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## Location-Specific Laws Enhance Rights For Workers

States and major cities continue to proactively enhance rights for workers through location-specific laws. As the patchwork of employment laws across the nation grows, trends in location-specific laws emerge, often focusing on the following key areas.

### Minimum Wage and Fair Workweek

The federal minimum wage has remained the same since 2009. The U.S. Department of Labor is back to the proposed rule stage (<https://www.dol.gov/newsroom/releases/osec/osec20190307>) in its efforts to narrow employee overtime exemptions.

States and major cities, however, continue to rapidly increase location-specific minimum wage rates. For example, on July 1, D.C.'s minimum hourly wage will increase to \$14, Philadelphia's to \$13.25, Chicago's to \$13 and New Jersey's to \$10, with additional increases in successive years. New York's minimum wage will increase to \$11.80 on Dec. 31, with additional changes within New York City. Additional location-specific minimum wage changes are tracked on the Economic Policy Institute's Minimum Wage Tracker (<https://www.epi.org/minimum-wage-tracker/>).

Often impacting minimum wage jobs, unpredictable work schedules are particularly prevalent in the food service, hotel, retail and other service industries. Laws requiring advance notice of work schedules and changes, typically called "fair workweek" laws, continue to take effect. Fair workweek laws now exist in New York City, Philadelphia, Seattle, Oregon and certain California cities, with more likely on the way.

### #MeToo and Nondisclosure Agreements

In response to the #MeToo movement, lawmakers continue to enact and propose legal reforms and mandates regulating employer workplace harassment prevention and response, as previously reported (<https://www.stradley.com/insights/publications/2018/05/employment-newsflash-may-21-2018>).

Among other reforms, such laws often include prohibitions against agreements that prevent employees from publicly exposing alleged discrimination or harassment. New York and California started the legal reforms, with other jurisdictions following thereafter. New Jersey is the latest state to regulate nondisclosure covenants, recently enacting a new law ([https://www.njleg.state.nj.us/2018/Bills/S0500/121\\_R2.PDF](https://www.njleg.state.nj.us/2018/Bills/S0500/121_R2.PDF)) significantly restricting the use of nondisclosure covenants in employment contracts and settlement agreements.

### Family Leave and Sick Time

Currently, federal law only requires larger employers to offer family and medical leave, and then only unpaid leave. In response, many states and cities enacted their own paid sick day laws, typically offering five to eight paid sick days per year, and 10 states, D.C. and 19 cities currently or will soon mandate paid sick time.

A few jurisdictions enacted their own family leave laws (California, D.C., New Jersey, New York, Rhode Island and Washington), and more are expected, particularly if a nationwide paid family leave law does not gain traction.

Even states with paid family leave laws continue to enhance those laws. New Jersey recently amended its Family Leave Act (<https://nj.gov/governor/news/news/562019/approved/20190219a.shtml>), extending coverage to smaller employers (30 or more employees), allowing employees to take leave to care for generally anyone with whom the employee has a relationship equivalent to family, offering more options for intermittent leave, doubling the length of paid leave time, and increasing the rate at which leave will be paid.

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Employment laws continue to rapidly change on a state and local level, with multistate and small employers often sustaining the greatest impact. Employers should continue to work with human resources and legal personnel in order to track legal updates and remain compliant.



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