



Coffee Club

Is Your Handbook Ready for 2017?



January 3, 2017
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Introduction

Welcome to the AALRR monthly "Coffee Club" Webinar Series. Our series will focus on labor and employment law issues facing California employers and will provide you with a unique understanding and perspective on a variety of interesting and timely topics.

Join us the first Tuesday of every month @ 10:00 am for a new and exciting topic.

Today, we will be discussing *Is Your Handbook Ready for 2017?*

Next Month, *Is The Attraction a Distraction?*




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Handbooks & Policies

- Bring policies up to speed...
- 2017 Updates
- Key Statutes and Cases




Stalking, Sexual Assault, Domestic Violence Victims Leave

- AB 2337
- Employers with 25 or more employees
- New Notice Requirement
- New Hires & Existing Employees
- Effective July 1, 2017
- California Labor Commissioner to publish model notice



Marijuana Use in the Workplace

- Proposition 64
- Effective November 9, 2016
- Marijuana still illegal under federal law



Defend Trade Secrets Act

Revise Confidentiality and Trade Secret Agreements and Policies to Include ...


- ✓ Paragraph regarding whistleblowing rights under federal DTSA
- ✓ Effective May 2016
- ✓ Allows plaintiff in federal trade secrets litigation to obtain damages for exemplary damages or attorneys' fees in lawsuits against employees for trade secret violations

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Harassment, Discrimination and Retaliation Policy

Effective April 1, 2016, policy should include...


- ✓ Prohibition against discrimination and retaliation
- ✓ Multiple ways to report violations of policy to management
- ✓ Fair, thorough, timely, and impartial investigation



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Solicitation Policies


- National Labor Relations Board – *Dish Network* Decision.
- March 4, 2016.
- Restrictions on solicitation in working areas during working time are overboard.



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Solicitation Policies (Continued)

- Solicitation/Distribution
 - Confirm rights and expectations on how working time is used.
 - Can be sensitive as to working areas.
 - Phrasing and enforcement must be consistent to satisfy NLRB.
 - Recent NLRB decisions also impact workplace access by employees and others, dress code, and use of company logos.



Time Off To Attend Child's School/Child Care Provider

- Effective January 1, 2016
 - Revised leave law to substitute "child care provider" for "licensed child care facility."
 - Applies to employers with 25 or more employees.



Sick Leave

- State Sick Leave Law
 - Effective July 1, 2015
- Local Sick Leave Laws
 - Santa Monica Effective January 1, 2017
 - Los Angeles Effective July 1, 2016 (7/1/17 for 25 employees or under)
 - San Diego Effective July 11, 2016
 - Berkeley Effective October 1, 2017
 - San Francisco Amended Effective January 1, 2017
 - Emeryville Effective July 2, 2015
 - Oakland Effective March 2, 2015




Beyond 2017

- Recovery Periods
 - Currently applies to outdoor workplaces
 - Applies to indoor workplaces effective January 1, 2019



Recommended Handbook Policies

- Workplace Violence
 - Confirm that violence is never a solution for workplace problems.
 - Confirm that management has an action plan and procedures to deal with an incident.



Thank You

For questions or comments, please contact:

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