

Multi-State Charts Toolkit

by Practical Law Labor & Employment

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Resources in the form of 50-state survey and at-a-glance charts to help employers quickly grasp how state laws vary on specific labor and employment law issues.

Understanding US labor and employment law requires that employers and their counsel understand not only the key federal laws governing the workplace, but also state nuances across the country. In addition to Practical Law's collection of state law content in its Labor & Employment State Q&A Guides, Practical Law offers several resources that address and summarize state law on a number of discrete labor and employment topics. These resources include Practice Notes:

- [State E-Verify Employment Eligibility Verification Laws Chart: Overview](#), listing the states with employment eligibility verification and immigration enforcement laws and summarizing key provisions.
- [State Right-to-Work Laws Chart: Overview](#), listing the states with right-to-work laws, which limit an employer and union's ability to negotiate for union security clauses in collective bargaining agreements that require union membership or union dues or fees payments as a condition of maintaining employment and identifying prohibitions against union shops and agency shops.
- [Ban-the-Box State and Local Laws Chart: Overview](#), summarizing state and local ban-the-box laws restricting employers from inquiring about an applicant's criminal history during the recruitment process.
- [Employee Access to Personnel Files State Laws Chart: Overview](#), listing the states with laws permitting employee access to personnel files maintained by private employers and outlining state law on:
 - rights of access for former employees;
 - how much time employers have to respond to employee requests;
 - limits on employee access; and
 - penalties for employer violations.
- [State Guns-at-Work Laws Chart: Overview](#), listing the states with guns-at-work laws, sometimes known as parking lot laws, which generally limit an employer's ability to prohibit employees from bringing concealed firearms to work. This resource also identifies certain key provisions typically found in state guns-at-work laws.
- [State and Local Medical and Recreational Marijuana Laws Chart: Overview](#), outlining state law on medical and recreational marijuana use.
- [State Occupational Safety and Health Plan Laws Chart: Overview](#), listing:
 - the states with their own occupational safety and health plans approved by the federal Occupational Safety and Health Administration;
 - whether the state has adopted state-specific standards; and
 - each state's workplace safety and health poster.
- [State Workplace Illness and Injury Prevention Programs: Overview](#), listing the states with workplace illness and injury prevention programs for private employers. This resource also identifies the employers covered by the program and whether the program is voluntary or mandatory.
- [State Sexual Orientation and Gender Identity and Expression Discrimination Laws Chart: Overview](#), listing the states with laws prohibiting discrimination by private employers based on sexual orientation and gender identity or expression.



- [Defamation Basics State Laws Chart: Overview](#), providing a 50-state overview summarizing common law and statutory privileges addressing defamation and qualified privileges defenses, including:
 - the elements of a defamation claim;
 - the statute of limitations applicable to defamation claims; and
 - whether each state has a job reference immunity statute and qualified privilege defense.
- [State Voting Leave Laws Chart: Overview](#), listing the states with voting leave laws and summarizing key provisions of those laws.
- [Paid Sick Leave State and Local Laws Chart: Overview](#), listing the states and municipalities that have passed laws requiring employers to provide paid sick leave to their workers and summarizing the key provisions of those laws.
- [Employer Access to Social Media Accounts State Laws Chart: Overview](#), describing state legislation prohibiting private employers from asking employees and job applicants to provide access to their social media accounts and reveal usernames and passwords.
- [Minimum Salary Thresholds for Exempt Employees Under State Law Chart: Overview](#), providing an overview of the minimum salary thresholds for key exemptions under state wage and hour law, including for exempt executive, administrative, and professional employees and for commissioned sales employees.
- [State Law At-Will Employment and Exceptions Chart: Overview](#), a 50-state survey describing state law with respect to at-will employment, including key cases and exceptions to the general rule, such as:
 - implied contracts (for example, through handbooks with or without handbook disclaimers or through oral contracts);
 - covenants of good faith and fair dealing; and
 - public policies.
- [State Minimum Wage Chart: Overview](#), identifying the minimum wage in each state and localities, including scheduled increases.
- [State Tip Pooling and Tip Credits Laws Chart: Overview](#), providing a 50-state overview of state wage and hour laws for tipped employees, including:
 - whether employers may establish mandatory tip pooling agreements;
 - which employees are considered “tipped employees”; and
 - whether employers may deduct a tip credit to satisfy their minimum wage obligations.
- [Commissions Owed on Termination State Laws Chart: Overview](#), outlining whether commissions are considered “wages” under state wage payment law and at what point commissions are considered “earned.”
- [Sexual Harassment Prevention Training State and Local Laws Chart: Overview](#), describing state and local laws that require workplace sexual harassment prevention training for private employers, including those prompted by the #MeToo movement. This Chart discusses employer and employee coverage and specific training requirements, including rules regarding the content, format, timing, and frequency of the training, as well as special training requirements for supervisory and managerial employees.
- [Sexual Harassment Claims in Settlement, Arbitration, and Other Employment Agreements State Laws Chart: Overview](#), describing state laws that address sexual harassment claims in settlement agreements, arbitration agreements, and other employment agreements. This Chart includes laws prompted by the #MeToo movement, including state laws that restrict confidentiality and nondisclosure provisions when settling workplace sexual harassment claims, prohibit mandatory arbitration of sexual harassment claims, or place other restrictions on employment agreements that address sexual harassment claims. This Chart applies primarily to private employers but notes significant examples of laws applying to public employers where applicable.
- [State Direct Deposit and Payroll Card Laws Chart: Overview](#), providing a 50-state overview of state wage and hour laws governing wage payment by direct deposit and payroll cards in private employment.
- [State Wage Statement Laws Chart: Overview](#), providing a 50-state overview of itemized wage statement (or pay stub) requirements, including the frequency, method of distribution, and contents of wage statements under state law.
- [State Meal Period and Rest Break Laws Chart: Overview](#), providing a 50-state survey of meal and rest break requirements for nonexempt, adult employees of private sector employers.
- [Assignment of Employee Inventions State Laws Chart: Overview](#), providing an at-a-glance comparison of state laws addressing assignment of employee inventions agreements, including state statutory limitations on these assignments, as well as any notice requirements.

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- [Vacation Pay State Laws Chart: Overview](#), providing a 50-state overview of state laws addressing vacation pay issues, including the permissibility of use-it-or-lose-it policies and requirements for paying accrued, unused vacation to employees on termination.
- [State PEO Laws Chart: Overview](#), providing a 50-state overview of state laws regarding professional employer organizations (PEOs), including a summary of key provisions, such as licensing, contract, and notice requirements.
- [Unemployment Insurance Benefits State Laws Chart: Overview](#), a 50-state survey summarizing the common eligibility components of unemployment insurance benefits, including:
 - a claimant’s maximum weekly benefit;
 - the duration period of the benefit;
 - definitions for misconduct or just cause; and
 - collateral payments that may lead to a reduction in benefits or denial of a claimant’s application for benefits.
- [Recording and Reporting Occupational Injuries and Illnesses State Law Chart: Overview](#), describing the recordkeeping and reporting requirements for states with their own occupational safety and health plans approved by the federal Occupational Safety and Health Administration (OSHA). This Chart outlines which states have adopted additional or more stringent requirements than OSHA and which states have adopted OSHA’s standards with little to no significant variation.
- [State Unemployment Insurance Eligibility Laws for Striking or Locked-Out Employees Chart: Overview](#), outlining eligibility for employees who participate in a strike or lock-out to unemployment insurance.
- [State and Local Predictive Scheduling Laws Chart: Overview](#), providing an overview of state and local jurisdictions that have adopted predictive scheduling requirements.
- [State and Local Salary History Laws Chart: Overview](#), providing an overview of the state and local jurisdictions that have adopted a ban on requesting or requiring an applicant’s salary history information during the pre-employment process.
- [State Prevailing Wage Laws Chart: Overview](#), identifying which of the 50 states require contractors on publicly-funded public works projects to provide hourly compensation valued at no less than the prevailing wage in the area for the type of work performed. The chart also details the contract value thresholds for prevailing wage law obligations, how fringe benefits are counted within the prevailing wage calculations, and the state agencies monitoring payment obligations. The chart does not cover all state law obligations associated with contracts on public works projects, such as certain notice, posting, and recordkeeping requirements for employers. The chart also does not cover the federal Davis-Bacon Act and McNamara-O’Hara Service Contract Act or local laws, which may impose different or additional prevailing wage payment obligations.
- [State Wage Garnishment Laws Chart: Overview](#), providing an overview of wage garnishment laws in the 50 states and the District of Columbia, including job protection rights for employees and fees employers may charge to administer garnishments.
- [Paid Family and Medical Leave State and Local Laws Chart: Overview](#), summarizing the paid family and medical leave laws (PFL) in those states and local jurisdictions that have enacted them for private employers. The charts list key provisions of each PFL program, including employee eligibility, employer coverage, duration and amount of paid leave, notice requirements, job protection, and source of funding.
- [State Business Expense Reimbursement Laws Chart: Overview](#), summarizing business expense reimbursement requirements and restrictions on wage deductions for business expenses under state law.

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