

## e-Alert: Recent Labor Law Poster Changes



### Background

Employment Poster requirements are continuously changing throughout the year. In addition to minimum wage changes, there are often state, local, and industry-specific policy changes that require poster updates. If you have one or more employees, your business is required by law to post a current State and Federal Employment Poster in a central location.

HR Knowledge monitors and tracks employment and labor law postings to keep our clients up to date and in compliance with all posting requirements.

### Summary

Below are recent changes that employers should be aware of and ensure they have updated their current employment posters:

- **California** — The California Department of Fair Employment and Housing has updated

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the following notices:

- Workplace Discrimination and Harassment notice. The notice reflects that employers may not discriminate based on a person's hair texture or protective hairstyle. In addition, the deadline to file an allegation of unlawful workplace discrimination/harassment has been extended from one year to three years. The poster revision date is January 1, 2020.
- Transgender Rights in the Workplace notice. The updated notice reflects that the deadline to file an allegation of unlawful workplace discrimination/harassment has been extended from one year to three years. The poster revision date is January 1, 2020.
- Family Care and Medical Leave notice. The notice reflects that the California Family Rights Act prohibits employers from denying or interfering with an employee's request for Pregnancy Disability Leave. Contact information was also updated for the California Department of Fair Employment and Housing. The poster revision date is January 1, 2020.
- "Your Rights and Obligations as a Pregnant Employee" notice. The updated notice reflects that employees may take up to 12 workweeks of CFRA (California Family Rights Act) leave in a 12-month period. CFRA leave may be taken after the birth, adoption, or foster care placement of an employee's child, or if the employee, their parent, child, or spouse has a serious health condition. In addition, if the employer has fewer than 50 employees at the worksite or within 75 miles of the worksite, but at least 20 employees at the worksite or within 75 miles of the worksite, employees may have the right to family care leave for the birth, adoption, or foster care placement of the employee's child under the New Parent Leave Act (NPLA). Like CFRA leave, NPLA leave may be taken for up to 12 workweeks in a 12-month period. While the law provides only unpaid leave, an employee may choose to use (or the employer may require use of) accrued paid leave. The poster revision date is January 1, 2020.
- **Colorado** — The Colorado Department of Labor and Employment has updated its Minimum Wage notice. The updated notice reflects an adjustment of the state minimum wage to \$12.00/hour, effective on January 1, 2020. The expected release date of the official Colorado Overtime and Minimum Pay Standards notice is March 1, 2020. The poster revision date is December 31, 2019.
- **Illinois** — The Illinois Department of Labor has updated the "Your Rights Under Illinois Employment Laws" notice. The updated notice reflects an adjustment of the state minimum wage to \$9.25/hour, effective on January 1, 2020. Additionally, employers and employment agencies are now banned from asking about applicants' past wages and compensation histories. Also, employees may now disclose or discuss their own salaries, benefits, and other compensation with their coworkers and colleagues. Lastly,

the updated notice states that employers are not allowed to pay less to African American employees versus non-African American employees. The poster revision date is January 3, 2020.

- **Louisiana** — The Louisiana Workforce Commission has updated its Earned Income Credit notice. The updated notice reflects a new adjusted earned income tax credit for the year 2019. The poster revision date is February 7, 2020.
- **Maine** — The Maine Workers' Compensation Board has updated its Workers' Compensation notice. The updated notice reflects an extension of the employee notice-of-injury requirement from 30 days to 60 days. In addition, contact information for the hearing impaired has also been updated. The poster revision date is January 20, 2020.
- **Maryland** — The Maryland Department of Labor has updated its Minimum Wage and Overtime Law notice. The updated notice reflects the removal of the previous 2019 minimum wage rate. The notice now states the minimum wage rates for 2020, 2021, and 2022. In addition, seasonal amusement and recreational establishments that meet the established criteria have now been added to the Minimum Wage and Overtime exemptions. The poster revision date is January 16, 2020.
- **New Jersey** — The New Jersey Department of Labor has updated its Whistleblower Act notice. The updated notice reflects a new logo and updated department contact information. The poster revision date is January 9, 2020.
- **New Mexico** — The New Mexico Department of Workforce Solutions has updated its Minimum Wage Act notice. The updated notice reflects an adjustment of the state minimum wage to \$9.00/hour, effective on January 1, 2020. The poster revision date is January 8, 2020.
- **New York** — The New York Department of Labor has updated the following notices:
  - Minimum Wage notice. The updated notice reflects an adjustment of the state minimum wage to \$11.80/hour, effective December 31, 2019. The updated notice also includes the New York City minimum wage increase to \$15.00/hour and the Long Island and Westchester County minimum wage increases to \$13.00/hour, effective December 31, 2019. The poster revision date is January 7, 2020.
  - Fair Employment notice. The updated notice reflects that the definition of a covered employer under the New York Human Rights Law was expanded as of February 8, 2020 to include all employers in the state regardless of size. In addition, the notice was updated to reflect that racial discrimination based on hairstyle is prohibited in the workplace, and that non-employees working in the workplace (i.e., contractors, subcontractors, vendors, consultants, or others providing services in the workplace) are also protected from discrimination under the law. The poster revision date is January 7, 2020.

- **Vermont** — The Vermont Department of Labor has updated the following notices:
  - Unemployment Insurance notice. The updated notice reflects that an individual may be eligible for unemployment benefits under the Domestic and Sexual Violence Survivors' Transitional Employment Program if the individual was forced to leave their job as a result of domestic violence, sexual violence, or stalking. The poster revision date is February 4, 2020.
  - Minimum Wage notice. The updated notice reflects a change to the department name as well as an addition of the minimum wage rates from prior years. The poster revision date is February 4, 2020.
- **Washington** — The Washington State Employment Security Department has released its Paid Family and Medical Leave notice. Employees may now receive up to 12 weeks of Paid Family and Medical Leave, whether they work full-time or part-time. If an employee meets the requirements for Paid Family and Medical Leave, an employer may not prevent an employee from taking leave. The poster revision date is December 30, 2019.

## Next Steps for Employers

The HR Knowledge All-In-One poster satisfies the posting requirements for employers of all sizes, including these new postings. Displaying the posters informs your employees about their labor and employment rights. Failure to post required federal and state labor law notices may result in both federal and state fines. If you are not a Full-Service or Virtual HR Client, you can purchase our discounted rate All-In-One posters [here](#).

If you have any additional questions or concerns about the posting changes, please feel free to [reach out](#) to our HR team for guidance.



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