



# LEGISLATIVE UPDATES 2023 for CAP MPT

Presented by Alexis James, Esq. & Renee Noy, Esq.

# AB 152 SUPPLEMENTAL PAID SICKLEAVE

- This legislation extended SPSL from September 30, 2022, to December 31, 2022
- SPSL was not renewed and is now ended
- However, grant relief is still available



# AB 152 GRANT RELIEF FOR SMALL BUSINESSES

Up to \$50,000 in grant money if:

- "C" or "S" corp., LLC, partnership, limited partnership, or registered 501(c)(3), 501(c)(6), or 501(c)(19);
- operating since before June 1, 2021;
- currently active or operating;
- 26 to 49 employees
- provided CSPSL per California Labor Code Sections 248.6 and 248.7; and
- provide organizing documents.



# CHANGES TO CAL/OSHA ETS

- ETS remains in effect for now, but ...
- New non-emergency regulation coming into effect in next few weeks
- Some changes:
  - No more exclusion pay
  - No more daily screening
  - New requirement to report major outbreaks
  - Adopts CDPH definition of “close contact”



The image features a teal background with several green cannabis leaves scattered across the top left. A white, torn-edge banner is positioned on the right side, containing the text 'AB 2188 CANNABIS' in a dark teal, sans-serif font.

## AB 2188 CANNABIS

- Effective January 1, 2024
- Prohibits employers from discriminating against employees based on:
  - use of cannabis off the job and away from the workplace
  - drug screening test that has found the person to have non-psychoactive cannabis metabolites in their hair, blood, urine, or other bodily fluids
- Exceptions:
  - Construction trades; or employees in positions requiring federal government background investigations or security clearances through the Department of Defense.

# AB 1126 CAL SAVERS

Employees with 1 or more employees  
must now register for Cal Savers by  
December 31, 2025



# SB 1477 WAGE GARNISHMENT LIMIT

- Effective September 1, 2023
- Reduces wage garnishment limits to the lesser of two amounts:
  - 20% of disposable earnings for a week or 40% of the amount of the employee's disposable earnings that exceed 48 times the state minimum wage. (So  $48 \times \text{min wage of } \$15.50 = \$744$ )



# AB 1041 CFRA "DESIGNATED PERSON"

- 5+ employees
- 12 weeks in 12 month period
- Birth of child
- Adoption or foster care
- Care for family member or designated person
- Own serious condition
- Qualifying exigency
- **"Designated Person"** - individual related by blood or whose association with the employee is the equivalent of a family relationship







# AB 1751 COVID-19 PRESUMPTION

- 5+ employees
- Through January 1, 2024
- Burden on employers
- WC benefits for COVID illness
- Must exhaust sick leave first
- May be rebutted by evidence

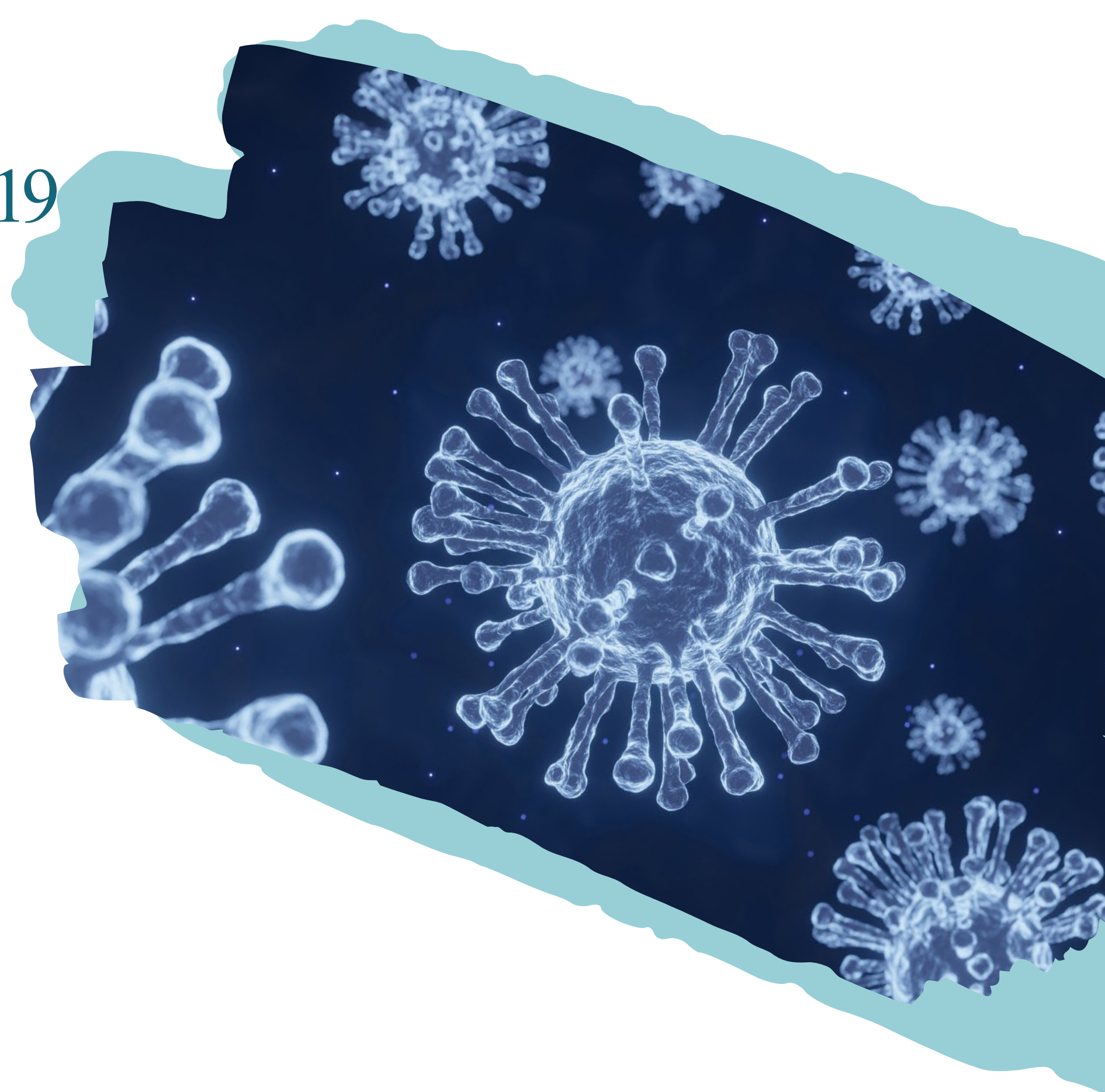
# AB 1949 BEREAVEMENT LEAVE

- No longer optional
- 5 or more employees
- 5 days
- Can apply PTO or vacation leave
- Effective January 1, 2023



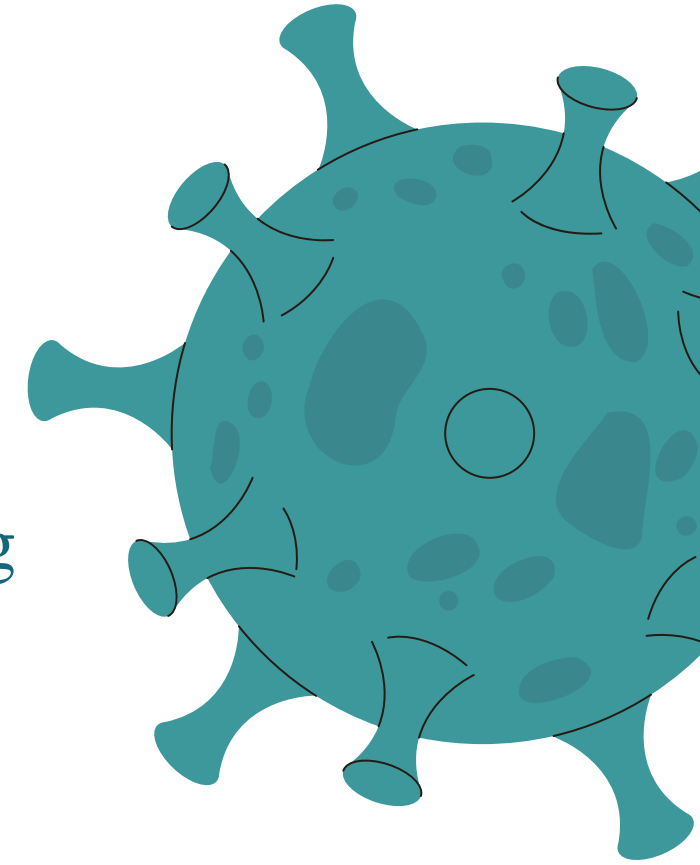
# AB 2693 NOTIFICATION REQUIREMENTS FOR COVID-19

- Effective January 1, 2023
- No notice requirement to the local public health agency
- CDPH no longer required to make information regarding COVID outbreaks and cases received available on its website
- Definition of “close contact” has changed - 15 min over a 24 hr period with a person (symptomatic or asymptomatic) during the person’s infectious period



# AB 2693 NOTIFICATION REQUIREMENTS FOR COVID (continued)

- Employers may either provide a written notification or a worksite posting
- Post within 1 business day of getting notice of the exposure
- The notice must state:
  - Dates on which an ee was on the worksite
  - Location of exposures
  - Contact information for ee's to receive information re COVID related benefits
  - Contact info for ee's to receive the cleaning and disinfection plan
  - Must be posted for at least 15 calendar days
  - Must be in English and language understood by majority of employees
  - Alternative to posting = communicate the information in the manner in which the employer normally uses to communicate employment-related information



# SB 951 ACCESS TO PFL AND SDI FOR LOWER WAGE WORKERS

- Helps lower wage workers by increasing family and disability leave
- It changed the formula to calculate disability payments for disabilities starting after January 1, 2025
- Increasing from 60-90% the share of workers' wages paid by PFK and SDI starting on 1/1/2025. Used to be 40% of wages.



# SB 1162 REPORTING TO CA CIVIL RIGHTS DEPT



- Under existing law:
  - 100 or more employees
  - Mandated to submit Employer Information to EEOC
  - Submit pay data report to CA Civil Rights Dept (formerly DFEH)
  - Submit a federal EEO-1
- New law:
  - Submit pay data report by second Wednesday of May each year
  - Effective May 10, 2023
  - EEO-1 no longer satisfies requirement
  - Expands data that must be reported to include number of employees by race, ethnicity, and sex in specified job categories
- Employer with 15 or more employees to include in all job postings the salary or hourly wage range that the employer reasonably expects to pay for the position

# AB 1632 CUSTOMER ACCESS TO EMPLOYEE RESTROOMS

- Will require businesses open to the general public to allow people with certain medical conditions to access employee restrooms
- Business may require documentation, which is sufficient if the documentation is signed by a medical professional attesting that the customer has specified medical needs
- No private right of action. Enforcement by State Department of Public Health



# AB 2068 CAL/OSHA HEALTH POSTINGS

- AB 2068 requires that employers required by Cal/OSHA to post notices of violations must post the notices in multiple languages
- Enforcement by Cal/OSHA





# SB 1044 NO RETALIATION FOR REFUSING TO WORK IN EMERGENCIES

- Bars employers in emergency situations from retaliating against employees who refuse to come to work because they believe the workplace unsafe
- Numerous exceptions for specified industries
- Employers cannot prevent employees from using cell phones to seek emergency help, assess safety, or communicate regarding safety
- Employee must tell employer about the emergency condition





# SB 1334 MEAL AND REST PERIODS FOR PUBLIC HEALTHCARE WORKERS

- SB 1334 grants the right to meal and rest periods to certain public sector health care workers
- Applies to public-sector employees who provide direct patient care or support direct patient care in general acute care hospital, clinic, or public health settings
- Entitlement is similar to meal and rest break rights possessed by private sector workers
- Exemption for employees covered by certain CBAs

# SB 523 REPRODUCTIVE HEALTH DECISION MAKING

Adds "reproductive health decision-making" to the list of protected categories under FEHA.



A top-down view of a desk with a silver keyboard, a white mouse, a white mousepad, a brown spiral notebook with a pencil, and a small green succulent in a white pot. The background is a light brown surface.

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THANKS FOR  
LISTENING!

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