

State Legislative Update

November 19, 2019

California

Whistleblower Protection

Effective January 1, 2020, an employee working in a “Health Facility” has the right to discuss violations and patient safety issues privately with a State Department of Public Health Inspector.

California

Health Benefit Mandates

Effective January 1, 2020, for plans issued, amended or renewed on or after January 1, are prohibited from discriminating against participation in an approved clinical trial.

California

Oakland

Effective January 1, 2020, the minimum wage in the City of Oakland is raised to \$14.14 from \$13.80 due to an annual inflation adjustment.

Florida

Miami Beach

Effective immediately, hotels are required to provide a panic device to all room attendants, housekeeping attendants, room service servers and minibar attendants.

Minnesota

Duluth

Effective January 1, 2020, employers with five or more employees working in the City of Duluth for more than 50% of the time, in a 12-month period, are required to frontload or allow employees to accrue paid sick and safe time. Employees may use the time for themselves or to care for a family member. Earned Sick and Safe Time (ESST) can be used by employees in order to care for themselves or a family member in situations involving illnesses, injuries, physical or mental health conditions, domestic violence, sexual assault, or stalking.

New Mexico

Albuquerque

Effective January 1, 2020, the minimum wage for a worker without health insurance benefits is raised to \$9.35. The minimum wage for a worker with health insurance benefits is raised to \$8.35. The minimum wage for a tipped employee is raised to \$5.60.

New York

New York City

Effective January 11, 2020, New York City Human Rights Law (NYCHRL) is extended to freelancers and independent contractors. Freelancers and contractors will be able to file claims with the New York City Commission on Human Rights and in the court. The workers receive protection from harassment, discrimination and retaliation.

New York

Anti-Discrimination

Effective immediately, employers are prohibited from discriminating against employees based upon their (or their dependents') reproductive health decisions. In addition, an employer may not access an employee's personal information regarding reproductive health decision-making, including but not limited to, the decision to use or access a particular drug.

Ohio

Cincinnati

Effective March 13, 2020, employers with 15 or more employees must adhere to new regulations regarding salary history inquiries. Employers are prohibited from:

- } inquiring about the salary history of an applicant or employee
- } screening applicants based on their current or prior compensation
- } using the salary history of an applicant to decide whether to:
 - } offer employment
 - } determine salary
 - } refusing to hire, disfavor or retaliate against an applicant for not disclosing salary information

Washington

Health Benefit Mandates

Effective January 1, 2021, for plans issued, amended or renewed on or after January 1, sexual assault victims must be provided screenings, medically necessary services and prescription medications for physical, mental, sexual and reproductive healthcare.