

It is hard to believe that we are half-way through 2024! During the first half of 2024, new laws and changes went into effect or will take effect very soon. Employers should be aware of these changes and laws to ensure compliance.

While many new and changed laws went into effect at the end of 2023 and beginning of 2024, as previously covered in our [January 2024](#) post, there are additional new laws and changes in many states that have recently gone into effect or will take effect in the near future.

We anticipate seeing more laws protecting employee cannabis use, requiring pay disclosures, banning salary history inquiries, and restricting non-competition agreements. We also anticipate seeing more paid leave laws, continued increases in minimum wages and salary thresholds, and changes to laws related to Covid-19. Our team will continue to monitor these and other state employment law developments.

As always, please reach out to SPB for more information or for assistance with compliance.

## Alabama

- **Work eligibility form requirement for minors repealed** – As of June 1, 2024, employers are no longer required to secure work eligibility forms in order to employ minors ages 14 to 15. Under this [law](#), employers are also no longer required to keep the forms on file for inspection purposes.

## Connecticut

- With Governor Ned Lamont’s signing of [Public Act No. 24-8](#), Connecticut has expanded its sick leave law, which currently only applies to “service workers” and to employers with 50 or more service workers. Under the expansion, beginning on January 1, 2025, all employees of employers with at least 25 employees will be entitled to paid sick leave. On January 1, 2026, it expands to cover all employees of employers with 11 or more employees, and on January 1, 2027, it will cover all employees, regardless of employer size.

## District of Columbia

- **Pay transparency required and salary history inquiry banned** – As of June 30, 2024, employers are prohibited from asking about or screening prospective employees based on their wage history. This [law](#) also requires employers to include salary or hourly pay information on all job advertisements or postings, disclose the existence of health-care benefits before a first interview, and notify employees of their rights under the law.

## Idaho

- **Employer immunity for allowing employees to carry firearms expanded** – Idaho employers are immune from civil damages arising from claims related to policies allowing employees to store firearms in their personal vehicles. Effective, July 1, 2024, a new [law](#) expands employer immunity from civil damages to include claims arising from policies that specifically allow or do not prohibit employees from lawfully carrying a firearm on their person.

## Illinois

- **Chicago, Illinois paid leave and paid sick leave enacted** – As reported in our January 2024 [post](#), effective July 1, 2024, eligible employees working in Chicago will be eligible to accrue paid leave (PL) and paid sick leave (PSL). Recently passed [final rules](#) include additional information regarding PL and PSL. Per the final rules, employers can elect to frontload PL and/or PSL. If an employer frontloads PL, the employer does not have to allow carryover of unused PL to the next year. However, if an employer frontloads PSL, the employer still must allow carryover. The final rules also provide clarification around when an employer can deny requests for PL, timing of when PL/PSL must be available for new hires, specify that employers must have a written PL and PSL policy, and that employers must notify employees of their PL and PSL amounts.

## Maryland

- **Pay transparency required** – As of October 1, 2024, employers are required to disclose the specific salary, wage range, benefits, and any other compensation information for both internal and external job postings, for any job that will be physically performed in Maryland. This new [law](#) also requires employers to retain records of compliance for at least three years after the position is filled or initially posted. The Maryland Commissioner of Labor and Industry will publish a form that employers may use to comply with the law. Employers that do not comply are subject to civil penalties for each employee or applicant for whom the employer is not in compliance.
- **Prohibition of vaping in the workplace** – On May 16, 2024, a new [law](#) expanded Maryland’s workplace smoking restrictions to include vaping. “Vaping” is defined as the use of an electronic smoking device or device through which the user inhales tobacco, cannabis, or hemp. This law requires employers to post no smoking or vaping signs at each entrance to the workplace.

- **Pay statement requirements for employers** – Beginning October 1, 2024, employers are required to include additional information on pay stubs and pay statements. This new [law](#) requires the date of payment, pay period start and end dates, rate of pay, bases of pay, gross and net pay earned, and the amount and name of all wage reductions on each pay stub. Noncompliant employers are subject to administrative penalties per affected employee.
- **Family-leave insurance program postponed** – A new [law](#) postpones the start of Maryland’s family-leave insurance program to July 1, 2025. Employers will begin making contributions at that time. The initial contribution amount will be determined by February 1, 2025, and benefits will begin July 1, 2026. Employers with state-approved private plans are exempt from making contributions but are subject to certain limitations on the amount they can deduct from employee wages.
- **Minnesota paid sick leave** – As reported in our January 2024 [post](#), Minnesota passed a new Earned Sick and Safe Time (ESST) law requiring employers to provide paid sick leave to Minnesota employees as of January 1, 2024. Per recent amendments, beginning January 1, 2026 an employee may use ESST for making funeral arrangements or to address financial or legal matters after the death of a family member. The amendments also clarify the “base rate” at which an employee earns ESST, and changed the usage increments—employers may now require that ESST be used in the “same increment of time for which employees are paid,” so long as it is between 15 minutes and four hours. The amendments also changed the requirement that ESST balances be listed on employee paystubs; now, employers can provide employees with their ESST balances by way of pay stubs, electronically, or through another reasonable system.

## Michigan

- **Nondiscrimination protections for termination of pregnancy** – Effective March 31, 2024, workplace nondiscrimination protections [expanded](#) to cover termination of pregnancy. As part of this expansion, the definition of “sex discrimination” was amended to include employment actions taken based on “termination of pregnancy.” This change does not apply to the employment of an individual by the individual’s parent, spouse, or child.

## Minnesota

- **Prohibition of employment discrimination based on gender identity** – As of January 1, 2024, gender identity was added to the protected classes for which employers may not discriminate in any employment actions. The amended law defines gender identity as a person’s inherent sense of being a man, woman, both, or neither. The law clarifies that a person’s gender identity may or may not correspond to their assigned sex at birth and may not necessarily be visible to others.
- **Salary history inquiries banned** – Following in the footsteps of many other states, effective January 1, 2024, a new [law](#) prohibits employers operating in Minnesota from inquiring into, considering or requiring disclosure of an applicant’s pay history.
- **Salary range transparency required** – Effective January 1, 2025, a new [law](#) requires employers with 30 or more employees at one or more sites in Minnesota to disclose salary range information for each job posting as well as a general description of all benefits, including health and retirement benefits, and other compensation to be offered to an applicant who is hired.
- **Remedies for discrimination and definition of “familial status” amended** – As of May 15, 2024, Minnesota [law](#) allows civil penalties against employers who have been found to discriminate against an employee. Other permissible remedies include the hiring, reinstatement or upgrading of an employee who has been discriminated against. Under this law, the definition of “familial status” is amended as well to include residing with and caring for one or more individuals who are unable to care for themselves.
- **Minnesota paid leave** – Under the Minnesota [Paid Family and Medical Leave law](#), employers are required to provide eligible employees with up to 12 weeks of paid family and 12 weeks of paid medical leave, with partial wage replacement for qualifying reasons. The leave is capped at 20 weeks total combined leave per benefit year. Effective January 1, 2026, amendments to the law provide for an “initial paid week”—once applicants meet the seven-day qualifying period, this initial week must be paid retroactively and included in the first benefit payment. Also under the amended law, the definition of “family members” will include children of domestic partners and children to whom the applicant is a “de facto custodian” rather than a “de facto parent.” The law also amends the definition of a “typical workweek” to be “the average number of hours worked per week by an employee within the last two quarters prior to the effective of application.”
- **Service contract non-solicitation clauses prohibited** – Under this new [law](#), effective July 1, 2024, most service providers (those acting as an employer or manager for work contracted or requested by a customer) are prohibited from preventing a customer from soliciting or hiring the service provider’s employees or independent contractors. Service contractors must notify employees who have existing provisions of the new law and the contract provision that violates the law.
- **“Disabled person” definition expanded** – [Amendments](#) to the Minnesota Human Rights Act (MHRA) include expanding the definitions of a “disabled person” and “familial status.” Effective August 1, 2024, a “disabled person” will include individuals with “an impairment that is episodic or in remission and would materially limit a major life activity when active.”
- **Oral fluid testing for drugs, alcohol and cannabis** – Effective August 1, 2024, a new [law](#) permits employers to test applicants for drugs, alcohol, or cannabis by using “oral fluid testing,” that meets certain requirements; while initial testing does not need to be done in a certified laboratory, positive results must be verified by a laboratory within 48 hours.

## New Mexico

- **Military status joins list of protected classes** – As of May 15, 2024, military status is now considered a protected class under the state [Human Rights Act](#). “Military Status” is defined as an active member or veteran of the armed forces or state defense force and includes their spouse and children.

## New York

- **Paid lactation breaks** – Effective June 19, 2024, employers must provide **paid** 30-minute breaks to allow an employee to express breast milk during the workday. Employees must also be allowed to use any existing paid break or meal time for breast milk expression in excess of 30 minutes. The [law](#) does not cap the number of paid lactation breaks employees are entitled to per day. Rather, the law provides that employers are required to provide paid lactation breaks “each time such employee has reasonable need to express breast milk.” Previously these breaks were unpaid or employees could use their existing paid break or meal time.
- **Sunset of Covid-19 leave provisions** – Effective April 20, 2024, a new [law](#) sets an expiration and repeal date of July 31, 2025, for provisions granting leave and other benefits to employees who are subject to a mandated precautionary quarantine or isolation order due to Covid-19.
- **Paid parental leave for pregnant employees** – New York is the first state in the country requiring employers to provide a separate bank of paid leave to pregnant employees for health care services received or related to their pregnancy. Effective January 1, 2025, the [law](#) requires employers to provide pregnant employees with 20 hours of paid leave during any 52-week period to attend prenatal physical examinations, medical procedures, monitoring and testing or discussions with a health care provider related to an employee’s pregnancy. Prenatal leave is in addition to any paid leave already provided under the paid sick leave law.
- **Out of state applicants protected by state discrimination** – On March 14, 2024, the New York Court of Appeals ruled in [Syeed v. Bloomberg L.P.](#) that New York state and city laws each protect nonresidents who are not yet employed in New York but who sought a state-based job opportunity.
- **New York City, New York prohibition on contractual provisions shortening statutory period to file claims relating to discrimination harassment or violence** – New York City [law](#) now prohibits employers from entering into any type of agreement that shortens the statutory period by which an employee may file an administrative claim or complaint, or civil action, relating to unlawful discriminatory practices, harassment or violence under the New York City Human Rights Law. Any provision, term, or language in an employment contract that purports to shorten an employee’s statutory time to file an administrative claim, or a civil lawsuit will be deemed void as of May 11, 2024.

## North Carolina

- **Protections for civil air patrol members** – A new [law](#) prohibits employers from taking adverse action against employees who are members of the state’s Civil Air Patrol because of their membership or any absence to perform duties, as of December 1, 2023. This protection applies to absences of up to seven consecutive scheduled working days and up to 14 total absences in a calendar year.
- **Discrimination based on military status prohibited** – Effective October 1, 2024, a new [law](#) adds “military status” as a protected class under the state’s fair employment practices law. Military status is defined as the status of being a member of the uniformed services, a member of a reserve component of the Armed Forces of the United States, or a dependent.

## Oregon

- **Family leave time expanded for fostering or adopting a child** – As of March 20, 2024, Oregon [law](#) requires that from July 1, 2024, through January 1, 2025, the [Oregon Family Leave Act](#) (OFLA) will provide up to two additional weeks of leave to facilitate the legal processes required for placement of a foster child or adoption. OFLA leave will be in addition to leave taken under [Paid Leave Oregon](#) (PLO) and may not be taken concurrently with PLO. Effective January 1, 2025, PLO will incorporate this additional leave.

## Pennsylvania

- **Limitations on requests for criminal history records** – Effective February 12, 2024, employers may only request an applicant’s criminal history record information (CHRI) from the Pennsylvania State Police. This [law](#) also prohibits employers from using expunged or limited-access CHRI for employment purposes, unless required by federal law. Employers are immune from liability if CHRI is voluntarily disclosed.

## South Dakota

- **Employment drug testing laws for cannabis amended** – Effective July 1, 2024, amendments to employee drug testing laws allow employers to take adverse employment actions solely based on a positive drug test for cannabis in safety-sensitive jobs. The [law](#) makes clear that there is no cause of action for employment discrimination or wrongful termination when the employer is enforcing a drugfree workplace policy.

## Texas

- **Protections related to Covid-19 vaccines** – Effective February 6, 2024, private employers are prohibited from taking adverse action against employees, applicants, or contractors for refusing to be vaccinated against Covid-19. Employers violating this new [law](#) are subject to fines and investigative costs.

## Utah

- **Enforceability of confidentiality agreements related to sexual harassment barred** – Retroactive to January 1, 2023, Utah [law](#) bars the enforceability of workplace nondisclosure clauses related to sexual assault and sexual harassment. An employer or prospective employer who attempts to enforce such a clause may be subject to costs and attorney fees.

## Vermont

- **Discrimination based on protective hairstyles prohibited** – Vermont is following many states in implementing [law](#) commonly known as a CROWN act. Effective July 1, 2024, employers are prohibited from discriminating against an employee based on traits associated with or perceived to be associated with race, including hair type, hair texture, hairstyles, and protective hairstyles.

## Virginia

- **Ethnic origin added as a protected class** – Ethnic origin is added to the list of protected classes under the states' fair employment practices law, effective July 1, 2024. All references to "national origin" in the [law](#) will be changed to "ethnic or national origin."

## Washington

- **Paid sick leave law expanded** – Effective January 1, 2025, eligible employees may now use leave when their child's school or place of care is closed due to a government-declared emergency. The new [law](#) also aligns the definition of "family member" with the [Paid Family and Medical Leave Act](#) and includes a child, grandchild/parent, sibling, spouse, or person who regularly resides in the employee's home and the relationship creates and expectation of care.
- **Definition of "Veteran" redefined** – Effective June 6, 2024, "Veteran" as it applies to the state's [Fair Employment Practices Act](#) is redefined. The new [law](#) changes the requirement of an "honorable discharge" to that of a "qualifying discharge" which, among other things, means a discharge with an honorable characterization of service, a discharge with a general under honorable conditions characterization, a discharge other than honorable, or any characterization of service if the reason for discharge is solely due to reasons related to a person's sexual orientation, gender identity, or gender expression.

- **Non-compete disclosure requirement** – Effective June 6, 2024, employers are required to disclose the terms of a noncompetition covenant in writing no later than the time of the initial oral or written acceptance of the offer of employment. The [law](#) also allows anyone aggrieved by the covenant, whether parties or nonparties to the covenant, to bring a cause of action.

## West Virginia

- **Storage of weapons in vehicles permitted** – Employers may not terminate or take other adverse employment action against an employee for lawfully storing a firearm in their vehicle in a parking lot at work, effective June 6, 2024. The [law](#) does allow employers to take adverse action when an employee makes statements that relate to unlawful purposes or threats of unlawful actions involving a firearm.

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