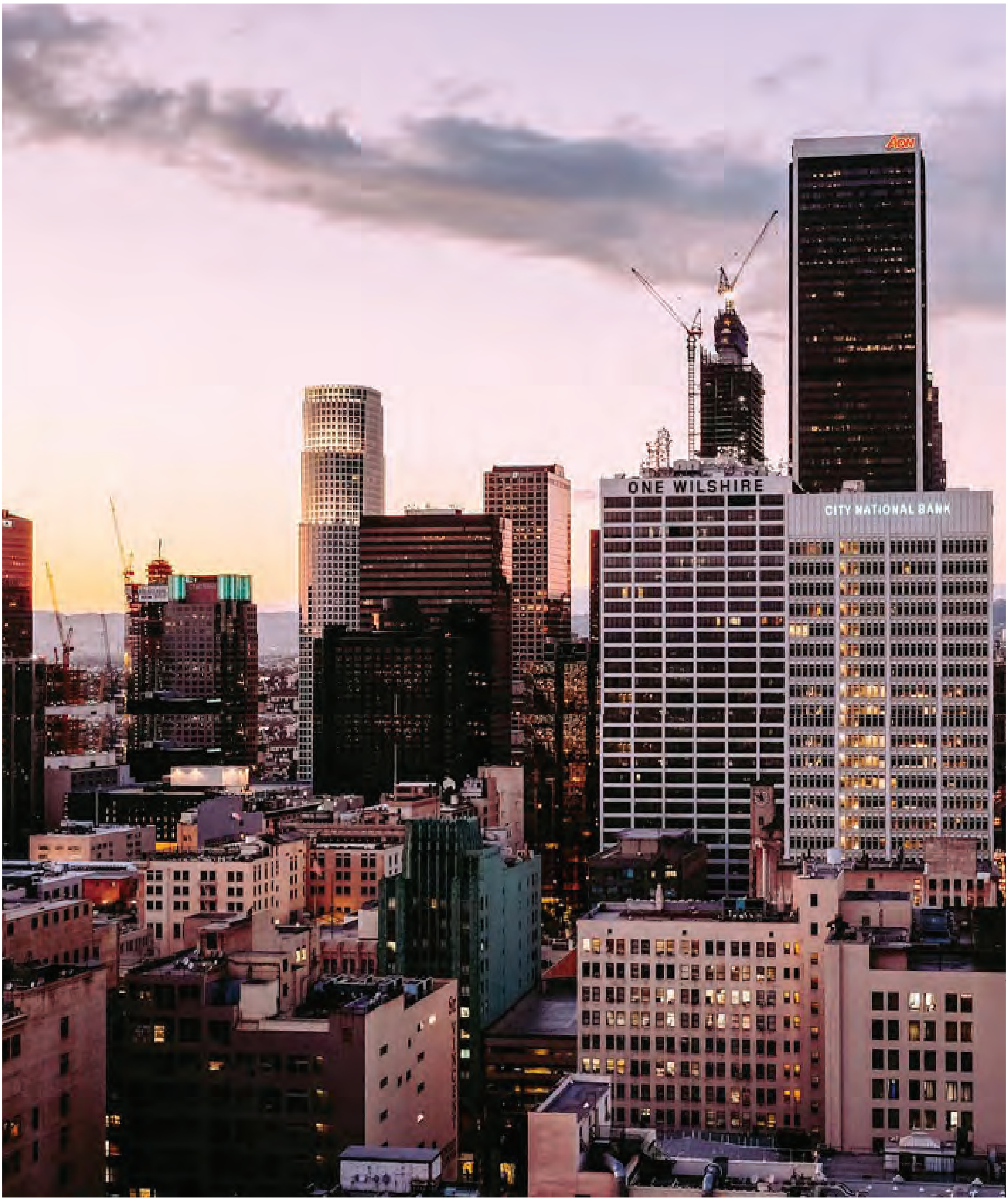
3.0% - CPI-U for the West Region (from July)

3.4% - CPI-U for the Los Angeles Area (from July)

3.8% - CPI-U for San Francisco Bay Area (from June)

3.2% - CPI-U for the Riverside Area (from July)

2.7% - CPI-U for San Diego Area (from July)



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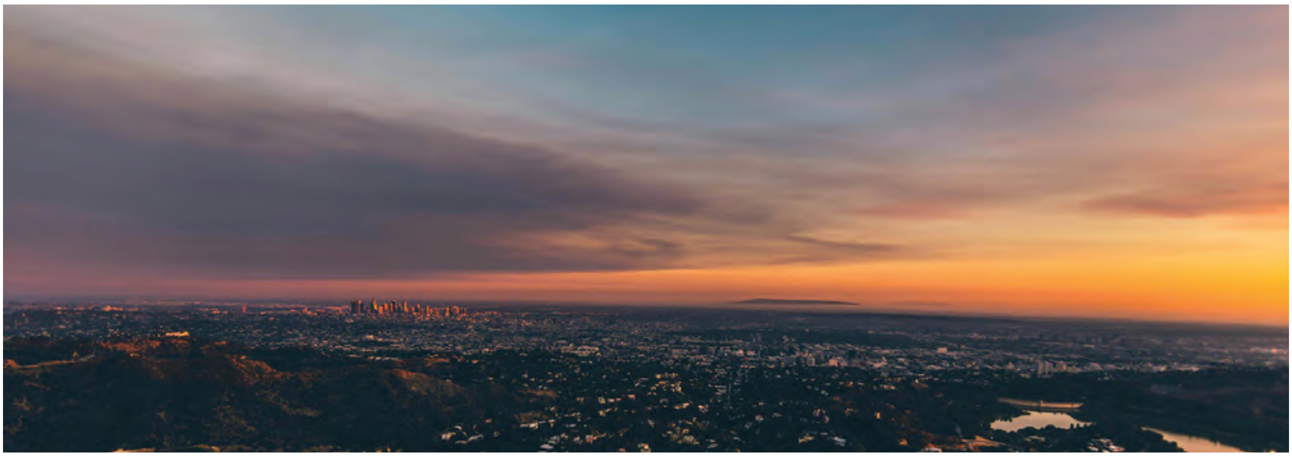
Questions & Answers about Your Job

Each month we receive dozens of questions about your rights on the job.
The following are some GENERAL answers.
If you have a specific problem, talk to your professional staff.

Question: Our Department Director recently mentioned having co-workers from other departments provide feedback on our performance that would be incorporated into our annual performance review. Is that permissible? I feel like the only one qualified to evaluate my performance is my supervisor.

Answer: Management may solicit input from co-workers as part of the performance review process to assess your customer service skills, communication skills, or ability to interact well with others. Although it varies on a case-by-case basis, a supervisor may not be the only person whose observations influence or inform an evaluation. However, performance evaluations must follow any procedures outlined in the MOU, personnel rules, and department policies. Check those rules to see if they specifically allow co-workers to provide input or allow management to solicit feedback from those outside the Department.

If the MOU, personnel rules, and department policies are silent on the subject, this could be something that the employer must negotiate with the employee organization before it can implement. Changes to how an employer measures an employee's performance – particularly if those



evaluations are used for pay increases, disciplinary action, order of layoff, or promotional opportunities – constitute a change in terms and conditions of employment. The employer cannot unilaterally change terms and conditions of employment without first providing the employee organization with notice and an opportunity to meet and confer.

If a unilateral change has occurred, contact your employee organization leaders, who can contact the employer and stop or delay any changes to the evaluation process from occurring until the bargaining process is completed. The employee organization can also negotiate to limit the use of any such feedback to specific sections of the evaluation (e.g., ability to get along with others), and to mitigate how such feedback affects any overall score.

Performance evaluations are also commonly placed in the employee's personnel file. Employees should be notified in writing and be given the opportunity to respond in writing to the evaluation. In the employee's response, the employee can provide their perspective on the matter and speak to any factual inaccuracies contained in the appraisal. This could include the fact that others were consulted and their judgments incorporated into the evaluation even though they do not have supervisory or managerial authority, training, or responsibility to assess the employee's performance.

If you receive a negative evaluation based on any improper feedback from coworkers or those who are not in your chain of command, contact your employee organization leaders and professional staff to review any possible appeal or grievance procedures, particularly if this constitutes a unilateral change or there is a potential violation of the terms of the MOU, personnel rules, or Department policy.

Question: **Question: We were advised that we need to attend training this week. It is during work time, but the training is not relevant to any of our current job duties. The fear is that management will add the responsibilities to our job specs once we have taken the training. We do not want to assume these job duties. Can management require that we attend the training? If so, what recourse do we have to object to performing the duties?**

Answer: Management can generally require employees to attend training on paid time and during their regular work schedule, even if the training focuses on developing skills that are not a part of the employees' routine duties. This may occur when the training concerns departmental operations, employee safety, compliance, or anticipated organizational needs, such as cross-training or pathways for growth.

However, participating in the training is different than being directed to actually perform the work for which you were just trained. Your duties are defined by the negotiated job description. Even with training in a new task, management cannot change your job description or essential duties without providing the employee organization with notice and the opportunity to meet and confer over any proposed changes.

The Public Employees Relations Board (PERB) has held that changes to job assignments and duties are generally within the scope of representation, and thus any proposed changes would need to be bargained between the employer and the employee organization. During those negotiations, the employee organization can address any safety concerns as well as propose an increase in wages or certification pay, particularly if the change in duties is significant or involves higher-paid work.

Being directed to attend the training does not formally amend or alter the job duties or job description of a particular classification. The employer cannot unilaterally assign new duties, waive bargaining unit rights, or establish that employees are required to perform duties outside of their classification, simply by directing that employees attend the training.

If management directs you to attend the training or thereafter directs you to perform any work outside of your job classification, comply with those directives to protect yourself from potential discipline for insubordination, unless there are immediate safety reasons why not to do so.

Then contact your employee organization leaders and professional staff. They can assist with filing a grievance over any out-of-class work. They can also ask Human Resources why employees are being directed to undergo the training and if management intends to propose revisions to the agreed-upon job specifications.

If management makes attempts to alter job duties or change work assignments, discuss this with your employee organization leaders and professional staff, who can compare the existing duties with the proposed duties and evaluate if there is an argument for out-of-class pay or an unfair labor practice charge.

The employee organization has the right to meet and confer over any changes in duties, qualifications, compensation, and any impacts and effects on the bargaining unit. Employees should document the directive to attend the training, and any statements from management about future assignments and new duties that might be assigned.

Question: **Can I take Bereavement Leave for my spouse's grandparent? What are my options if I want to attend services and need the time off?**

Answer: Under California law, a spouse's grandparent is not listed as a covered family member for the purposes of bereavement leave. California Government Code Section 12945.7, enacted by California Assembly Bill 1949 which went into effect on January 1, 2023, guarantees most employees up to five days of bereavement leave within three months following the death of an employee's spouse, child, parent, sibling, grandparent, grandchild, domestic partner, or parent-in-law.

However, check your MOU language and any personnel rules and department leave policy. Those documents may define "qualifying family member" more broadly to include in-laws or family members by marriage. Review that language with your employee organization leaders or professional staff before drawing any conclusions.

If the MOU or existing policy does not cover the affected family member, employees may request to use their own accrued leave (e.g., vacation, annual leave or PTO, compensatory time-off, floating holiday, etc.) or take unpaid time off for bereavement purposes. Also, inform your employee organization leaders, who can propose to expand the bereavement leave language in the next MOU negotiation.

Question: **My coworker is wearing Meta Glasses at work. It bothers me. I do not feel comfortable around her. I feel like I am being constantly recorded. I do not want videos of me posted to social media. Can man-**

agement prohibit wearing Meta Glasses at work?

Answer: You are not alone. Many employees do not want to be surveilled at work, either by the employer, by co-workers, or by members of the public. Yes, as a personnel policy, the employer can generally regulate or prohibit the use of smart glasses and other personal surveillance technology at work. Furthermore, California Penal Code Section 632 generally prohibits recording communication and interactions without the consent of all parties in spaces where there is a reasonable expectation of privacy.

Employees who have concerns about being recorded by their co-workers should report these instances to their management and Human Resources. Identify the device that is being used, by whom, the dates in question, the locations, and if sensitive information was shared, surveilled, or recorded.

Avoid making accusations of unlawful recording or violation of employer policy without concrete evidence. Simply report what occurred and leave it to the employer to investigate and, when necessary, take appropriate corrective action. If the conduct continues, be sure to continue to report it. If you report it, and the behavior continues, contact your employee organization leaders and professional staff for guidance.

Question: Our supervisor told all the staff in our work group that they should not be calling out sick, and they should "suck it up and come to work". Should I report this to HR? If I report what was said, is it appropriate to ask for a follow-up? Our HR department is soft at times, and I would like to see them do something.

Answer: Yes, this type of comment should be reported to Human Resources right away. Yes, it is appropriate to ask what has been done to address the issue, particularly if the comments continue, or if employees get resistance from management (and especially this specific supervisor) when using sick leave.

California law prohibits retaliation or discrimination against employees for requesting and using paid sick leave. Employees have the right under the Fair Employment and Housing Act to file a complaint with the California Department of Civil Rights if they face penalties for exercising those rights. A supervisor's comment to "suck it up and come to work" may interfere with and discourage employees from exercising their rights to use sick leave, even if sick leave has not yet been requested or denied. This may also conflict with the existing language in the MOU or the employer's own sick-leave, attendance, and safety policies.

Furthermore, coming to work sick does not benefit anyone in the long run. The purpose of sick leave is to allow you to get healthy more quickly and to avoid spreading any transmissible illness to your co-workers or your supervisor. Working while sick will only increase the likely need for you and others to be absent from work more.

Employees who are subject to this type of behavior should document the date, location, comments, witnesses, and the impact on employees. If, after reporting it to Human Resources, employees experience retaliation or difficulty using sick leave or any other negotiated benefit, contact your employee organization leaders and professional staff to discuss what further action can be taken to address the issue.

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