

Happy December Employer! This is the 4<sup>th</sup> of four (4) 2016 new law updates for California employers. 2016 brings with it a barrage of changes that place a greater burden on operating a business in the great state of California. The best HR advice I can give you is *don't wait to get sued*, be proactive.

In terms of time, expense, disruption to your operation, and damage to your company's reputation, an audit of HR practices to determine your vulnerabilities, before something happens, is way cheaper than a lawsuit. A handbook clearly outlining your policies that is compliant with new and existing laws is a better investment than a wage and hour complaint.

This one is about retaliation and is short but sweet.

***The information below is designed to provide general information and guidance concerning employment-related issues. It is presented with the understanding that Greear Consultant Group, LLC is not engaged in rendering any legal opinions. If a legal opinion is needed, please contact the services of your own legal advisor, or ask GCG for a referral.***

#### **AB 1509 – Retaliation Protection**

This law extends retaliation protection to employees when a relative (family member) working for the same employer engages in, or is perceived to have engaged in, legally protected conduct. In simpler terms under this law, if a married couple is working for the same employer, and the husband complains of discrimination, don't fire the wife!

#### **AB 987 - Protection for Requesting Accommodation**

I always say if you are allergic to nuts don't visit the California legislature. This law reminds of the interns are protected from sexual harassment law of 2015. Apparently only our legislature didn't think they were before.

This new law extends protection to individuals requesting accommodation for a disability or religious belief whether or not that accommodation is granted. Sigh..... I thought it always was.

#### **Obamacare**

In 2016, Obamacare penalties will go into full effect which may force companies to hire freelancers over full-time employees. For individuals who don't have health insurance, they will be fined \$695, which is much greater than the \$95 penalty in 2014. For 2016, 95% of companies with 100 or more employees will need to be insured, and companies with 50 to 99 employees will have to insure full-time workers. Keeping track of benefit offers and declination will add more work for the HR benefits department.

#### **On the Horizon – 2016 hot topics**

Unpaid internships are a huge concern right now. Be on the lookout for more direction on a federal and state level regarding what constitutes a legal unpaid internship.

Maternity leave for fathers is on the horizon, as more woman become primary breadwinners. Look for laws on a federal or state level requiring employers to give protected leaves to new fathers.

Generation Z is entering the workforce. This generation is jaded from the recession<sup>1</sup>, suffers from student loans and has learned a lot being the children of Gen X. Compared to millennials, [research shows](#) that members of Gen. Z are even more entrepreneurial, loyal, flexible and realistic in their approach to careers and purchasing. They choose opportunities for growth and work-life balance over salary when selecting what company to work for. Like millennials, they will seek mentors and supporters because they are first starting out in their careers, and they will be even more connected through technology. About a third desire to become managers in the next five years, and [45% believe](#) working with boomers will be challenging.

Employers will need to adjust their thinking and allow for more flexibility in work life balance, be open to technology and in our future say goodbye to an office being just four walls. This new generation of workforce will be looking for non-traditional office space, like employee lounges, or cafeterias.

On that note, it's another great day to be a California Employer. Good luck out there!

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<sup>1</sup> Forbes - 10 workplace trends for 2016