

5, 4, 3, 2, 1... Happy New Year! A Look Ahead to 2016 and Employment Laws

Labor & Employment Law Update

By Heather Bailey on December 30, 2015

Everyone rings in the New Year differently – some with a party with friends and family, sparkling grape juice with their kids, traveling to a new destination or watching the ball drop in Times Square. Whatever tradition you choose to bring in the new year, the one thing we can all count on is that there will be new employment laws waiting for you on your desk come January 2nd (if not already).

Paid sick leave laws in many states are requiring that you pay your employees to take time off when ill, to care for an ill family member, or to go to the doctor. The federal Department of Labor is even helping states fund such initiatives, so you know they are important. The good news is that many of your paid sick time policies or vacation accruals already cover the sick time now required by these new laws. The main issue is that the paid sick leave law might accrue at a faster rate than the company. If that happens, you will need to allow the employee to take the paid leave sooner and “borrow” the sick time off before it’s actually earned under your existing policy. If you don’t already have such a policy in place, you may need to implement one in your area.

Gender equal pay is highlighting many agendas these days, including the federal and state Departments of Labor, since women continue to get paid less than their male counterparts. This includes hefty fines and penalties. We recommend you look at your compensation rates annually to ensure there are no gender gaps in pay for doing the same job. As President Obama said in his 2014 State of the Union speech, “A woman deserves equal pay for equal work... It’s time to do away with workplace policies that belong in a ‘Mad Men’ episode.”

DOL white collar exemption salary increase should not be news to you. If it is, then please see our recent blogs [Urgent Alert: U.S. DOL Proposes Major Changes to Exempt Salary Status and Use Independent Contractors?](#) [DOL Says Almost Everyone Is An Employee Under FSLA.](#)

Do not forget to check your state and city regulations for increased minimum wage hikes.

New Year's Resolutions:

Information and knowledge are key here. Sticking your head in the sand and the "dealing with this later" attitude will only cause you headaches – and more importantly, money – down the line. Meet with your employment counsel and find out how new laws affect your business. Then, you can modify and adopt new policies and practices with your eyes wide open to ensure you ring in 2016 right.

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