



## 2017 Legislative and Case Law Update

Event

Multiple Locations - See Below

1.19.17 - 2.8.17

8:30 AM - 12:00 PM

As is customary in California, employers will face many new challenges and regulations in 2017 as a result of an active legislature. Governor Brown signed several bills into law for 2017 that will create greater compliance issues for California employers. In light of the ever shifting landscape, employers need to stay up to date, or else face potential litigation. To guide employers through these upcoming changes, our 2017 Legislative and Case Law Update includes a wealth of significant legislation and cases that will impact California employers in the new year.

### New legislation for 2017 includes:

- SB 1063: Expands Equal Pay Act to Include Race and Ethnicity
- SB 1241: Requires In-State Adjudication for California Employees
- AB 1843: Prohibits Hiring-Related Inquiries Regarding Juvenile Court Convictions
- SB 1001: Stiff New Penalties for Employment Verification Violations
- AB 1732: Single-User Restrooms with Identifying Signage for All Genders
- AB 2535: Required Wage Statement Information Clarified for Exempt Employees

### 2016 significant case law includes:

- ***Tyson Foods, Inc. v. Bouaphakeo*** (2016) 136 S. Ct. 1036: In an FLSA class action, employees expert's report was a permissible means of establishing hours worked donning and doffing by showing that each class member could have relied on that sample to establish liability had each brought an individual action.
- ***Morris v. Ernst & Young, LLP*** (9th Cir. 2016) 2016 WL 4433080: Petition for certiorari filed on September 8, 2016. Class action waivers in an employer's arbitration agreement violate employee rights under the National Labor Relations Act, and are unenforceable.
- ***McLean v. State of California*** (2016) 1 Cal.5th 615: California Labor Code provisions requiring prompt payment of final wages apply not only to employees who quit their employment, but also to employees who retire.

- ***Kilby v. s Pharmacy, Inc.*** (2016) 63 Cal.4th 1: Suitable seating requirements under the Wage Orders includes an analysis of the totality of the circumstances including relevant tasks, physical layout of the workspace, and the employer's business judgment.
- ***Castro-Ramirez v. Dependable Highway Express*** (2016) 2 Cal. App. 5th 1028: An employee's association with a physically disabled person is itself a "physical disability" under California's Fair Employment and Housing Act.

## **Employee Benefits Update**

Tune in for what has become an annual update on the ACA. In addition to bringing you up to speed on the latest and greatest "employer mandate" metrics, we will cover SSN mismatches with ACA reporting, exchange notices, IRS penalty assessments and other key issues to focus on as you get ready for 2017.

## **Immigration Update**

President-elect Trump has already announced plans for the first 100 days of his presidency which includes an immigration plan that heavily depends on worksite enforcement through employers. In a state with a diverse immigrant population, these changes can have a bigger impact than in other states. In addition, changes to visa categories and work authorizations can change for millions of employees. The categories of changes that the Trump administration could enact may involve legislative, regulatory, and executive action. This session will provide a summary of immigration-specific changes that are likely under the new administration and how they will have a special impact in California.

**Please choose the location you would like to attend by clicking on the location below. You will be redirected to another page where you can register:**

[Ontario: January 19, 2017](#)

[Los Angeles: January 24, 2017](#)

[Newport Beach: January 31, 2017](#)

[San Francisco: February 1, 2017](#)

[San Diego: February 2, 2017](#)

[Sacramento: February 8, 2017](#)

## **Agenda:**

8:30 a.m. – 9:00 a.m.

*Registration and Continental Breakfast*

9:00 a.m. – 12:00 p.m.

*Program*

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**Cost:**

\$45 for one person

\$40 for two or more from the same organization

\$35 for members of SHRM, PIHRA, SDSHRM, SDHR Forum, NCHRA, NHRA and SAHRA.

For questions, please contact Jackie Greenbaum at [jgreenbaum@fisherphillips.com](mailto:jgreenbaum@fisherphillips.com).

*Cancellations must be received at least three calendar days before the seminar you plan to attend in order to be eligible for a refund.*

*\*\*If you are a Certified Human Resources Professional through the HR Certification Institute, you may receive up to 2.75 hours of credit toward recertification with HRCI. This program is eligible for 2.75 SHRM credits.*