



The HR WIRE

ETC HR Employer Compliance News II *Making Compliance Connections*

November 2024

SECTION I: Notices, Reminders & Alerts & SECTION II: Noteworthy Compliance Happenings

New Workplace Labor Notice Releases

- **AK –**
 - The [Alaska Wage and Hour Notice](#) will reflect the increase from \$11.73 to \$11.91/hr – Jan 1, 2025.
 - A revised [Safety and Health Protection on The Job Notice](#) (OSHA) has been released with increased monetary penalties as well as new contact information.
 - The [Unemployment Insurance Notice](#) has been revised with some additional information.
- **CA –** Updated [Workers' Compensation Notice](#) - Assembly Bill 1870 amended Labor Code section 3550(d)(4) to require notice to injured workers that: (1) they may consult a licensed attorney to advise them of their rights under workers' compensation laws; and (2) in most instances, attorney's fees will be paid out of what they recovery as a result of their claims. The amendment to Labor Code section 3550 becomes operative on January 1, 2025.
- **ME -**
 - [Maine Minimum Wage](#) Notice: Effective January 1, 2025, the state minimum wage will increase to \$14.65/hr
 - [Maine Paid Family and Medical Leave Notice](#) This new notice provides detailed information about employee benefits, reasons for leave, types of leave, eligibility requirements, and payroll deductions.
- **MN –**
 - The revised [Employer-Sponsored Meetings Notice](#) now safeguards employees' rights to opt out of employer-led meetings focused on religious or political topics.
 - The [Minnesota Minimum Wage Notice](#) has been updated to reflect a minimum wage increase to \$11.13 per hour starting January 1, 2025. This notice also now includes information on Minnesota's wage theft law.
- **MT -** Montana has issued an updated [Minimum Wage Notice](#) for 2025. Starting January 1, 2025, the Montana Minimum Wage will rise from \$10.30 to \$10.55/hr.
- **SD -** The [South Dakota Minimum Wage Notice](#) has been released to reflect the upcoming increase as of January 1, 2025, which reflects the updated wage of \$11.50/hr and tipped minimum wage updated to \$5.75/hr.
- **OH -** The [Ohio Minimum Wage Notice](#) has been released to reflect the upcoming increase as of January 1, 2025, which reflects the updated wage of \$10.70/hr and tipped minimum wage will increase to \$5.35/hr. The minimum wage will apply to employees of businesses with annual gross receipts of \$394,000 per year.



Reminders & Alerts!

- **Upcoming Compliance Deadline Reminder: Gag Clause Attestation - Dec. 31, 2024**
- **Upcoming Compliance Deadline Reminder: Beneficial Ownership Information (BOI) Reporting – Jan 1, 2025**

NEW UPDATE! Federal: DOL's 2024 Exempt Salary Rule Struck Down

On November 15, 2024, a federal court in Texas ruled that the Department of Labor had overstepped its authority with the most recent rule increasing the minimum salary for exempt employees. The July 1 increases are void, the additional increase that would have taken effect on January 1, 2025, won't happen, and the automatic increases that were scheduled to occur every three years are no more.

In short, the whole rule was thrown out and the minimums have reverted to what they were prior to July 1, 2024. This means that most executive, administrative, and professional employees need to be paid at least \$684 per week (\$35,568 annually), and not the \$844 required by the now-defunct 2024 rule. Employees classified under the highly compensated employee exemption need to be paid at least \$107,432 per year, as opposed to \$132,964.

Employees ensure compliance with any applicable state or local laws relative the minimum salary thresholds for position exemptions which remain applicable.

State Minimum Salary Thresholds – Overtime Exemption

AK: as of Jan 1, 2025: \$938.40/week \$49,796.80 annually

CA: as of Jan 1, 2025: \$1,320/week (\$68,640 annually)

CO: as of Jan 1, 2025: \$1,086.25/week (\$56,485 annually)

ME: \$845.19/week (\$43,950 annually)

NY: as of Jan 1, 2025:

In New York City, Long Island, & Westchester County

- \$1,237.50/week (\$64,350 annually)

Remainder of New York State

- \$1,161.65/week (\$60,405.80 annually)

WA: as of Jan 1, 2025:

- Small Employer (1-50 EEs) \$1,332.80/week (\$69,305.60 annually)
- Employers with 51 or more Employees \$1,499.40/week (\$77,968.80 annually)

New! NLRB Prohibits Captive Audience Meetings

The National Labor Relations Board (NLRB), which enforces the National Labor Relations Act (NLRA), recently decided that employers can't require employees to attend captive audience meetings under the threat of discipline or discharge. The NLRA covers private employers of all sizes and protects all nonsupervisory employees.

Captive audience meetings are mandatory meetings where employers present their views on unionization (and typically discourage employees from supporting union efforts).

However, the NLRB explained that employers can hold *voluntary* workplace meetings to express their views on unionization if, with reasonable advance notice, they inform employees that:

1. The employer intends to express its views on unionization at a meeting that is voluntary for employees to attend,
2. Employees won't be subject to discipline, discharge, or other adverse action for not attending the meeting or for leaving the meeting, *and*
3. The employer won't keep records of which employees attend, fail to attend, or leave the meeting.



In addition to communicating this information, employers have to abide by the above statements in practice as well. The new rule applies as of November 13, 2024. Employers should also review their state laws, which may have different requirements, to be sure they're compliant.

This decision is expected to face legal challenges and the NLRB may reverse its opinion on the issue once it has a majority of members appointed by the Trump administration.

Action Items

- Allow employees to opt out of any meeting covered by this decision
- Ensure that employees receive clear, advance notice for any voluntary meeting you hold about unionization that includes all the required details outlined in this decision
- Make sure supervisors understand these requirements

New! NLRB Expands Definition of “Unlawful Communication” to Employees Concerning Effects of Unionization on Employer-Employee Relationship

On November 8, 2024, the National Labor Relations Board (“NLRB” or the “Board”) ruled that employers can no longer broadly warn employees that unionizing may strain or negatively impact their direct relationship with management.^[1] In doing so, the Board overturned over forty years of precedent, set by *Tri-Cast, Inc.*, 274 NLRB 377 (1985), in which the Board deemed “categorically lawful” nearly any statement from employer to employee concerning the impact that unionization would have on individual employer-employee relationships.

Through its decision, the Board reinstated prior Supreme Court precedent, which found that to be lawful, an employer prediction about the negative consequences of unionization must be based in objective fact that conveys an employer’s belief of probable consequences to unionization that are beyond the employer’s control.^[2] Going forward, the Board will now consider, on a case-by-case basis, whether a “reasonable employee” could view their employer’s statements as a threat to take away a benefit if they selected representation.

Of note, however, is that this comprehensive ruling came down the same week that Donald Trump was re-elected as President. Like his predecessor, Joe Biden, Trump is expected to terminate the sitting NLRB General Counsel upon the assumption of his duties as President, and there is no doubt that we will come to see a newly constituted, Trump-appointed NLRB that is likely to be less labor-friendly in the future. However, the Biden-appointed NLRB members may very well hold a majority on the Board through 2026 and continue issuing similar decisions until then

^[1] *Siren Retail Corp. d/b/a Starbucks*, 373 NLRB No. 135 (2024).

^[2] *NLRB v. Gissel Packing Co.*, 395 U.S. 575 (1969).

Previously Announced Reminders:

- **Reminder:** Federal Retirement & Benefit Limits – **2025**
- **Reminder:** Draft Forms & Instructions for 2024 ACA Reporting Now Available
- **Reminder:** ACA & Affordability - **2025**
- **Reminder:** HIPAA Policies/Practices for New Reproductive Health Care Rights

See the “*Previously Reported Regulatory Matters*” Attachment for details pertaining to above referenced reminder.



SECTION III:

Noteworthy State/City Compliance

New Regulatory Announcements & Reminders

Alaska

New! New Paid Sick Leave Regulations - July 1, 2025

Alaska has approved a [ballot measure](#) requiring employers to provide paid sick leave to their workers starting July 1, 2025. The new law allows for 40-56 hours of paid sick time per year, depending on the employer's size.

July 1, 2025 - Employers must begin providing eligible employees with 40-56 hours of paid sick leave per year. The maximum requirement depends on employer size.

July 31, 2025 - Employers must provide employees with notice of their rights under the law.

Details included in the attached resource and will also be communicated in advance of the effective date.

New! State Votes in Favor of Captive Audience Ban – July 1, 2025

On Nov. 5, 2024, Alaska voters passed [Measure No. 1](#), which includes a captive audience ban that prohibits employers from requiring participation in religious or political meetings or communications. The new law takes effect July 1, 2025.

California

New! San Diego County Fair Chance Ordinance - Oct 10, 2024

San Diego County enacted the Fair Chance Ordinance for the [unincorporated areas of San Diego County](#), aimed at increasing employment opportunities for individuals with criminal histories.

This ordinance, which took effect October 10, **largely mirrors the existing** [California Fair Chance Act](#), while introducing some new requirements.

The San Diego County Fair Chance Ordinance enhances the California Fair Chance Act in several key ways. The following is not an exhaustive list, but employers who are located or do business in unincorporated areas of San Diego County should be aware of these obligations:

- The ordinance applies to any employer with five or more employees located in the unincorporated areas of San Diego County or doing business there, regardless of the employer's location.
- The ordinance protects employees and applicants whose primary job location averages two or more hours of work each week within an unincorporated area of the County, including remote work performed from an unincorporated area.
- Employers are prohibited from using language in a job advertisement or posting indicating that a person with a conviction or arrest will not be considered for employment.
- The required individualized assessment of the applicant's or employee's criminal history must be in writing, but the employer does not have to provide a copy of the written assessment.
- There are new notice requirements, and the preliminary and final determination notices must advise applicants and employees of their right to file a complaint with the California Civil Rights Department and the County of San Diego Office of Labor Standards and Enforcement.
- If a job offer is revoked, the applicant has a review and response period. During this period, the employer may not fill the position absent exigent circumstances.
- Starting on July 1, 2025, employers can face administrative penalties for non-compliance ranging from \$5,000 to \$20,000.

Employers should:



- **Review and update documents.** Ensure that job postings and application forms comply by removing any questions about conviction history, and review documents related to criminal background checks, including pre-adverse action letters and adverse action letters.
- **Train hiring managers.** Educate those involved in the hiring process about the ordinance's requirements and the importance of conducting individualized assessments.
- **Assess recordkeeping procedures.** Review recordkeeping procedures to ensure compliance, and maintain required records of all assessments and decisions.

The County has published the [ordinance](#) and provided additional guidance on its webpages

Illinois

New! IL Amended Right to Privacy in the Workplace Act – Jan 1, 2025

Public Act 103-0879, amending the Illinois Right to Privacy in the Workplace Act, late this summer. The act imposes new responsibilities on Illinois employers pertinent to E-Verify and workplace verification and also preempts local government requirements.

Some of the Act's amendment provisions are:

- Preempting the state, its political subdivisions, or any unit of local government from requiring an employer to use E-Verify
- Establishing new training obligations for employers and their authorized agents when enrolling in E-Verify
- Establishing new procedures that employers enrolled in E-Verify must follow when receiving Tentative Non-Confirmations (TNCs) or no-match letters from agencies such as the Social Security Administration
- Specific procedures to comply with state law when an inspecting entity (such as U.S. Immigration and Customs Enforcement) conducts an I-9 audit

Illinois Department of Labor issued a [fact sheet/FAQ](#)

Maine

New! Maine's Paid Family & Medical Leave (PFML) Launches – Jan 1, 2025

Maine's paid family and medical leave (PFML) program will launch next year. PFML is funded by employer and employee payroll contributions and is administered by the Maine Department of Labor (MDOL). It applies to all employers and employees. The MDOL will handle claims, approve or deny leave, and pay benefits to claimants. Payroll contributions begin January 1, 2025, and employees can start taking PFML on May 1, 2026.

Employees will be entitled to up to 12 weeks of leave per year, and those who have been employed for 120 days or more are entitled to job protection.

Employer Notice

Employers must post a notice at each worksite in a conspicuous location in English and any other primary language spoken by three or more employees in that workplace.

They will also need to provide a written notice to each new employee within 30 days of their hire date.

The MDOL has provided a model notice in English [here](#).

More Information

The state has a [website](#) with FAQs, an overview of the program, model notices in additional languages, and other resources for employers

Massachusetts

New! PFML Rate Sheets & Employee Notices – Dec 2, 2024

The Massachusetts Department of Family and Medical Leave has [issued](#) updated rate sheets, notices and a workplace poster for 2025.



Contribution rates and benefit amounts for PFML are updated annually, and the law requires employers to provide current employees with information on the new contribution rate 30 days before it changes on Jan. 1, which is **Dec. 2, 2024**. Employers must provide each new hire with a [written notice](#) about PFML **within 30 days from the employee's start date**. The employer must obtain the employee's **written acknowledgment of receipt** or have the employee sign a statement that they refused to sign the acknowledgment.

Employees are required to use them to meet obligations under the state's paid family and medical leave (PFML) law. Failure to comply with the law's notice requirements can result in employer fines.

- [2025 Rate Sheet](#) - Workers must be apprised of the 2025 PFML contribution rate by Dec. 2, 2024.
- [2025 Employee Notice](#)* - Different forms of the notice are available for different types of employers.
- [2025 Workplace Poster](#) - The poster must be displayed in the workplace.

* The department publishes separate notices for employers with 25 or more covered individuals, fewer than 25 covered individuals, 25 or more self-employed individuals, and fewer than 25 self-employed individuals. Details included in the attached resource

Employers Must Complete HIRD Form - Dec 15, 2024

Massachusetts employers with six or more employees must annually submit a health care coverage reporting form, referred to as the Health Insurance Responsibility Disclosure (HIRD). The HIRD form is available to be filled out electronically starting Nov. 15 and must be completed by **Dec. 15, 2024**.

Dec. 15 - Covered employers must electronically complete the **HIRD form** by Dec. 15. This reporting requirement is in addition to the Affordable Care Act's (ACA) federal employer reporting requirements under Internal Revenue Code Sections 6055 and 6056.

Jan. 31 - Employers that sponsor an employer-sponsored health plan must provide **Form 1099-HC** by Jan. 31 of each year. Most carriers will issue this form on behalf of employers.

Details included in the attached resource and will also be communicated in advance of the effective date

Missouri

New! State Passes Paid Sick Leave Initiative – Spring 2025

On Nov. 5, 2024, voters in Missouri passed [Proposition A](#), a ballot initiative requiring employers to provide employees with earned paid sick time (EPST). (Note that the Missouri election results are unofficial until they have been certified in accordance with state law, which may not happen until Dec. 10, 2024.)

The annual leave amount for larger employers is 56 hours; for smaller employers, the amount is only 40 hours.

April 15, 2025 - Employers must provide notice of the law to employees.

May 1, 2025 - Workers may accrue and use earned paid sick time.

Details included in the attached resource and will also be communicated in advance of the effective date.

Nebraska

New! State Enacts Paid Sick Leave – Fall 2025

On Nov. 5, 2024, Nebraska voters passed [Initiative Measure 436](#), known as the Nebraska Healthy Families and Workplaces Act; the new law requires employers to provide 40-56 hours of paid sick time per year, depending on their size. Eligible employees can begin taking paid sick leave under the law **Oct. 1, 2025**.

Sept. 15, 2025 - Notice requirements take effect under the new paid sick time law.

Oct. 1, 2025 - Employees may begin taking paid sick time.

Details included in the attached resource and will also be communicated in advance of the effective date.

New Jersey



New! New Jersey Family and Disability Insurance Leave Rates to Increase - 2025

New Jersey has increased its temporary disability insurance (TDI) and family leave insurance (FLI) contribution rates for 2025

- **2025 TDI Contribution Rate** - The TDI contribution rate for workers will be 0.23% of employee wages in 2025.
- **2025 FLI Contribution Rate** - The FLI employee contribution rate will be 0.33% of wages in 2025.

The "Notice of Employer Contribution Rates" for fiscal year 2024-25 is now available for download via [Employer Access](#).

New! Expanded Pay Transparency Regulations – July 2025

A bill signed into effect by Governor Murphy this month ([Senate Bill 2310](#)) will only add to employers' obligations. Starting June 1, 2025, the new law will require you to disclose certain compensation and benefits information in job listings and for promotional opportunities.

- **Currently**, New Jersey employers are prohibited from discriminating against or discharging an employee for exercising their rights under the law, including requesting, discussing, or disclosing pay-related information. Additionally, New Jersey employers cannot ask job applicants about their salary history.
- **New Legislation** will require pay transparency for both promotional opportunities and employment listings. The requirements will apply to New Jersey employers with 10 or more employees over 20 calendar weeks that do business, employ workers, or take applications for employment in the state. Employers will need to disclose the hourly wage or salary (or range) and a general description of benefits and other compensation programs for which the employee would be eligible. This information is to be in each posting for a new job, as well as transfer opportunities that are advertised externally or internally.

Pennsylvania

New! PA Now Permits Direct Deposit Payment of Workers' Compensation Benefits

On Oct. 29, 2024, Pennsylvania amended its workers' compensation laws to provide standards by which self-insured employers pay their employees workers' compensation benefits. These new standards allow self-insured employers to permit direct deposit of workers' compensation benefits and provide the requirements for doing so.

This requirement goes into effect on Dec. 29, 2024. However, on Dec. 29, 2025, all self-insured employers must permit payment by direct deposit. Interested employers are advised to check out the state's website to learn more.

**For details of the below Reminders,
See the **Previously Reported Regulatory Matters** Attachment**

California

- **Reminder:** Upcoming Local Minimum Wage Ordinance Increases – Jan 1, 2025
- **Reminder:** State Expands Discrimination Protections – Jan 1, 2025
- **Reminder:** State Passes Freelance Worker Protections Act – Jan 1, 2025
- **Reminder:** Paid Sick Leave Expansion – Jan 1, 2025
- **Reminder:** State Amends Victim Leave for Employees – Jan 1, 2025
- **Reminder:** Jury & Witness Duty Leave Oversight & Enforcement Change – Jan 1, 2025
- **Reminder:** State Passes Captive Audience Ban – Jan 1, 2025
- **Reminder:** Expanded Use of CA Paid Sick Leave – Jan 1, 2025
- **Reminder:** CA Employers Lose Option to Require Vacation Leave Before PFL – Jan 1, 2025
- **Reminder:** Workplace Safety Enacted Provisions Effective Jan 1, 2025
- **Reminder:** CA Disability Insurance Updates – Jan 1, 2025
- **Reminder:** Small Employer Mediation Program – Permanent – Jan 1, 2025
- **Reminder:** CA PAGA FAQ Published
- **Reminder:** State Transparency Requirements-Child Labor Practices – Jan 1, 2025



Colorado

- **Reminder:** Holiday Incentive Pay in Regular Rate of Pay Calculation

Connecticut

- **Reminder:** Expands Family Violence Leave – **Oct 2024**
- **Reminder:** Connecticut Expands Paid Sick Leave Law – **Jan 1, 2025**

Delaware

- **Reminder:** State Adds Housing Status as a Protected Characteristic – **Sept 26, 2024**
- **Reminder:** Key Deadlines Approaching for Paid Family Medical Leave – **Dec 1 & 2; Jan 1, 25**
- **Reminder:** State Added Housing Status as a Protected Characteristic “Housing Status” – **Sept 26, 2024**

Illinois

- **Reminder:** Cook County Updates Paid Leave Guidance Issued – **Oct 24, 2024**
- **Reminder:** Worker Freedom of Speech Act- **Jan 1, 2025**
- **Reminder:** Human Rights Act Amended - Expansion of Protected Classes – **Jan 1, 2025**
- **Reminder:** State Enacts New Child Labor Laws SB 3646– **Jan 1, 2025**
- **Reminder:** Illinois Wage Payment and Collection Act (IWPCA) Amended - Employees the Right to Inspect Pay Stubs Upon Request – **Jan 1, 2025**
- **Reminder:** State Pay Transparency Laws applicable to smaller employers – **Jan 1, 2025**

Maryland

- **Reminder:** Multiple Employment Laws Updated Effective – **Oct 1**
- **Reminder:** Maryland Adopts Heat Stress Standards – **September 20, 2024**

Massachusetts

- **Reminder:** Amended State Earned Sick Time to Cover Reproductive Loss – **Nov 21, 2024**
- **Reminder:** MA 2025 PFML Benefit to Increase – **2025**

Michigan

- **Reminder:** State Issues FAQs and Other Materials for Earned Sick Time Act – **Feb 21, 2025**
- **Reminder:** State Supreme Court Increases Minimum Wage and Paid Sick Leave Requirements – **Feb 2025**

Minnesota

- **Reminder:** State Makes Several Changes to Work Comp Laws – **Aug & Oct 2024**
- **Reminder:** State Paid Leave Wage Reports - **Oct 31, 2024**
- **Reminder:** Pay Transparency (Wage Disclosure Protection Law) -**Jan 1, 2025**

New Hampshire

- **Reminder:** Guns in Trunks State Regulation – **Jan 1, 2025**

New Jersey

- **Reminder:** Upcoming Deadlines for RetireReady NJ - **Sept & Nov 2024**
- **Reminder:** New Jersey Family and Disability Insurance Leave Rates to Increase – **Jan 1, 2025**

New York

- **Reminder:** NY Expands Protections for National Guard Service – **Sept 27, 2024**
- **Reminder:** New York PFL Contribution and Benefit Rates to Increase in 2025
- **Reminder:** Clean Slate Act (Expanded Criminal History Protections)– **Nov 16, 2024**
- **Reminder:** Mandated Paid Prenatal Leave – Eff **Jan 1, 2025**

Rhode Island

- **Reminder:** State Enacts New Consumer Data Privacy Law – **Jan 1, 2025**

Washington

- **Reminder:** State Expansion of Paid Sick Leave – **Jan 1, 2025**



SECTION IV: Previously Reported Regulatory Matters

Please see separate, standalone publication for a listing of all previously reported regulatory matters for 2024.
The WIRE is for informational purposes only and should not be construed as legal advice.