

California Employment Bill Recap

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California legislators have been active passing several employment law bills that impact local businesses in recent months. Here's a recap of some with brief summaries. Legal counsel should be sought for a complete understanding of each new law, and the potential impact to your unique business circumstances.

Workers Compensation (SB863)

Makes numerous changes to the State's workers compensation system in an effort to streamline and control rising medical costs. One of the major changes is that it makes the Independent Medical Review process mandatory for almost all disputes about medical treatment, effectively replacing the Workers Compensation Appeals Board in this regard, as well as limiting the involvement of attorneys and judges.

Commissions (AB1396)

Requires commission agreements between employers and employees to be in writing, and that the employer provide a signed copy to the employee. The agreement must set forth the method by which the commissions are computed and paid. Short term productivity bonuses are not considered commissions under the bill.

Social Media (AB 1844)

Prohibits an employer from requiring or requesting an employee or applicant for employment to disclose a user name or password for the purpose of accessing personal social media, to access personal social media in the presence of the employer, or to divulge any personal social media.

There is an exception for an investigation of allegations of employee misconduct or employee violation of applicable laws and regulations, provided that the social media is used solely for purposes of that investigation or a related proceeding

The employer prohibition does not apply to former employees.

Temporary Service Employers – AB 1774

Starting July 1, 2013, the itemized statement provided by temporary service employers that accompanies payment of wages must include the rate of pay and the total hours worked for each assignment. Also, the physical address of the temporary service employer, and other information, must be included with the itemized statement.

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