

EMPLOYMENT LAW UPDATE

Relationship-Driven Results

March 2024

LEGISLATIVE/ADMINISTRATIVE UPDATE

California

California Law Prohibits Workplace Discrimination and Harassment Poster

The California Civil Rights Department has recently published an updated “California Law Prohibits Workplace Discrimination and Harassment” poster. The updated poster outlines protections for employees taking bereavement or reproductive loss leave, as well as discrimination for off-duty/premises cannabis use. Government Code section 12850 and related regulations require all California employers to display the poster in a conspicuous place where employees gather. If ten percent or more of an employer’s workforce at any facility or establishment speaks a language other than English, the employer must also display this poster in that language (or languages).

The Spanish version is available at https://calcivilrights.ca.gov/wp-content/uploads/sites/32/2023/02/Workplace-Discrimination-Poster_SP.pdf

The English version is available at https://calcivilrights.ca.gov/wp-content/uploads/sites/32/2023/01/Workplace-Discrimination-Poster_ENG.pdf

Workplace Violence Prevention Plan – July 1, 2024 Deadline

On March 1, 2024, Cal/OSHA published a model Workplace Violence Prevention Plan for general industry employers, and other resources, prior to the July 1, 2024, deadline to take all steps necessary to create, implement, and maintain a Workplace Violence Prevention Plan.

Specifically, Cal/OSHA and the California Department of Industrial Relations released the following resources:

- Fact Sheet for Employers
- Fact Sheet for Employees
- Fact Sheet for Employers in Agricultural Operations
- Fact Sheet for Employees in Agricultural Operations
- Model Workplace Violence Prevention Plan

We are dedicated to providing the highest quality legal services and obtaining superior results in partnership with those who entrust us with their needs for counsel.

We enjoy a dynamic and empowering work environment that promotes teamwork, respect, growth, diversity, and a high quality of life.

We act with unparalleled integrity and professionalism at all times to earn the respect and confidence of all with whom we deal.

As a reminder, the Workplace Violence Prevention Plan applies to all California employers unless they are specifically exempted. The exemptions include:

- Employers already covered by the Workplace Violence Prevention Plan in Healthcare standard (or employers that comply with that standard);
- Facilities operated by the California Department of Corrections and Rehabilitation and law enforcement agencies;
- Employees teleworking from a location of their choice that is not under the control of the employer; and
- Places of employment that are not accessible to the public and have less than 10 employees working at any given time, so long as they have a compliant Injury and Illness Prevention Program.

Reminder to Post 2023 Annual Summary of Work-Related Injuries and Illnesses in February

All non-exempt California employers are required to post their annual summary of work-related injuries and illnesses, from February 1 through April 30, in a visible and easily accessible area at every worksite with Cal/OSHA's Form 300A. Employers can find an overview regarding completing both the log (Form 300) and the annual summary (Form 300A) on Cal/OSHA's Recordkeeping Overview page at

https://www.dir.ca.gov/dosh/dosh_publications/RecKeepOverview.pdf

Certain employers were required to submit annual Form 300A data electronically to Cal/OSHA by March 2, 2024. Covered employers are those that meet one of the following requirements:

1. 250 or more employees, unless specifically exempted by section 14300.2 of title 8 of the California Code of Regulations; or
2. 20 to 249 employees in the specified industries listed including Agriculture, Manufacturing, and Grocery Stores. For a full list of covered industries, employers can review at:
https://www.dir.ca.gov/T8/14300_48_AppendixH.html

This is Pettit Kohn Ingrassia Lutz & Dolin PC's employment update publication. If you would like more information regarding our firm, please contact Tom Ingrassia, Jennifer Lutz, Ryan Nell, Shannon Finley, Christine Dixon, Jessica O'Malley, Nicole Allen, Haley Murphy, John Solis, Gabriella Kelly, Kelsey Landon, Nia Perkins, Pouch Liang, Ethan Anderson, Amer Azizi or Michelle Perez-Yanez at (858) 755-8500; or Brett Greenberg, Greg Feldman, Lisa Mallinson, Alysha Zapata, Arsalan AlNasir, Andres Uriarte, or Kimberly Horne at (310) 649-5772.



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