

# HR News for California Business Leaders



March 2017

## Understanding California's Floating Holiday Rules



Many employers in California, as part of the paid time off benefits they provide to employees, offer a Floating Holiday. Like all paid time off granted to employees, Floating Holidays are a nice little extra gift used to promote morale and work-life balance.

Correctly setting up and administering Floating Holidays requires knowledge of California rules

[Link to Full Article](#)



## Are you one of the 90% of Businesses Administering COBRA Benefits Incorrectly?

**What is COBRA?** COBRA is an acronym for the Consolidated Omnibus Budget Reconciliation Act, the federal law that also amended ERISA to enable temporary health insurance for people who have lost or left their jobs.

The IRS estimates that 90% of companies do not administer COBRA correctly. Learn the rules and move into the 10% group.

[Link to Full Article](#)

## HR News Briefs / Alerts

### San Francisco Paid Parental Leave Ordinance

While the California Paid Family Leave (PFL) program currently pays employees 55 percent of their wages, up to a certain weekly amount, for a period of six weeks, the San Francisco PPLO requires employers to pay the remaining 45 percent of for six weeks for the purpose of bonding with a new child. In addition, the new law applies to employers with 35 or more employees effective July 1st.

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### California Lawmakers Consider Ban-the-Box Law

on February 16, 2017, five California assembly members introduced Assembly Bill 1008,

which proposes to add a section to the Fair Employment and Housing Act (FEHA) containing new state-wide restrictions on an employer's ability to make pre-hire and other employment decisions based on an applicant or employee's criminal records, including a "ban-the-box" component.

As you may remember, on January 22, 2017, Los Angeles employers became subject to a comprehensive ban-the-box law, which goes well beyond requiring an employer to remove the question, "**Have you ever been convicted of a crime?**" from its job application.

We will report the progress of the proposed AB 1008

[Link to Full Article](#)

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### Refresher What is the Minimum CA Salary Requirement Computer/Software Employees?

California Labor Code Section 515.5 provides that certain computer software employees are exempt from overtime pay if particular criteria are met. One of the required criteria is that the employee's rate of pay not be less than a certain threshold dollar amount.

**Effective Jan. 1, 2017**, an employer can choose to pay an exempt computer software employee an hourly rate of at least \$42.35 per hour or a salary of at least \$7,352.62 per month (\$88,231.36 annually).

To be exempt from overtime pay, the employee must meet all of the CA Labor Code 515.5 rules

[Link to Full Article](#)

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### The \$900,00 Failure to Maintain Detailed Meal & Breaks

Tacolicious, which operates five restaurants in the San Francisco Bay Area, denied liability in court papers. CEO Joe Hargrave said in a statement that employees had always received meal and rest breaks and blamed "**loose record-keeping**" during the time when the chain initially expanded.

If problems are uncovered, vowing compliance going forward is inadequate. "It's really important to fix it going backwards.

[Link to Full Article](#)

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### Reminder

As of March 2017, California law requires all single-occupancy restrooms in any business establishment, place of public accommodation, or government agency to be identified as "all

gender" and be universally accessible.

[Link to Full Article](#)

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## Performance Improvement Plans

A Performance Improvement Plan (PIP), also known as a Performance Action Plan, is a means by which you provide struggling employees the opportunity to succeed while still holding them accountable for past performance.

Although it is not always clear why an employee has poor performance. Did he or she not receive appropriate training? Does he or she not understand the expectations of the job? Replacing an employee is costly. Before you terminate, ask your HR department or call us to train your management staff to develop and administer your PIP process

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Do you have an HR question or require tactical and strategic HR support or planning? Call today for a no obligation consultation.

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