

Local and State Law Updates: From Minimum Wage to Medical Marijuana

Labor & Employment Law Update

on February 23, 2022



Below are some of the latest state updates –

CALIFORNIA

The State of California has updated the following:

- According to a Notice issued by the Los Angeles Office of Wage Standards on February 1, 2022, the city's hourly minimum wage will

rise from \$15.00 to \$16.04 as of July 1, 2022.

1. Supplemental paid sick leave is now provided to covered employees under Senate Bill No. 114. Such employees must be unable to work, in person or remotely, for reasons related to COVID-19. The paid sick leave will be retroactive from January 1, 2022 until September 30, 2022. The same provisions apply to certain in-home supportive service providers and waiver personal care service providers who are unable to work for any such reasons. Please see Beverly Alfon's article for more information.
- The California State Department of Fair Employment and Housing revised its regulations implementing the California Family Rights Act to align with previously enacted statutory changes by including "parent-in-law" in the definition of "parent." References to the repealed New Parent Leave Act have also been removed.

ILLINOIS

The Cook County Commission on Human Rights issued the following notice to employers:

- *Cook County Minimum Wage Ordinance*

As of January 1, 2022, the Cook County Minimum Wage Ordinance (MWO) has been updated as applied to tipped workers in Cook County municipalities that have not opted-out from the coverage of the MWO. Those covered by the MWO include employees:

- Who have worked for an employer in Cook County for at least two (2) hours in any two-week period;
- Whose employer has at least four (4) employees (unless the employee is a domestic worker); and
- Whose employer (i) maintains a business facility in Cook County or (ii) is licensed to do business by Cook County.

According to the MWO, the minimum wage for non-tipped workers is now \$13.00 and \$7.20 for tipped workers. Minors are not covered under the MWO and must be paid the State's minimum wage for workers under 18 years of age.

MISSISSIPPI

As of February 2, 2022, medical marijuana has been legalized in the State of Mississippi. Employers are not required to permit, allow or accommodate the use of medical marijuana and may take disciplinary actions against those who violate drug policies, regardless of eligibility. In the meantime, dispensaries are not expected to be open for another six (6) months.

The Mississippi Medical Cannabis Act is promulgated in Senate Bill 2095.

NEW YORK

The New York State Department of Labor issued the following poster:

- *Notice of Employee Rights, Protections, and Obligations Under Labor Law Section 740*

Section 740 of the Labor Law contains multiple prohibitions against retaliatory action taken by employers. This poster is a restatement of the statute, which provides that employees who have experienced retaliation may seek relief in civil court within two (2) years of the alleged action.

Employers are prohibited from taking any retaliatory action against an employee who (a) discloses, or threatens to disclose to a supervisor or to a public body a certain activity, policy or practice of the employer that the employee reasonably believes is in violation of law, rule or regulation or that the employee reasonably believes poses a substantial and specific danger to the public health or safety; (b) provides information to, or testifies before, any public body conducting an investigation, hearing or inquiry into any such activity, policy or practice by such employer; or (c) objects to or refuses to participate in any such activity, policy or

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practice.

The poster must be posted conspicuously, in easily accessible and well-lit areas that are customarily frequented by employees and applicants for employment.

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