

**The Power of Simplicity****What's New in Your State?****California:**

The California Labor Commissioner's Office has posted [guidance](#) for agricultural employers and workers on an overtime pay schedule that went into effect January 1, 2019. The overtime pay requirements under the law ([A.B. 1066](#)) will be phased in over time.

[S.B. 970](#) was effective January 1, 2019 and requires specified businesses and hospitality establishments to post a notice relating to slavery and human trafficking and covered employers to provide at least 20 minutes of prescribed training and education regarding human trafficking awareness to employees who are likely to interact or come into contact with victims of human trafficking by January 1, 2020.

[A.B. 2358](#), effective January 1, 2019, prohibits discrimination in any building and construction trades' apprenticeship program on the basis of any state protected class. An apprenticeship program must take affirmative steps to provide equal opportunity in apprenticeship, including providing anti-harassment and antidiscrimination training to all apprentices, instructors and employees of the program.

Effective December 31, 2019, under [S.B. 826](#), every publicly held domestic or foreign corporation with principal executive offices in California must have at least one female director on its board. By December 31, 2021, this minimum requirement increases to two female directors on a five-person board and three female directors on a board of six or more people.

Effective January 1, 2019, [A.B. 2282](#) clarifies that employers may ask about an applicant's salary expectation for the position for which they have applied. When an employer is setting a new salary for an existing employee, the employer may consider the individual's current pay, but any resulting wage disparity must be based on specific factors as outlined in the law.

**Colorado:**

Colorado's state minimum wage rose to \$11.10 from \$10.20 on January 1, 2019, under rulemaking adopted by the state's Department of Labor and Employment and [published](#) December 10 in the Colorado Register. The tipped-employee minimum wage is \$8.08. Colorado's maximum tip credit is \$3.02.

**Connecticut:**

Effective January 1, 2019, the "[Act Concerning Pay Equity](#)" (S.B. 5386) forbids businesses from asking candidates to disclose their current or past compensation at any point during the interview process. If a candidate voluntarily discloses the information without being asked, the business may consider it.

**Delaware:**

Under [S.B. 170](#), the state's minimum wage is \$8.75 effective January 1, 2019. The minimum cash wage payable to employees who receive tips remains as \$2.23 per hour.

Under [H.B. 483](#), employees who are at least 18 during the first 90 consecutive days of work may be paid a training minimum wage of at least \$8.25 an hour, effective January 1, 2019. Employees who are younger than 18 may be paid a youth wage that is at least \$8.25 an hour, effective Jan. 1, 2019.

**The Power of Simplicity****Hawaii:**

Effective January 1, 2019, [S.B. 2351](#) prohibits employers from inquiring about an applicants' salary history or relying on it to determine their salary, benefits, or other compensation during the hiring process, unless they disclose this information voluntarily and without prompting. Employers may also not prohibit employees from disclosing their wages, discussing or inquiring about other employees' wages, or aiding or encouraging other employees to exercise these rights.

**Illinois:**

The [Illinois' Service Member Employment and Reemployment Rights Act](#) was effective January 1, 2019. The new law eliminates previous requirements and implements changes that follow parts of the federal Uniformed Services Employment and Reemployment Rights Act regarding employees who take leave for military service. The law requires Illinois employers to post an ISERRA posting.

Effective January 1, 2019 under [H.B. 4743](#), employers are prohibited from discriminating in employment against African-American employees in the payment of wages for the same or substantially similar work that requires equal skill, effort, and responsibility and is performed under similar working conditions.

Effective January 1, 2019 under [S.B. 4311](#), employers and their authorized agents can obtain no-contact orders on behalf of employees who are victims of stalking.

**Michigan:**

Effective March 29, 2019, [H.B. 6572](#) amends sections 7 and 9 of the "Bullard-Plawecki employee right to know act." This impacts certain ways that employment records are retained and released by employers to a third party.

Effective March 29, 2019, [S.B. 1175](#) establishes a statewide paid sick and safe time law. The Michigan Paid Medical Leave Act covers private employers with 50 or more employees. The law exempts executive, administrative, professional, and outside sales employees, as well as individuals covered by a collective bargaining agreement, those whose primary work location is outside Michigan, and various transportation industry employees from the law's coverage. Eligible employees will accrue one hour of paid leave for every 35 hours worked.

**New Jersey:**

Effective as of January 16, 2019, [S.B. 2534](#) prohibits the smoking of tobacco products and the use of electronic smoking devices in all enclosed indoor places of public access, workplaces, and at all public parks and beaches.

**New York:**

The [Gender Expression Non-Discrimination Act](#) (GENDA) was signed into law to prohibit discrimination based on gender identity or expression and include criminal offenses related to gender identity or expression under the hate crimes statute.

The Department of Financial Services [announced](#) the 2019 Paid Family Leave benefit amounts and employee contribution rate. As provided for in statute, the benefit rate will increase to 55% of an employee's average weekly wage to a maximum of 55% of the state's average weekly wage, effective January 1, 2019.

**The Power of Simplicity****Ohio:**

Effective March 20, 2019, [H.B. 494](#) will specify that a franchisor is not the employer of a franchisee or employee of a franchisee for purposes of the Minimum Fair Wage Standards Law, the Bimonthly Pay Law, the Workers' Compensation Law, the Unemployment Compensation Law, and the Income Tax Law and to require the Director of Administrative Services to establish the women-owned business enterprise program.

**Oregon:**

The Oregon Bureau of Labor and Industries (BOLI) has issued [administrative regulations](#) for Oregon's Pay Equity Law which was effective as of January 1, 2019. The regulations provide additional detail to employers including defining key terms.

**Vermont:**

Beginning January 1, 2019, employees covered under [Vermont's Paid Sick Leave law](#) receive an increase in the paid sick leave hours they may accrue and use from 24 hours to 40 hours per benefit year.

Effective January 1, 2019, [Vermont's Social Media Privacy Act](#) prohibits employers from requesting, requiring or coercing an applicant or employee to:

- Disclose his or her personal account log-in information or turn over an unlocked personal electronic device;
- Access his or her personal account in the employer's presence;
- Divulge or present content from his or her personal account to the employer;
- Change privacy settings to expand third-party access to his or her personal account; and add anyone to the employee or applicant's contacts list.