



## **Monday Morning Update – a roundup of HR State and Local Legislative Highlights**

### **Maine**

During the fall 2017 elections, Maine voted to legalize recreational marijuana; however, the state government has not been able to overcome a gubernatorial veto of that law or pass another regulatory system, and the law remains in limbo. Despite this, portions of the recreational marijuana law that were not under review took effect on February 1, 2018, including a provision that employers are prohibited from taking adverse employment actions for off-premises marijuana use. This means that employers cannot test candidates for marijuana use for preemployment purposes; however, reasonable suspicion is permissible, and employers may discipline employees under the influence at work. More information can be found [here](#).

### **Maryland**

Maryland joined several other states in adopting a statewide law mandating “sick and safe” leave to employees to use for themselves and to care for family members. Some counties in Maryland already have sick leave laws in place, but counties are now preempted from enacting their own sick leave laws. For those counties with sick leave laws in place, such as Montgomery County, employers must adhere to the more generous provisions under the statewide law. The [Sick and Safe Leave Law](#) took effect February 11, 2018, and its highlights include:

- Employers with 15 or more employees must provide paid earned sick and safe leave, and unpaid leave for employers with 14 or fewer employees.
- Leave accrues at a rate of at least one hour for every 30 hours worked, for employees who work at least 12 hours per week.
- Leave may be used for mental or physical illness care for the employee or to obtain medical care for family members; for maternity or paternity leave; or for critical safety issues, including domestic violence, sexual assault, or stalking.

### **New Jersey**

New Jersey has amended its discrimination law to include protections for breastfeeding, including requirements to provide reasonable accommodation for nursing mothers. Read the legal update [here](#).

### **Seattle, WA**

Effective January 14, 2018, Seattle significantly expanded employer coverage and employee rights under the [Paid Sick and Safe Time](#) ordinance. Highlights include:

- Eliminates the “work-study employment exemption” and “Eating and drinking establishment exemption”
- Adds sibling and grandchild to the definition of “family member”
- Expands the Tier 1 Employer group from a minimum of four full-time equivalents (FTEs) to “at least one employee”
- Eliminates a cap on use of time, and permits caps on carryover time only

### **Spokane, WA**

Following Seattle’s lead, Spokane will “ban the box” as of June 14, 2018. An employer may not inquire into an applicant’s criminal history until after conducting an interview or offering conditional employment.



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