

# April Showers: Update For Your State and Federal Employment Laws

## Labor & Employment Law Update

By Heather Bailey on April 4, 2014

**Federal:** The OFCCP has published the data for federal contractors and subcontractors who must now comply with having protected veteran benchmarks for their affirmative action plans and hiring goals. Currently, that nationwide threshold is 7.2% unless the contractor wants to create its own individualized benchmarks, to which that state specific veteran data is supplied.

That is not all. Contractors are now required to also request individuals to self-identify if they are an individual with a disability *pre-offer stage*. Again, the OFCCP has given us guidance on how to do so. <http://www.dol.gov/ofccp/regs/compliance/section503.htm>. This all came into effect on March 24, thus, time is of the essence to get compliant if your current plans are expiring soon (if not, you will be required to be compliant with your next plan – but you should start planning now).

**Connecticut:** Minimum wage is set to increase on January 1, 2015 to \$9.15 per hour, and then to \$9.60 a year later and then up to \$10.10 by January 1, 2017.

**Illinois:** In March, the Supreme Court found Illinois' eavesdropping law on electronic monitoring (except video) unconstitutional. What does this mean for employers? Originally, all parties had to consent to being recorded – not the case anymore. Although that allows employers to secretly record conversations (which is not advised), it allows employees to secretly record conversations during performance, discipline or even discharge meetings with management or HR.

**Maryland:** Have tipped employees in Maryland? So long as their non-tip work is less than 20% of their productivity, you can pay them the minimum tip wage for that non-tip work.

**New York:** The New York City Earned Sick Time Act (ESTA) went into effect on April 1. The NYC Department of Consumer Affairs finally came out with the required notices.

The Department also has them available in Italian, Chinese, Korean or Russian. These notices need to be handed to all current and new employees **effective May 1, 2014**. Thus, all new hires will have to get a copy once you disperse the initial notices. You are encouraged, but not required to post these notices at the

work location. Consequently, you cannot just post at the work site in lieu of handing the employees a copy.

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