

# State Employment Law Update

## Labor & Employment Law Update

By Heather Bailey on February 7, 2014

**Federal:** Federal Contractors be on alert! In an attempt to get Congressional support to raise the federal minimum wage for all workers, President Obama announced that he was going to be issuing an Executive Order that will require federal contract employers to pay workers a minimum wage of \$10.10 per hour on any new federal contracts. This could happen as soon as the next week or so.

The NLRB poster rule has gone by the wayside. The NLRB gave up its fight to require all private employers to post the union-friendly poster by allowing the Supreme Court's review deadline to pass without appealing two appellate court decisions that declined the NLRB's implementation for this posting requirement. Federal Contractors, you may still be required to display the poster depending on the date of your federal contract.

**Colorado:** If you aren't already, you should be paying minimum wage of \$8.00 an hour (\$4.98 for tipped employees) as of January 1. Moreover, under Colorado's new personal information protection law, employers are prohibited from requiring employees or applicants to allow them access to personal social media accounts, though they may still search information that is publicly available online. Fines come with violating this law, so be precise on how you go about searching.

**Delaware:** As of June 1, 2014, minimum wage increases to \$7.75 per hour and to \$8.25 an hour on June 1, 2015.

**Missouri:** Missouri looking for support for LGBT discrimination protection: In his recent State of the State address, Gov. Jay Nixon asked the legislature to pass a law adding sexual orientation and gender identity to the protected categories covered by the state's workplace discrimination laws. A bill passed the Senate last term, but the House failed to vote on the bill before the session ran out.

**New Jersey: REMINDER!** All employers with 50 or more employees should be posting and distributing (with a signed acknowledgment) the new NJ poster re state and federal equal pay laws and discrimination prohibitions.

Got 10 or more employees in Newark, NJ? If so, you may be required to start offering your employees paid sick time under the new Worker Sick Leave Ordinance (WSLO) that just needs the Mayor's signature to take effect sometime in late May, early June. Stay tuned for final implementation!

**New Mexico:** In December 2013, this state joined the ranks of same-sex marriages, and, thus, these new marital statuses must be recognized and protected for employment purposes (including applicants).

**New York:** For those employers with 20 or more employees in New York City, have you drafted your required sick time policy under the New York City Earned Sick Time Act (ESTA) yet? If not, you've got until April 1 to implement. Seek counsel's assistance to ensure compliance.

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