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CALIFORNIA LEGAL ALERT

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Governor Brown, Jr., recently signed five employment bills into law that affect all California employers. The following laws are effective starting *January 1, 2018*.

Small Businesses Must Now Provide Paid Parental Leave (SB 63)

Small businesses (20-49 employees) must provide 12 weeks of unpaid parental baby bonding leave to employees. If an employee takes this leave, an employer must maintain and pay for health care coverage. Employers can be sued for failing to provide the leave, failing to return the employee to the same or comparable position after the leave, failing to maintain benefits while the employee is out on leave, or taking adverse employment action against an employee who uses the leave.

Employers May No Longer Ask About Prior Salary on Job Applications (AB 168)

Employers may not ask about or consider an applicant's prior salary history in determining whether to hire the applicant or how much to pay the applicant. Employers may also be penalized for not providing a pay scale for the position upon demand.

Ban-the-Box Legislation Now Applies to All California Employers (AB 1008)

Employers with 5 or more employees may not inquire or consider an applicant's conviction history at any time before making a conditional offer of employment. California has officially banned the box on applications. An employer may not deny an applicant a position solely or in part because of conviction history until the employer performs an individualized assessment.

New Requirements for Mandatory Sexual Harassment Prevention Training (SB 396)

Employers with 50 or more employees must include information on gender identity, gender expression, and sexual orientation in their sexual harassment prevention trainings.

- [Notice Requirement](#) – Employers must also display a workplace poster on transgender rights: [English](#) | [Spanish](#) (click here for the poster).

Employers Must Provide Additional Protections to Immigrant Workers (AB 450)

Employers may not provide federal immigration enforcement agents ("ICE" agent) access to a business records without a warrant. Employers must also notify its employees of Form I-9 inspections performed by federal immigration enforcement officials.

Questions? Contact Stokes Wagner.