


# HEADS-UP!


HR NEWS YOU NEED  
TO KNOW



# New Laws Coming in 2024



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# New Laws Coming in 2024

In our October edition of Heads Up! HR News You Need to Know, we highlighted some bills that many legislatures were hoping to become to law. Well, we are here to update you on some of those bills that were signed into law.



## AB 1076 – NONCOMPETE AGREEMENTS

Codifies existing California case law making it unlawful to include a noncompete clause in an employment contract or require an employee to enter a noncompete agreement without specified exceptions. Employers must notify current and former employees employed after January 1, 2022, whose contracts included a noncompete clause that does not meet the exception that the noncompete clause or agreement is void, in writing by February 14, 2024.



## AB 1228 - FAST FOOD COUNCIL

Will raise the minimum wage for fast food workers at over 60 fast food chains nationwide to \$20 per hour. Under this law, the Fast Food Council can establish a new minimum wage rate beginning January 1, 2025 with a maximum annual increase thereafter by either 3.5% or based on the rate of change in the Consumer Price Index (CPI).

**EFFECTIVE APRIL 1, 2024**



## AB 2188 – USE OF CANNABIS DISCRIMINATION IN EMPLOYMENT

Prohibits employers from discriminating against an employee or applicant based on their off-duty, off-site cannabis use.

Employers may still conduct preemployment drug testing and have the option to refuse to hire someone based on valid preemployment drug screening that detects for only psychoactive cannabis metabolites. This law will not prevent an employer from maintaining a drug and alcohol-free workplace. Speak to our HR Ambassadors to ensure compliant implementation of this law

**EFFECTIVE APRIL 1, 2024**



## SB 497 – PROTECTED EMPLOYEE CONDUCT

Expands retaliation protection rights to include adverse action taken against an employee within 90 days of an employee's protected action (i.e., filing a complaint with the California Labor Commissioner related to wage and hour violations or serving as a whistleblower).

This law also carries penalties for an employer found to have retaliated against a whistleblower that range from \$10,000 per violation to \$10,000 per employee for each violation.

**EFFECTIVE JANUARY 1, 2024**





### **SB 525 – HEALTHCARE WORKERS MINIMUM WAGE**

Establishes five (5) new minimum wage schedules that range from \$18 to \$23 per hour for certain healthcare workers depending on the type (there are 20 different types) of facility they work for. Timing of wage increases are dependent on the type of healthcare facility and continue through 2026.

**EFFECTIVE JUNE 1, 2024\***



### **SB 616 – EXPANSION OF CA’S PAID SICK LEAVE**

Increased the number of sick days from 3 days (or 24 hours) to 5 days (or 40 hours), as well as increased the accrual cap from 6 days (or 48 hours) to 10 days (or 80 hours) and the number of sick days rolled over from year-to-year from 3 days to 5 days.

**EFFECTIVE JANUARY 1, 2024**



### **SB 700 – CANNABIS USE EMPLOYEMENT DISCRIMINATION**

Is an addition to AB 2188 (above) and prohibits employers from requesting information from a job applicant about their prior use of cannabis. This information is strictly off limits unless an employer is allowed to consider it under CA’s Fair Chance Act.

**EFFECTIVE JANUARY 1, 2024**



### **SB 553 – WORKPLACE SAFETY**

Requires nearly every employer to develop and implement a Workplace Violence Prevention Plan (WVPP) as either a standalone plan or as part of their required Injury Illness Prevention Plan (IIPP). Employers will need to provide training, create, and maintain workplace violence logs and other required recordkeeping practices. There are many other required elements and some notable exceptions to this law. Contact our HR Ambassadors for more information.

**EFFECTIVE JULY 1, 2024**



### **SB 723 – REHIREING AND RETENTION OF DISPLACED WORKERS**

Extends, through the end of 2025, re-hiring rights of workers in the certain industries laid off due to the pandemic.

**EFFECTIVE JANUARY 1, 2024**



### **SB 848 – LEAVE FOR REPRODUCTIVE LOSS**

Creates a new leave of absence for up to five days for an employee’s reproductive loss, miscarriage, failed adoption, failed surrogacy, stillbirth, and unsuccessful assisted reproduction. Employers with 5 or more employees must offer this leave. Employers cannot request any supporting documentation related to this leave.

**EFFECTIVE JANUARY 1, 2024**



**\* Certain county-owned facilities will not be required to meet compliance until 2025**