

Legislative Update

January 2015

What to Watch for in 2015

Additional information will be forthcoming related to any required change in Matrix's process, practice, written or verbal employee communications as a result of these new laws.

Reminder! Big Changes in New Jersey as Sick Leave Law Becomes Effective for Four Municipalities in January 2015

Passaic, East Orange, Irvington, and Paterson each have mandated sick leave requirements for employers going into effect during January 2015.

IMPACT TO YOUR PROGRAM WITH MATRIX:

In the event that this proposed legislation becomes law, the final provisions will be reviewed and communicated. Municipality laws are not loaded into our Leave Management program.

Arkansas – Special Election in Fayetteville Results in Repeal of Civil Rights Ordinance

The special election was conducted on December 9th, resulting in the repeal of the recently passed and highly contentious Civil Rights Ordinance in Fayetteville, Arkansas. The ordinance extended employee protections in several areas, including terms, conditions and privileges of employment. The protected classes were to extend to real or perceived incidents of discrimination based upon race, ethnicity, national origin, race, gender, gender identity, gender expression, familial status, marital status, socioeconomic background, religion, sexual orientation, disability and veteran status. The ordinance was repealed by a vote of 52-48 percent.

For more information: <http://www.fayettevilleflyer.com/2014/12/09/voters-repeal-civil-rights-ordinance-in-fayetteville/>

IMPACT TO YOUR PROGRAM WITH MATRIX:

No impact to Matrix programming or management as this is a city ordinance.

Reminder! Illinois – Human Rights Act Now in Effect!

Changes in the Illinois Human Rights Act became effective on January 1, 2015, and significantly enhance the obligation of employers to make accommodations for pregnancy. The Act requires, "reasonable modifications or adjustments to the job application process or work environment, or to the manner or circumstances under

which the position desired or held is customarily performed, that enable an applicant or employee affected by pregnancy, childbirth, or medical or common conditions related to pregnancy or childbirth to be considered for the position the applicant desires or to perform the essential functions of that position.”

For more information, including employer obligations and defenses: <http://www.xperthr.com/news/illinois-to-require-reasonable-accommodations-for-pregnant-workers/13793/>

IMPACT TO YOUR PROGRAM WITH MATRIX:

This will only impact those clients for whom we manage ADA/A

Reminder! Amendments to Connecticut Paid Sick Leave Act of 2012 Now in Effect

An amendment to the Connecticut Paid Sick Leave Act of 2012 became effective January 1, 2015. The amendment provides new rules for determining the fifty (50) employee threshold in establishing coverage under the Act. The changes will make it more difficult for employers to manipulate the workforce through payroll actions, transfers, or terminations of employees. The amendment also provides for greater flexibility of timeframes to determine the accrual of sick leaves. Employers conducting business would be wise to review the changes created by the amendment and adjust leave policies accordingly.

A guidance statement from the Connecticut Department of Labor can be found at: <https://www.ctdol.state.ct.us/wgwkstnd/SickLeaveGuidance.pdf>

IMPACT TO YOUR PROGRAM WITH MATRIX:

No changes to Leave programming or management.

Washington, D.C. – Protecting Pregnant Workers Fairness Act of 2014

It is anticipated that the Protecting Pregnant Workers Fairness Act of 2014 will become effective in Washington, DC, following publication in the District of Columbia Register and a 30-day Congressional review. The Act enhances the rights of employees with respect to reasonable accommodations for pregnancy, childbirth, and related conditions. The Act prohibits employers from taking adverse actions against protected employees, including the denial of employment opportunities, reasonable accommodations, or possible leave. The Act also creates posting requirements.

More information about the Act, including specific requirements and penalties can be found at: <http://lms.dccouncil.us/layouts/15/uploader/Download.aspx?legislationid=31545&filename=B20-0769-SignedAct.pdf>

IMPACT TO YOUR PROGRAM WITH MATRIX:

No changes to Leave Management system, may impact clients with ADA/A programs at Matrix.

Delaware – State Persons with Disabilities Employment Protection Act Amended

The amendment to the Delaware Persons with Disabilities Employment Protection Act will go into effect on January 31, 2015. The amendment expands coverage to employers with four (4) or more employees, reducing the former requirement of 15 employees.

More information can be found at:

<http://www.legis.delaware.gov/LIS/LIS147.NSF/vwLegislation/SB+185?Opendocument>

IMPACT TO YOUR PROGRAM WITH MATRIX:

No changes to Leave Management system, may impact clients with ADA/AA programs at Matrix.

Oregon – Temporary Administrative Rule Provides Expansion of Sick Child Leave to Care for Adult Children

The Civil Rights Division of the Oregon Bureau of Labor and Industries has expanded the scope of the Oregon Family Leave Act by amending the administrative rules to include sick child leave (non-serious health condition requiring home care) for the care of adult dependent children substantially limited by a physical or mental impairment. The amended definition under the administrative rules is effective from November 20, 2014 until May 15, 2015. However, the amended rule may become permanent. Employers operating in Oregon would be wise to monitor developments and adjust leave policies to maintain compliance.

More information can be found at:

<http://www.oregon.gov/boli/Legal/docs/Rules%20Div%209%20Proposed%202014.pdf> and

<http://www.oregon.gov/boli/Legal/docs/Rules%20CRD%20Div%209%20Temporary%20Nov%2029%202014%20Memo.pdf>

IMPACT TO YOUR PROGRAM WITH MATRIX:

This covered entity will be allowed for leave under this new law and managed by Matrix.

Oakland – Paid Sick Leave Ordinance in Effect March 2nd

Under the provisions, employees working for organizations with more than ten (10) employees may be eligible for up to nine (9) paid sick days per year, while smaller employers may have to provide up to five (5) sick days. Sick time will begin accruing for employees on March 2, 2015. Like other similar legislation, employees may earn one (1) hour of sick leave for each thirty (30) hours worked.

For more information: <http://www.wagehourinsights.com/state-regulation/wage-and-hour-2014-election-results-roundup-minimum-wage-paid-sick-leave-big-winners/>

IMPACT TO YOUR PROGRAM WITH MATRIX:

Matrix does not manage city ordinances or paid sick leave. No changes to current program.

Plan Ahead – California and Massachusetts Paid Sick Leave Laws Effective July 2015

The Massachusetts statewide sick leave law will take effect on July 1, 2015. Employers must be sure to monitor an employee's right to leave by diligently documenting hours worked. The law provides that employers with 11 or more employees may have to provide paid sick leave for up to forty (40) hours per year. Employers with fewer than 11 employees may have to provide sick leave without pay.

The California Healthy Workplaces, Healthy Families Act will take effect July 01, 2015. The law will require most employers to provide one hour of paid sick leave for every 30 hours of work, with employees earning up to three (3) days per year. The new law applies to almost all employers, with exceptions for those operating under a collective bargaining agreement or covered under the Railway Labor Act.

For more specific information regarding Massachusetts: <http://www.sec.state.ma.us/ele/ele14/pip144.htm> and California https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201320140AB1522

IMPACT TO YOUR PROGRAM WITH MATRIX:

Matrix does not manage paid sick leave, no changes to current programs.

Eugene, Oregon – Sick Leave Ordinance Effective in July

On July 1, 2015, all employers operating within the Eugene City Limits must provide sick leave to employees. The ordinance also impacts employees sent to Eugene to work, even though a business may not be based in the city. Employees will earn one (1) hour of sick leave for every thirty (30) hours worked in the city. Employees shall be permitted to accrue a minimum of forty (40) hours of sick leave per year. Any employee that works 240 hours or more per year in Eugene is afforded protection under the ordinance.

For more information: <http://www.eugene-or.gov/sickleave>

IMPACT TO YOUR PROGRAM WITH MATRIX:

Matrix does not manage city ordinances or paid sick leave. No changes to current program.

Additional information will be forthcoming related to any required change in Matrix's process, practice or written or verbal employee communications as a result of these new laws.

What You Need to Do:

Reliance Standard and Matrix are committed to keeping our clients informed and in compliance. We will provide updates on meaningful changes - and how they may affect our clients – as necessary. In the interim, for more information on how to manage productivity in the face of this and other employee leave legislation, contact your sales representative or account manager.