# THE HOSPITALITY LAW CONFERENCE: SERIES 2.0

January 11, 2018  •  San Diego, CA

# Emerging Trends in Employment Law

2018 HOSPITALITY
LAW CONFERENCE:
SAN DIEGO

JANUARY 11

# Jeffrey R. Thurrell
*Partner, Fisher Phillips*

- Employer side labor and employment attorney.

- Advice support in hospitality industry.

- Litigation lead in federal and state courts.

THE HOSPITALITY LAW CONFERENCE SERIES 2.0

# Wage and Hour Trends
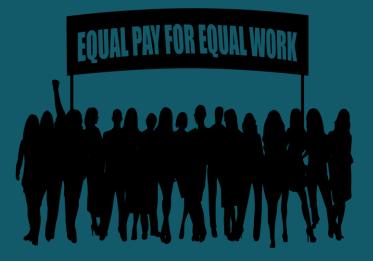
# Minimum Wage Increases

- **State Minimum Wage:**

  - Arizona:
    - $10.50 (Jan. 1, 2018)
    - $11.00 (Jan. 1, 2019)
    - $12.00 (Jan. 1, 2020)
  - California (26 or more EEs):
    - $11.00 (Jan. 1, 2018)
    - $12.00 (Jan. 1, 2019)
    - $13.00 (Jan. 1, 2020)

  - Oregon:
    - $10.75 (Jan. 1, 2018)
    - $11.25 (Jan. 1, 2019)
    - $12.00 (Jan. 1, 2020)
  - Washington:
    - $11.50 (Jan. 1, 2018)
    - $12.00 (Jan. 1, 2019)
    - $13.50 (Jan. 1, 2020)

THE HOSPITALITY LAW CONFERENCE SERIES 2.0

# California AB 168 – No Salary History Inquiries

- Part of growing nationwide trend (Delaware, Oregon, Massachusetts, SF, NYC, Philadelphia).

- Proponents argue that salary history inquiries perpetuate wage inequality when employers base a new hire's compensation on prior rate of pay.

EQUAL PAY FOR EQUAL WORK

THE HOSPITALITY LAW CONFERENCE SERIES 2.0

# Important Wage and Hour Cases

- Augustus v. ABM Security Services, Inc.
- Lopez v. Friant & Associates, LLC

# Ban the Box

# Ban the Box

- States:
  - Arizona
  - California
  - Oregon

Cities :
- Los Angeles, CA, Richmond, CA, San Francisco, CA
- Portland, OR
- Seattle, WA

# Paid Sick Leave

# Paid Sick Leave

## States:

- Arizona
- California
- Oregon
- Washington

## Cities:

- California – Berkeley, Emeryville, Long Beach, Los Angeles, Oakland, San Diego, San Francisco, Santa Monica
- Washington – Seattle, Tacoma, Spokane

THE HOSPITALITY LAW CONFERENCE SERIES 2.0

# Paid Sick Leave – Options

- **Accrual vs. Front Load**

    - The accrual method is generally more cost effective because it requires employees to work in order to earn sick leave
    - The front load method is administratively less burdensome

# Accommodations

- Religious Accommodations
- Pregnancy
- Associational