



California Employment Laws 2016

Companies of all sizes are required to comply with employment regulations: The following list comprises some major state and federal employment regulations for private sector employers ONLY who conduct business in California, it is not intended to be all-inclusive. Please note, cities and counties may have specific laws that provide a greater good or if you are a public employer other laws may apply.

For more information contact Greear Consultant Group, LLC at greeargroup@gmail.com or call us at 909-997-8162. **New laws are in red.**

One or More Employees

- Child Labor Laws (Fed and State)
- Credit Check (State)
- Discrimination *includes religious dress and grooming practices, and prohibits discrimination against breastfeeding mothers* (State)
- Electronic Monitoring
- Emergency Duty Leave
- Employee Injury and Illness Prevention Program (IIPP) **< 10 employees must be in writing**
- Emp. Polygraph Protection Act
- Employee File Access – *employer must respond within 30 days includes third party requests*
- Employment conditions discussion
- Equal Pay Act (Federal, if engaged in interstate or foreign commerce with yearly gross sales \$500,000+
- Equal Pay Act (State)
- E-Verify (State)
- **Healthy Workplace Healthy Family Act – July 1, 2015 Mandatory Paid Sick Leave**
- Federal Wage and Hour Provisions (FLSA, if engaged in interstate or foreign commerce with yearly gross sales of \$500,000 or more)
 - Health Insurance Portability and Accountability Act (HIPAA)
- Immigration Reform Act (I-9 form)
- Jury and Witness Duty Leave
- Mandatory Health Insurance Provisions (if health ins. provided)
- Meal & Rest Breaks
- Military Duty Leave
- **Minimum Wage (State) raises to \$10 1/1/16 Note city and counties may have a higher wage**
- **Nondiscrimination: Driver's Licenses for Undocumented Persons**
- Wage Theft Protection Act Form DLSE-NTE (*rev 11/2014*) *to include notification of sick leave policy*
- Reporting, On-Call & Callback Pay
- New Employee Reporting (EDD)
- No-Smoking Policy
- Occupational Safety and Health Act (Cal-OSHA)
- Overtime Pay – Daily & Weekly
- Out of State employees subject to CA Wage and Hour Laws
- Paid Family Leave – EDD Program
- Restriction on Federal Contractor Arbitration Agreements (federal contractors)
- School Visit for Suspended Child
- Sexual & Unlawful Harassment Policy

The information 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.



One or more employees cont'd.

- Social Media (State) – *prohibits employers from requesting access to employees social media*
- State Disability Insurance (SDI)
- State Wage and Hour Provisions (IWC orders) Summary Plan Descriptions and Annual Report 5500's required for ERISA health/welfare plans
- Time off for Crime Victims and Victims of Domestic Violence to Attend Judicial Proceedings.
- Time off to vote
- Undocumented Workers' Rights
- Unemployment Insurance
- Wages -- Deduction, Payment & Termination Requirements
- Workers Compensation
 - Whistle Blower (State)
- Willful Misclassification of Independent Contractors (State)
- Withholding of Federal & State Income Taxes
- Withholding of Social Security
- Written Commission Agreement (State)
- Workers' Compensation Insurance
- Workplace Violence Prevention
- Domestic Partner Coverage in Group Health Plans
- Lactation Accommodation
- Posters and Notices (State and Federal) **updated annually**
- **Kin Care for Sick Leave Policies (REVISED TO MIRROR HWHFA)**
- Independent Contractor Reporting
- Break Time for Nursing Mothers (Fed FLSA)
- **FAIR PAY ACT (1/1/16)**
- **MAJOR REVISION TO PIECE RATE LAW (1/1/16) LIMITED SAFE HARBOR**
- **RETALIATION PROTECTION EXTENDED TO FAMILY**
- **EXPANSION OF PROTECTION FOR REQUESTING PHYSICAL OR RELIGIOUS ACCOMODATIONS**

Add for 2-19 Employees

- Cal-COBRA (continuation of health benefit coverage)

Add for 5 of More Employees

- Age Discrimination (CA)
- California Fair Employment Laws (FEHA)
- Pregnancy Disability Leave (CA)
- Pregnancy Disability Leave Medical Coverage (CA)
- Genetic Information Bias (CA)

Add for 15 or More Employees

- Americans with Disabilities Act
 - Equal Employment Opportunity, including 2008 (Federal)
 - Civil Air Patrol Employment Act (CA)
 - Organ & Bone Marrow Donation Leave (CA)

Add for 20 or More Employees

- Age Discrimination (Federal)
- COBRA (Federal) and Health Insurance Premium Payment (CA)

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Add for 25 or More Employees

- Drug/Alcohol Rehab Accommodate
- School Activities Leave (CA) **Expanded to include time off to find, enroll or reenroll in school or with licensed child care provider.**
- Literacy Education Act (CA)
- Leave of Absence for Domestic Violence and Sexual Assault Victims for Medical and Other Recovery Proceedings
- Military Spousal Leave

Add for 50 or More Employees

- Mandatory Sexual Harassment Training for Supervisors (*every two years and within 6 months of promotion or hire*)
- California Family Rights Act – **Expanded employer responsibilities**
- Federal Family & Medical Leave Act
- Voluntary Firefighters Leave
- Affirmative Action (federal contractors)

Add for 75 or More Employees

- California Plant Closure/Mass Layoff Provisions

Add for 100 or More Employees

- Employee Information Reports (EEO-1 forms)
- Plant Closure/Mass Layoff Law (Federal WARN Act)

This is not meant to be an all-inclusive list, rather a summation of major laws please contact a GCG consultant at greeargroup@gmail.com if you would like to more about the laws that may pertain to you and your business.

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