

Pregnancy? Parental Leave? Social Media? Data Breaches? Your State Employment Law Update

Labor & Employment Law Update

By Heather Bailey on June 5, 2014

Florida: After much debate in the lower courts, it is settled – employers may not discriminate against pregnant workers in FLA (you couldn't before under Federal law, but FLA confirms the same).

Iowa: If you have to notify at least 500 state residents including your employees and applicants of any potential personal information security breach, you must also notify the Iowa Attorney General's Office of the same.

Maryland: Do you have between 15 – 49 employees? If so, beginning October 1, 2014, you must provide similar FMLA leave of up to 6 unpaid weeks for parental leave for the birth of a child or adoption and foster care situations.

Minnesota: Beginning August 1, 2014, you must add in your Employee Handbooks a notice that employers are not allowed to retaliate against employees for requesting or receiving reasonable accommodations related to pregnancy or child birth (which took effect on May 12, 2014 requiring employers to give such reasonable accommodations). Also effective on this same date, employers cannot prohibit or have a policy or practice prohibiting employees from discussing their wages.

Missouri: The pending Right to Work bill died in the house before getting to the senate. Additionally, in a 5-2 decision, the Missouri Supreme Court said that you only need to use the "contributing factor" standard in a workers' compensation retaliation claim. This reversed 30+ years of MO courts requiring "exclusive causation."

Tennessee: Beginning July 1 this year, Tennessee went pro-management this time. Managerial and supervisory employees will now be shielded from individual liability under the Tennessee Human Rights Act for discrimination claims. Moreover, employees will now have to show their protected activity was the sole reason for their discharge as opposed to it being just one of the reasons in order to sustain a retaliatory discharge claim. Tennessee now allows employers to prohibit those employees with handgun permits from storing or

transporting firearms or ammunition in company vehicles.

West Virginia: Your minimum wage increases on January 1, 2015 to \$8.00 an hour and to \$8.75 per hour as of January 1, 2016.

Wisconsin: Getting on the band wagon, WI employers are now prohibited from requiring applicants or employees to give their personal login information for their personal social media sites or require the company's monitoring of the sites as a condition of them to remain employed. Moreover, good news for employers is that you no longer need to keep track of a salaried employee's hours worked for those who are exempt from overtime.

Pregnancy?
Parental
Leave?
Social
Media?
Data
Breaches?
Your State
Employment
Law Update