

Legislative Update

October 2014

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.

District of Columbia Sick and Safe Leave Acts Amendments in Effect

The District of Columbia Sick and Safe Leave Act Amendments are now in effect. The Amendments accelerate an employee's ability to take paid sick leave from one year to 90 days after beginning employment. The Amendments also expand coverage to include temporary workers and tipped employees. Further, employers must reinstate accrued sick leave banks for individuals who transfer outside of the district and return within one (1) year.

More information and additional aspects of the changes, including posting requirements, can be found at: <http://www.elinfonet.com/stindex/9>

The bill itself can be viewed at: <http://does.dc.gov/service/wage-and-hour-compliance>

IMPACT TO YOUR PROGRAM WITH MATRIX: There is no impact as this is a pay practice and not a leave law.

Reminder! Maryland Parental Leave Law Effective October 1st

Maryland employers will have to provide up to six (6) weeks of unpaid parental leave under newly signed legislation in Maryland. The legislation takes effect on October 1, 2014 and impacts employers who have 15 to 49 employees.

For more information: <http://www.natlawreview.com/article/maryland-update-new-parental-leave-act-will-soon-take-effect>

IMPACT TO YOUR PROGRAM WITH MATRIX: Our software has been updated to manage this leave and training has been completed.

Illinois – Human Rights Act Amended

Changes in the Illinois Human Rights Act will take effect on January 1, 2015, and significantly enhance the obligation of employers to make accommodations for pregnancy. The Act will require, “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.” Employer may still rely on the “undue hardship” defense.

For more information: <http://www.xperthr.com/news/illinois-to-require-reasonable-accommodations-for-pregnant-workers/13793/>

IMPACT TO YOUR PROGRAM WITH MATRIX: There is no impact unless Matrix manages Accommodation Leaves on your behalf. In these situations, when the employer approves the accommodation leave, Matrix would manage it.

California – Joins Connecticut in Requiring State-wide Sick Leave Mandates

On September 10, 2014, the Healthy Workplaces, Healthy Families Act was signed into law. The legislation 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.

The bill can be viewed in its entirety at:

https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201320140AB1522

IMPACT TO YOUR PROGRAM WITH MATRIX: There is not impact as this is a pay practice and not a leave law.

Michigan – Voting Leave Act Proposed

Michigan is currently considering SB 102 – The Voting Leave Act. The proposed legislation would require employers with 50 or more employees to provide paid time off for the purposes of voting.

For more information:

[http://www.legislature.mi.gov/\(S\(4xyrdhghcryhs245cz02wu55\)\)/mileg.aspx?page=getobject&objectname=2014-SB-1012](http://www.legislature.mi.gov/(S(4xyrdhghcryhs245cz02wu55))/mileg.aspx?page=getobject&objectname=2014-SB-1012)

IMPACT TO YOUR PROGRAM WITH MATRIX: No impact. This is not a leave of absence law managed by Matrix.

Louisiana – Sick Leave Implications for Educators

In Louisiana, the Sick Leave for Educator Employers Act (Act 659) went into effect on August 1, 2014. The Act provides additional sick leave for teachers, school bus drivers, and other school board employees. The new law adds an additional thirty (30) days of additional sick leave (previously 90) to be used during each six (6) years of employment. The Act also expands the purpose for leave to include pregnancy, infant and maternal health.

Act 741 was also passed, providing leave benefits for educational employees injured or disabled due to an assault and battery from a student.

For more information: <http://www.shrm.org/legalissues/stateandlocalresources/pages/la-new-employment-laws-2014.aspx>

IMPACT TO YOUR PROGRAM WITH MATRIX: No impact as this is a pay practice and not a leave law.

New Jersey: More Cities Enacting Paid Sick Leave Laws

The City of Paterson recently enacted a sick leave ordinance, joining East Orange, Jersey City, Newark and Passaic.

For more information: http://www.nj.com/passaic-county/index.ssf/2014/09/paterson_becomes_fifth_nj_city_to_pass_paid_sick_leave_law.html

IMPACT TO YOUR PROGRAM WITH MATRIX: No impact as this is a pay practice and not a leave law.

New York – Earned Sick Time Act Clarified

Final rules regarding employer obligations under the Act have now been provided. The rules provide additional clarity regarding employer obligations with respect to requirements, calculations, and use of sick leave.

For more information: http://www.littler.com/publication-press/publication/final-rules-adopted-clarifying-employers%25E2%2580%2599-obligations-under-new-york-c?utm_source=Mondaq&utm_medium=syndication&utm_campaign=View-Original

IMPACT TO YOUR PROGRAM WITH MATRIX: No Impact as this is a clarification of a use of sick leave.

Philadelphia, PA – Reasonable Accommodations Required for Breastfeeding

The City of Philadelphia has enacted Bill No. 130922, requiring that reasonable accommodations be made for the purposes of breastfeeding, unless such an accommodation creates an undue hardship.

For more information:

<https://phila.legistar.com/LegislationDetail.aspx?ID=1530140&GUID=94A57650-18A7-456B-93B6-FE014796D7C1>

IMPACT TO YOUR PROGRAM WITH MATRIX: No impact to your leave of absence program unless we are managing accommodation requests on your behalf. If so when the accommodation is requested by an employee it will be tracked as an approved accommodation by Matrix.

Reminder! FMLA Certifications

FMLA allows for re-certification every six months which aligns with the requirement for an employee to be seen by a Health Care Provider twice in twelve months. As such, Matrix requests a recertification at the six month point. The exception would be for terminal illness where a recertification is unnecessary. If you do not want re-certifications every six months (thereby not requiring two visits per year to a Health Care Provider) please contact your National Account Manager who will update the process.

Notable EEOC Disability News:

EEOC v. The Kroger Company of Michigan at: <http://eoc.gov/eoc/newsroom/release/9-30-14.cfm>

EEOC v. Harrison Poultry at: <http://eoc.gov/eoc/newsroom/9-29-14c.cfm>

EEOC issues Digest of Equal Employment Opportunity Law at: <http://www.eoc.gov/federal/digest/xxv-2.cfm>

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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.

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