

## HR Articles



### Carl Jr. Fined \$1.45 Million Minimum Wage Claim

Protect your business - Ensure your business is paying employees the correct minimum wage based on city where your employee performs their work. This article lists the cities that passed minimum wage regulations that exceed the California minimum wage.

[Link to Full Article](#)

### *One Day of Rest in Seven* CA Supreme Court's Favorable Ruling



In May, the CA Supreme Court clarified the *one day of rest in seven* regulation. This article discusses the correct definition and what employers need to know to avoid a penalty

[Link to Full Article](#)

### New CA Employer Regulations July 2017

This articles discusses three (3) new employer regulations that if not followed, could subject your business to fines / penalties.

- **Required Posting - Leaves of Domestic Violence**

Employers with 25 or more employees must now notify employees of their rights regarding domestic violence victims. The law also makes it illegal for an employer to discriminate against an employee who takes time off for specific reasons

- **Criminal Background Checks**

This month the Fair Employment and Housing Council (FEHC) will begin the enforcement of the new regulations related to the use of criminal background checks in employment decisions

- **Transgender Rights**

Transgender employees must have equal access to restrooms and other facilities,

including locker rooms, dressing rooms and dormitories

[Link to Full Article](#)

## HR News Briefs / Alerts

### CA Court Rules in Favor of Employers Arbitration Agreement

Does your business use staffing agencies for temporary employees? In this case, Pexco contracted with Real Time Staffing to provide their temporary help.

As a condition of employment, Real Time requires all employees to sign their arbitration agreement. However, at that time Pexco did not require employees to sign an arbitration agreement.

A temporary employee, Narciso Garcia, sued both Pexco and Real Time in superior court for damage. Both Real Time and Pexco objected, citing the Real Time arbitration agreement that Garcia signed. Garcia argued that Pexco was his employer and Pexco did not have an arbitration agreement. The Court applied the "agency exception" rule, and under this rule, allowed Pexco to enforce the Real Time arbitration clause.

[Link to Full Article](#)

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### New I-9 Form

It seemed like yesterday we reported a new Form I-9. But, eight months later, the United States Citizenship and Immigration Services (USCIS) released a revised form this month.

[Link to the USCIS website](#)

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### \$22.4 million - CA Jury Award Retaliation

The size of this jury award underscores the importance employers to train their supervisors of the risks of retaliation claims.

A jury in California awarded \$22.4 million in punitive damages to a former sales manager of Cardiovascular Systems, Inc., a medical device company, based on a finding that his employer retaliated against him under both the California Fair Employment & Housing Act (California Government Code § 12940(h)) and the California Whistle blower Act

[Link to Full Article](#)

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### Employers Questions Dealing with Marijuana in the Workplace

This article was provided by Fisher Phillips and it discusses four (4) common questions

many employers are asking.

- Can we maintain a zero-tolerance policy in a state that permits medical marijuana use?
- What if we are covered by federal drug-free workplace rules, federal safety or similar regulations, or run a business with numerous safety-sensitive positions?
- What if an employee with a medical marijuana card says that we need to make a reasonable accommodation to comply with the Americans with Disabilities Act (ADA)?
- What if our strict drug-testing policies make it difficult to hire and retain workers?
- What does the patchwork of state laws mean for our national employment policies?

[Link to Full Article](#)

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### **Why are Job Descriptions Necessary?**

To some business leaders, employee job descriptions are not important and probably never updated. They do not see their value or usefulness.

**There are numerous reasons to maintain accurate job descriptions, but one important reason is if an employee becomes disabled and asserts a claim based on the Americans with Disability Act (ADA).**

As an employer, you have a duty to make reasonable accommodations for disabled employees to perform the "essential functions" of a job. The EEOC, physicians and attorneys will look to your job descriptions to identify the job's "essential functions". In other words, current **job descriptions could protect your business.**

In our article, *Are Employee Job Descriptions Really Necessary*, we discussed this topic.

**Call us to today to review and update your job descriptions before an EEOC claims.**

[Link to Full Article](#)

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

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