



Employment Trends Report

SOUTHERN CALIFORNIA

New California Laws in 2019 that Employers Need to Know

Several new California laws that will affect employment and the workplace went into effect on January 1. While the minimum wage law was the most publicized, there are several others that employers need to know.

“The common theme with our customers early in the year is the need to train their employees on these new laws to avoid complications down the line,” said Genine Wilson. “In some cases, like AB 1976 on breastfeeding and SB 179 on gender identity, compliance may be straightforward, but the impact to the workplace culture and new expectations of workers may be difficult to navigate, especially for managers.”

Here are the new laws that may affect your business:

- **Minimum Wage Increase (SB 3):** Workers in companies with 25 or fewer employees will receive a salary increase from \$10.50 to \$11 an hour. At companies with more than 25 employees, the hourly wage will increase by one dollar - from \$11 to \$12. This law was approved in 2016 and will continue until the minimum wage reaches \$15.
- **Protection Against Lawsuits in Cases of Harassment Complaints (AB 2770):** This new law protects victims of sexual harassment and employers from being sued for defamation by an alleged harasser. This is in cases of a complaint of sexual harassment while the employer conducts an internal investigation. Also, the law enables employers to indicate during reference checks whether an individual has been found to have engaged in sexual harassment.
- **Confidentiality Agreements (SB 820):** This measure prohibits confidentiality agreements in cases of sexual harassment, assault and discrimination that are signed as of January 1.
- **Access to Work Personnel File (SB 1252):** This law enables employees who want to look at their employment records and request a personal copy of their employment file.
- **Waiver of Legal Claims (SB 1300):** This workplace law prohibits employers from forcing new employees or those seeking raises to waive their right to file legal claims. However, employees could still waive these rights as part of an agreement. This frequently happens in exchange for a severance package.
- **Breastfeeding at Work (AB 1976):** This legislation requires employers to make reasonable efforts to provide a room or place for breastfeeding that is not a bathroom. The area must be private and within close proximity to the employee's work space.
- **Gender Identity on State Documents (SB 179):** This legislation enables Californians to identify their gender as “nonbinary” on official state documents. As of January 1, the DMV's driver's license application form will require applicants to choose either male, female or nonbinary. As employers process documents from their employees, this designation may appear. The new law may compel employers to train their teams on how to interact with and address nonbinary individuals as well as other types of gender identity.
- **Women on Board of Directors (SB 826):** This legislation puts publicly traded companies on notice. They must have at least one woman in their board of directors by the end of 2019 and two or more women in their board of directors by 2021.

If you have any questions on these new Californian laws, please contact an employment lawyer for further guidance.



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