

# 2023 Quarterly Compliance



Contained within our quarterly summary is an assessment of recently passed and upcoming legislative revisions that require attention. The data provided is organized alphabetically by state. As per usual, we will collaborate closely to execute any required adjustments tailored to your dimensions, locality, and/or sector. We are happy to answer any questions you may have in your next touch base meeting with us.

## I-9 Form Remote Verification Flexibility has Ended

**Location: Federal**

**Effective Date: July 31, 2023**

The COVID-19 flexibilities for Form I-9 review requirements ended on July 31st. U.S. Immigration and Customs Enforcement (ICE) has announced that employers have until Aug. 30 to review I-9s in person for remote staff whose documents were examined remotely.

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## California Reciprocity for Military Spouses

**Location: California**

**Effective Date: July 1, 2023**

In California, A.B. 107 provides that spouses of active military may be granted a license in California if their license out of state is in good standing.

[Learn More](#)



## Contract for Independent Contractors and Freelance Workers

**Location: Los Angeles, CA**

**Effective Date: July 1, 2023**

A new city ordinance in Los Angeles took place on July 1, 2023, which requires a written contract for many independent contractors and freelance workers who work in the city. This ordinance is known as the Freelance Worker Protection Ordinance. A written contract is required for any Freelance Worker and Hiring Entity that enter into a written or oral contract on or after July 1, 2023, where the work performed within the City of Los Angeles entitles the Freelance Worker to payment of \$600 or more in the calendar year from that Hiring Entity.

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## California Wage Garnishment

**Location: California**

**Effective Date: September 1, 2023**

Effective September 1, 2023, the maximum amount of an employee's disposable earnings for a workweek that is subject to garnishment must not exceed the lesser of the following amounts: 20% (reduced from 25%) of an employee's disposable earnings for the week; or 40% (reduced from 50%) of the amount by which disposable earnings for the week exceed 48 times (increased from 40 times) the state minimum hourly wage in effect (or the local minimum hourly wage in effect if it is higher than the state minimum wage) at the time the earnings are payable.

EHR suggests verifying your payroll provider is validating garnishment calculations are in compliance with the updated maximum amounts.

[Learn More](#)

## Colorado Privacy Act Privacy Obligations

**Location: Colorado**

**Effective Date: July 1, 2023**

The CPRA mandates that employers establish thorough privacy programs concerning HR data. These initiatives must encompass various aspects, such as:

- (a) Revised "notices at collection" and introduction of a novel employee privacy policy, (b) Comprehensive scrutiny of data collection methodologies,
- (c) Ensuring information security for HR data along with a robust response plan for security incidents,
- (d) Formulating contracts with service providers and other third parties who receive HR data,
- (e) Devising schedules for data retention and secure disposal, (f) Developing protocols to manage requests from applicants, employees, and contractors aiming to exercise their rights.

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## Colorado Expansion on Sick Leave Usage

**Location: Colorado**

**Effective Date: August 7, 2023**

In Colorado, employers are required to allow eligible employees to use available paid sick leave under the HFPA for several new covered reasons, including bereavement and inclement weather. Please note that this will require a handbook update.

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## Colorado POWR Act

**Location: Colorado**

**Effective Date: August 7, 2023**

The POWR Act introduces several significant amendments to the Colorado Anti-Discrimination Act (CADA). These changes aim to strengthen protections against discriminatory practices in the workplace. A summary of the key provisions and implications of the POWR Act can be found by clicking the link below.

[Learn More](#)



## Colorado Protections for Public Workers Act

**Location: Colorado**

**Effective Date: August 7, 2023**

In Colorado, the Protections for Public Workers Act gives certain public employees the right to engage in protected concerted activity for the purpose of mutual aid or protection.

[Learn More](#)



## Florida Signs Anti-Illegal Immigration Legislation

**Location: Florida**

**Effective Date: July 1, 2023**

In Florida, SB 1718 requires private employers with 25 or more employees performing work in Florida to use E-Verify to check the employment eligibility of new hires. If you are in Florida and need to implement E-Verify, we will work with you to get this implemented.

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## Florida Governor Passes Constitutional Carry Bill

**Location: Florida**

**Effective Date: July 1, 2023**

Governor Ron DeSantis signed House Bill (HB) 543 which strengthens Floridians' Second Amendment rights by allowing Floridians to carry concealed weapons without a government-issued permit. HB 543 went into effect on July 1, 2023, making Florida the 26th state to enact Constitutional Carry legislation. However, an employer can prohibit employees from either open or concealed carry on their property just like any other property owner, or can face disciplinary action including termination for violation of company policies

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## Georgia Time Off to Vote

**Location: Georgia**

**Effective Date: July 1, 2023**

In Georgia, employees can take time off to vote in primaries and elections. This bill allows employees to take two hours off on election day or any designated day for early in-person voting.

[Learn More](#)



## Georgia Smoke-free Air Act

**Location: Georgia**

**Effective Date: July 1, 2023**

Georgia prohibits vaping and the use of other electronic smoking devices in enclosed areas in places of employment. Specifically, Georgia amended the Georgia Smokefree Air Act to change the definition of smoking to include the use of electronic smoking devices.

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## Hawaii Firearms Law

**Location:** Hawaii

**Effective Date:** July 1, 2023

Hawaii SB1230, was passed by the state Senate in April and went into effect on July 1, 2023. The bill allows more Hawaiians to apply for concealed carry permits. However, it also "prohibits firearms in certain locations and premises," according to the text of the bill. This includes the banning of firearms in a sweeping array of public venues, including "beaches, hospitals, stadiums, bars that serve alcohol, and movie theaters.

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## Idaho Unemployment Benefits

**Location:** Idaho

**Effective Date:** July 1, 2023

Effective July 1, 2023, an employee will not be disqualified from receiving unemployment benefits if they voluntarily left employment as a result of domestic violence, or if they are a military spouse who has relocated with their spouse because of a permanent change of station orders. Employees who leave voluntarily for either of these reasons must make reasonable efforts to maintain the employment relationship.

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BENEFITS



## Chicago "Right to Work" Ordinance Ends

**Location:** Chicago, IL

**Effective Date:** December 31, 2023

In Illinois, the city of Chicago "Right to Return to Work" ordinance, effective 6/25/2021, which required Chicago hotels to rehire qualified employees laid off during the COVID-19 pandemic before hiring new employees will end.

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## Kentucky Extension of Benefits on Unemployment Insurance

**Location: Kentucky**

**Effective Date: July 1, 2023**

Kentucky unemployment insurance claimants who apply for benefits and file a new UI claim on or after July 1, 2023, will be eligible to receive up to four additional weeks of benefits. Gov. Andy Beshear signed HB 146 into law on March 23, 2023, which increases from 12 to 16 the number of benefit weeks available for those filing a new claim on or after July 1, 2023.

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insurance



## Maryland Time to Care Act Delayed

**Location: Maryland**

**Effective Date: October 1, 2024 (originally October 1, 2023)**

In Maryland, contributions to the Time to Care Act of 2022, a state-run family and medical leave insurance program under which employees will be eligible to receive pay when absent for qualifying reasons, has been delayed until 2024. Benefits start Jan. 1, 2026.

[Learn More](#)

## Bloomington, MN Sick & Safe Leave

**Location: Bloomington, Minnesota**

**Effective Date: July 1, 2023**

The Bloomington, Minnesota City Council passed Ordinance No. 2022-31 (the "Ordinance") which establishes a paid sick and safe leave mandate for employees who perform at least 80 hours per year of work within the city limits of Bloomington took effect on July 1, 2023. Eligible employees include full-time, part-time, and temporary employees who work within the Bloomington City limits for 80 hours or more in a year.

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## Minnesota Parental Leave Act

**Location: Minnesota**

**Effective Date: July 1, 2023**

The Minnesota Parental Leave Act now requires covered employers to provide up to 12 weeks of unpaid leave to qualified employees. The MPLA applies only to employers with 21 or more employees and, to be eligible, employees must work at least half-time for 1 year. The law applies to employers with 21 or more employees at at-least one site.

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## Minnesota Pregnancy & Lactation Accommodation Law

**Location: Minnesota**

**Effective Date: July 1, 2023**

Minnesota's pregnancy and lactation accommodation law is amended to apply to any employer with one or more employees (previously 15 or more). Lactation breaks are no longer limited to 12 months after the birth of a child. In addition, employers may no longer deny lactation breaks on the grounds that they would disrupt operations, and the physical lactation space must meet additional requirements.

[Learn More](#)



## Minnesota Bans "Captive Audience" Meetings

**Location: Minnesota**

**Effective Date: August 1, 2023**

In Minnesota, labor law prohibits employers from taking an adverse employment action against an employee who declines to attend an employer-sponsored meeting if the meeting is to communicate the employer's opinion about religious or political matters.

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## Minnesota Legalizes Marijuana

**Location:** Minnesota

**Effective Date:** August 1, 2023

In Minnesota, state law permits an individual who is at least 21 years of age to legally use and possess small amounts of cannabis. The law also strictly limits pre-employment cannabis testing unless required by federal or state law.



[Learn More](#)

## New Jersey Permit to Carry

**Location:** New Jersey

**Effective Date:** July 1, 2023

New Jersey allows individuals to carry a concealed handgun in a public place if they have a valid and legal permit to carry and have proof of liability insurance.

[Learn More](#)

## NJ Temporary Worker Bill of Rights

**Location:** New Jersey

**Effective Date:** August 5, 2023

In New Jersey, under the "Temporary Worker Bill of Rights," certain temporary workers must receive pay, including benefits, equal to the average rate of pay employees of a third party client are paid for equal work in similar conditions. The law applies to non-exempt workers assigned by a temporary staffing agency to perform work a variety of occupational categories.

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## Nevada Pay Out

**Location: Nevada**

**Effective Date: August 1, 2023**

An employer must pay an employee who is placed on nonworking status all wages due immediately. An employee is on nonworking status if they have been temporarily laid off but remain employed and may be called back to work at a future date. The amended law also specifies employees to whom that status does not apply, and amends the definition of wages to include amounts due to an employee placed on nonworking status.

[Learn More](#)



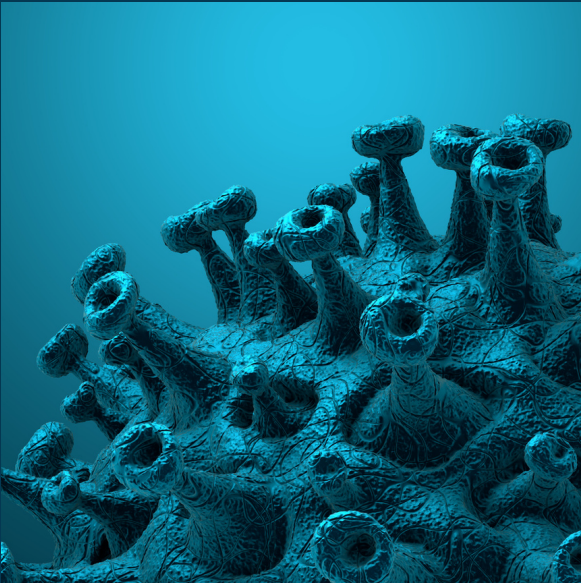
## Nevada COVID-19 Paid Leave Ends

**Location: Nevada**

**Effective Date: December 1, 2023**

In Nevada, SB 209's requirement that private employers with 50 or more employees provide paid leave for employees receiving a vaccination for COVID-19, as well as allowing employees to use paid leave for any purpose, ends.

[Learn More](#)



## NY Human Trafficking Training

**Location: New York**

**Effective Date: July 20, 2023**

In New York, every lodging facility must require all employees who are likely to interact or come into contact with guests to complete a human trafficking recognition training program.

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## New York Salary Disclosure

**Location: New York**

**Effective Date: September 17, 2023**

In New York, the State will require private sector employers with 4 or more employees to disclose salary ranges on job postings and also disclose the job description for the position, if one exists.

[Learn More](#)



## New York Human Rights Law

**Location: New York**

**Effective Date: November 22, 2023**

In New York, the New York City Human Rights Law prohibits employment discrimination based on a person's height or weight.

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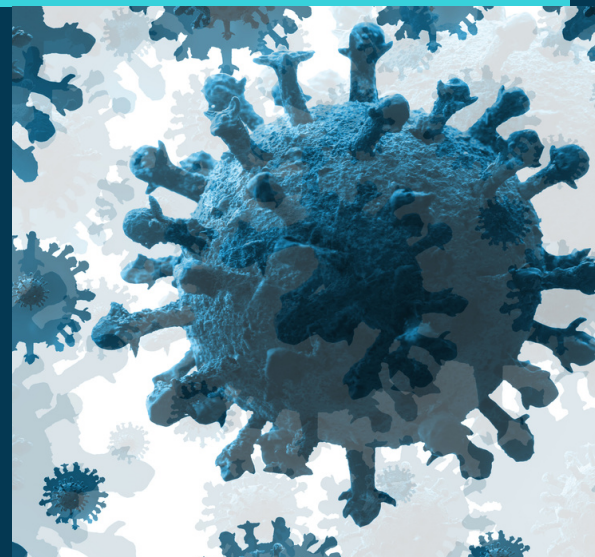
## New York COVID-19 Paid Leave Law Expires

**Location: New York**

**Effective Date: December 31, 2023**

In New York, the extension provided by A9513 on 06/28/2022, extending provisions of the COVID-19 paid leave law to require public and private employees receive up to four hours of PTO per COVID-19 vaccine injection, expires.

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## Oregon Paid Family and Medical Leave Insurance Program Benefits Begin

**Location:** Oregon

**Effective Date:** September 1, 2023

In Oregon, the Paid Family and Medical Leave Insurance (FAMLI) program starts paying benefits on September 1, 2023.

[Learn More](#)



## South Dakota Electronic Insurance Documents

**Location:** South Dakota

**Effective Date:** July 1, 2023

An employer, sponsor or policy holder of a group health plan may consent to electronic delivery of health insurance documents and notices on behalf of a covered employee or covered person.

[Learn More](#)



## Texas Employment Discrimination

**Location:** Texas

**Effective Date:** September 1, 2023

In Texas, employment discrimination based on race includes discrimination based on an employee's hair texture or protective hairstyle commonly or historically associated with race.

[Learn More](#)





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## Virginia Nondisclosure Agreements

**Location:** Virginia

**Effective Date:** July 1, 2023

In Virginia, state law prohibits requiring employees or applicants to sign nondisclosure or nondisparagement agreements containing provisions having the purpose or effect of concealing details related to claims of sexual assault or harassment.

[Learn More](#)



## Virginia Restricted Use of Social Security Numbers

**Location:** Virginia

**Effective Date:** July 1, 2023

Employers are prohibited from using an employee's Social Security number (SSN) as the employee's identification number. Employers also must not include an employee's SSN on any ID card, access card or similar card or badge. An employer that knowingly violates this law will be subject to a civil penalties.

[Learn More](#)



## Virginia Paid Organ & Bone Marrow Donor Leave

**Location:** Virginia

**Effective Date:** July 1, 2023

Virginia now requires employers with 50 or more employees to provide unpaid leave for organ and bone marrow donation. Employees who request leave are eligible if, when the leave begins, they will have been employed for at least a 12-month period and 1,250 hours during the previous 12 months by that employer.

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## Washington Long-Term Care Insurance

**Location:** Washington

**Effective Date:** July 1, 2023

Washington employers now must withhold payments for state-run long-term care insurance.

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## Handbook Updates

2023 has been a busy year for legislative changes, both at the Federal level and even more so in many states and locales. As 2024 approaches, it is important that your company documents and processes reflect these changes.

Beginning in Q4, EarlyHR will be working with our clients to ensure the company handbooks are ready to go for 2024. We will be scheduling our initial handbook meetings in early October to discuss not only required compliance updates, but also company specific changes and requests. We look forward to working through these changes with your teams. And, as always, please don't hesitate to reach out with questions!