

**Original HR Articles**

**- Refresher -  
Rules Governing ADA & FEHA Leaves**



The application of federal and state laws governing employees disability are complex and open your business to fines and litigation if improperly applied. This article provides an understanding and application of ADA and FEHA regulations.

[Link to Full Article](#)

**Employee Assistance Program  
Good Idea?**

Because the cost is usually nominal or free, a employee assistance program (EAP) provides value to an organization with an improved workplace environment. EAPs provide needs assessments, help, counseling, and referrals for employees and their family members when faced with mental health or emotional issues. EAPs assist the employees when he or she needs help dealing with life events, workplace issues, and other personal problems and challenges.

[Link to Full Article](#)

**Understanding the Fair Credit Reporting Act  
& Employee Background Checks**



If your company performs pre-hire background checks you must be aware of your responsibilities. While background checks can help employers avoid legal claims, such as those for negligent hiring, the gathering and using this information can carry legal risk if not done properly.

[Link to Full Article](#)

## It's Time to Think About Arbitration Agreements Again

Following Recent \$15 Million+ Employee Verdicts ....The fact that such monster verdicts are stalking the land pushes up the settlement value of all cases especially in the California Lottery game. Arbitration agreements offer some protection.

[Link to Full Article](#)

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### - California vs I.C.E. - Are You Aware of AB 450?

California AB-450 **prohibits** employers operating in California from providing voluntary consent to an immigration enforcement agent to:

- Provide access to enter any nonpublic area of a place of labor without a search warrant signed by a judge;
- Have access to, review, or obtain the employer's employee records without a subpoena or a search warrant.

Violations of either provision are punishable by civil fines between \$2,000 to \$5,000 for a first violation and between \$5,000 - \$10,000 for each subsequent violation.

[Link to Full Article](#)

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### - What if You - Reject an Applicant for their Criminal Record

CA Gov Code 12952 is a unique law containing new requirements as to what a potential employer must include in a pre-adverse action letter to job applicants

When a potential employer is considering **not hiring** a job applicant based on information the employer learns from a criminal background check, the employer must follow the FCRA's pre-adverse action protocol.

[Link to Full Article](#)

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### CA Fair Pay Act - LC 432.3 - The Pay Scale Option -

The law now prohibits CA employers from asking about or relying on prior salary information in deciding whether to offer a job and in deciding how much to pay

But, if requested, the law requires employers to provide a *Pay Scale* to applicants. If you need assistance to develop your pay scales - call us.

[Link to Full Article](#)

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## \$3.5 Million Settlement "Reporting Time Pay"

Pier 1 Import has agreed to pay \$3.5 million to settle a class action lawsuit brought on behalf of about 9,300 retail store associates in California. The lawsuit alleged the company owed workers pay for when they are scheduled to call the store to ask if they should report for work or stay home. The company required employees to call in one to two hours before the scheduled shift to determine the possibility that they may work after a call-in.

California requires employers to provide "reporting time pay" to employees. Employers must provide a few hours of pay when an employee reports to work for a scheduled shift but is dismissed a short time later because business is slow.

[Link to Full Article](#)

## Is Your Handbook Current?

A comprehensive employee handbook is a necessity in today's business community.

Did you know that 2018 was a record year for state and federal employment law changes? We recommend your handbook be reviewed by a professional regularly to ensure compliance with the ever-changing workplace regulations.

Call us today to discuss .....

Do you have an HR question or require tactical and strategic HR support? Call today for a no-obligation consultation. We are boutique human resources consulting firm specializing in building long-term relationships with small to medium size businesses.

Our range of services includes fulfilling your short-term HR tactical needs to long-term HR strategic planning. We welcome all Human Resources and payroll processing projects, small to large.



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