

## In the Know Series - Labor & Employment Law Changes in California

April 5, 2024

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### *Stay Ahead of the Curve with Key Insights from Our L&E Team*

Now that the first quarter is behind us, all California employers should ensure that they are aware of and are in compliance with the new 2024 California employment laws. Our team has compiled a concise overview of these changes to keep you informed and prepared for compliance.

The west coast was fairly active this year and the following are the **major** changes in the law:

#### **Effective January 1, 2024:**

- State-mandated sick leave increases to 5 days. If the client has PTO, the analysis may be a math problem. Also, remember that several California cities have their own sick leave laws that require more than 5 days of sick leave.
- All employers, regardless of size, must allow up to 5 days of reproductive loss leave (for failed adoption, failed surrogacy, miscarriage, stillbirth, or an unsuccessful assisted reproduction). This is in addition to family medical leave.
- The state has codified the fact that non-competes are void, with the exception of the sale of goodwill when a business is sold as set forth in Business and Professions Code § 16601. One new statute states they are void regardless of where signed (even outside the state). Another statute requires employers with employees who have signed non-competes to notify them by February 14, 2024, that the non-compete provision is void.
- Marijuana use becomes a protected basis under the Fair Employment and Housing Act. Employees cannot use or be under the influence at work, but an applicant cannot be denied employment if they test positive for marijuana.
- The regulations regarding criminal background checks were revised requiring the employer to conduct a detailed individualized assessment before denying an applicant employment.
- The minimum wage is increasing to \$16.00/hour on January 1, 2024, which means exempt employees need to earn a minimum of \$66,560 annually and \$5,546.67 monthly in order to be exempt.

#### **Effective April 1, 2024**

- The minimum wage for fast food workers rises to \$20/hour.

#### **Effective July 1, 2024:**

- All employers will be required to have a workplace violence plan. Similar to an Injury & Illness Prevention program if you are familiar with those plans – in other words, it needs to be in writing, employees need to be trained and it will take some effort to be in compliance.