

Local and State Employment Law Update

Labor & Employment Law Update

By Kevin Kleine on June 6, 2024

The latest round of labor and employment law updates includes several changes impacting employers in jurisdictions across the nation, summarized below.

Colorado

EFFECTIVE FEBRUARY 1, 2026

On May 17, 2024, Governor Polis signed Senate Bill 24-205 into law, which requires Colorado employers deploying a high-risk artificial intelligence (AI) system to use reasonable care to avoid algorithmic discrimination of employees, including:

- Implementation of a risk management policy and program;
- Annual impact assessments;
- Annual reviews to ensure the AI is not causing algorithmic discrimination;
- Disclosure to employees when AI is making a consequential decision concerning the employee;
- Requirement to provide employees with an opportunity to correct any personal data used by an AI system when making a consequential decision, and an opportunity to appeal that decision for human review;
- Make publicly available a statement summarizing the types of high-risk systems the employer deploys;
- Disclosure to the attorney general any instances of algorithmic discrimination within 90 days of discovery.

Connecticut

EFFECTIVE JANUARY 1, 2025

On May 21, 2024, Governor Lamont signed House Bill 5005 into law, which expands coverage of the state's paid sick days law. Specifically, the HB 5005 adds reasons covered employees may use paid sick days, and implements a gradual reduction of the number of employees an employer must have working in the state to be subject to the law to 25 as of January 1, 2025, 11 as of January 1, 2026, and one on January 1, 2027.

EFFECTIVE OCTOBER 1, 2024

Senate Bill 222 requires Connecticut employers to register with the state's Paid Family and Medical Leave Insurance Authority and to submit reports to the authority. Employers must register with the Authority through the Connecticut Paid Leave website or be subject to penalties established by the Authority.

- On May 10, 2024, Connecticut's Department of Labor issued a "Wage and Workplace Standards Division Notice to Employers Utilizing Earned Wage Access (EWA) Products with Their Employees." The guidance provides that, in situations where an employer passes EWA advancement fees along to a worker in the form of a payroll deduction, the employer must obtain written authorization from the employee on a form approved by the Commissioner of Labor, which employers can request from the Wage and Workplace Standards Division.

Illinois

- The Illinois Department of Labor adopted final regulations implementing the state's Paid Leave for All Workers Act. The law, which took effect January 1, 2024, requires employers to provide employees with a minimum of 40 hours of paid leave each year that they can use for any reason.

CHICAGO, ILLINOIS

Effective July 1, 2024

Chicago issues new minimum wage rules. Chicago's minimum wage increases July 1 of each year. As of July 1, 2024, the minimum wage in Chicago is \$16.20 per hour for employers with 4 or more workers.

Effective July 1, 2024

Chicago issues rules for the new Chicago Paid Leave and Paid Sick and Safe Leave law that goes into effect on July 1, 2024. The law requires employers with one or more employee to provide Covered Employees with 10 paid leave days.

New York

EFFECTIVE JUNE 19, 2024

On April 20, 2024, Governor Hochul signed Senate Bill 8306 into law, which provides employees who express breast milk with 30 minutes of paid break time, in addition to their existing paid break or meal time, each time they have a reasonable need. Previously those breaks were unpaid or they could use their existing paid break or meal time.

EFFECTIVE JANUARY 1, 2025

On April 20, 2024, Governor Hochul signed A.B. 8805C into law, which requires employers to provide employees with up to 20 hours of paid prenatal leave in any calendar year, in addition to the leave they are entitled to under New York's Paid Sick Leave Law. Paid prenatal leave can be used for health care services that employees receive during or related to their pregnancy, including physical exams, medical procedures, monitoring, testing, and discussions with health care providers.

Maryland

EFFECTIVE OCTOBER 1, 2024

New Wage Disclosure Law - H.B. 649 amends Maryland's Equal Pay for Equal Work statute to require wage disclosures at certain times and to require employers to set wage ranges in good faith.

- House Bill 571 postpones the start of Maryland's Family Leave Insurance Program to July 1, 2025, which is when employers will begin making contributions into the program. Maryland's labor secretary will determine the initial contribution amount by February 1, 2025, and benefits for employees will begin July 1, 2026. Employers with state-approved private plans are exempt from making contributions but may not deduct more than half the contribution amount from employee wages.

EFFECTIVE OCTOBER 1, 2024

NEW PAY STATEMENT REQUIREMENT –Senate Bill 38 requires employers to include additional information on pay stubs and pay statements beginning October 1, 2024; specifically, the date of payment, pay period start and end dates, rate of pay, bases of pay (bonuses, commissions on sales, etc.), gross and net pay earned, and the amount and name of all wage deductions. Employers that fail to comply are subject to an administrative penalty of up to \$500 per affected employee.

EFFECTIVE OCTOBER 1, 2024

Senate Bill 413 adds military status as a protected class under the state's fair employment practices law.

Minnesota

H.F. 4757 adds suspected impairment from cannabis to the list of reasons an employer may require an employee to undergo drug testing, provided that the employer's work rules include their drug and alcohol testing policy and affected employees are given written notice upon adoption. The legislation also clarifies

language that prohibits employers from requiring a job applicant to undergo cannabis testing as a condition of employment.

Vermont

EFFECTIVE JULY 1, 2024

On April 25, 2024, Governor Scott signed H. 363 into law, which amends Vermont's Fair Employment Practices Law to clarify that discrimination based on race includes discrimination based on traits associated with or perceived to be associated with race, including hair type, hair texture, hairstyles, and protective hairstyles. These laws are commonly known as CROWN acts.

Washington

EFFECTIVE JULY 1, 2025

On March 28, 2024, Governor Inslee signed House Bill 1905 into law, which prohibits employers from discriminating against employees with regard to compensation based on an employee's membership in any protected class (as opposed to only gender). The law also prohibits employers from seeking the wage or salary history of an application for employment in certain circumstances.

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