

January 8, 2024

To: City of Rancho Palos Verdes

From: Sharon Gonsalves
 Director of Government Affairs
 Renne Public Policy Group

RE: Labor and Employment Bills Enacted in 2023

Below is a list of all Labor and Employment bills that were chaptered in the 2023 legislative session.

Note: Unless otherwise stated, all measures will become effective January 1, 2024.

Labor and Employment Bills		
Bill Number (Author) Bill Title	Brief Description	Effective date and sunset date, if applicable
<u>AB 594</u> (Maienschein) Labor Code: alternative enforcement Chapter 659, Statutes of 2023	Authorizes public prosecutors to prosecute civil or criminal actions for violations of the Labor Code and enforce labor laws independently, allowing them to recover funds for affected workers and directing civil penalties to the state's General Fund.	
<u>AB 1076</u> (Bauer-Khan) Contracts in restraint of trade: noncompete agreements Chapter 828, Statutes of 2023	Codifies existing case law, broadly construing the voiding of noncompete agreements in an employment context, regardless of how narrowly tailored they are, and extending these provisions to contracts where the restrained person is not a party. Also deems it unlawful to include noncompete clauses in employment contracts that don't meet specific exceptions.	Employers are required to notify current and former employees in writing by February 14, 2024, that the noncompete clause or agreement is void
<u>AB 1355</u> (Valencia) Employment: benefits: electronic notice and documents	Allows employers to send notifications and documents related to employment benefits electronically, such as through email, to employees who opt in to receive them in writing or electronically. This bill also prohibits employers from taking adverse actions against	Sunset Date: January 1, 2029

Chapter 277, Statutes of 2023	employees who choose not to receive electronic documents.	
<u>AB 1484</u> (Zbur) Temporary Public Employees Chapter 691, Statutes of 2023	Would require temporary employees to be automatically included in the same bargaining unit as the permanent employees upon the request of the recognized employee organization, among other provisions	
<u>AB 1756</u> (Judiciary Committee) Judiciary Omnibus Chapter 478, Statutes of 2023	Extends the sunset on the Civil Rights Department small employer mediation program, which allows small employers to mediate certain employment claims under the Government Code.	
<u>SB 428</u> (Blakespear) Temporary restraining orders and protective orders: employee harassment Chapter 286, Statutes of 2023	Expands existing law to allow employers to seek temporary restraining orders and injunctions on behalf of employees who have suffered harassment, in addition to unlawful violence or threats of violence.	Effective Date: January 1, 2025
<u>SB 497</u> (Smallwood-Cuevas) Protected employee conduct Chapter 612, Statutes of 2023	Strengthens protections for employees in California by establishing a rebuttable presumption in favor of an employee's claim if an employer takes prohibited actions within 90 days of the employee's engagement in protected activities, such as disclosing information about law violations or discussing wages. Also increases employer liability by imposing a civil penalty of up to \$10,000 per employee for violations of these protections, with the penalty awarded to the affected employee.	
<u>SB 553</u> (Cortese) Occupational safety: workplace violence: restraining orders and workplace violence prevention plan Chapter 613, Statutes of 2023	Allows collective bargaining representatives of employees to seek restraining orders and workplace violence prevention measures on behalf of workers who have experienced unlawful violence or threats of violence at the workplace. Establishes new workplace violence prevention plan requirements, mandating employers to maintain and implement such plans, conduct training, and keep records of incidents.	Effective Date: July 1, 2024

Chapter 289, Statutes of 2023		
<u>SB 616</u> (Gonzalez) Sick days: paid sick days accrual and use. Chapter 309, Statutes of 2023	<p>Increases the accrual limitation for paid sick days from the existing 24 hours or 3 days to 40 hours or 5 days.</p> <p>For employers with paid leave policies, the bill changes the eligibility condition. Instead of the previous requirement of earning at least one day or eight hours of accrued sick leave or paid time off within three months of employment or each calendar year, it modifies it to earning at least five days or 40 hours of sick leave or paid time off within six months of employment.</p>	
<u>SB 699</u> (Caballero) Contracts in restraint of trade Chapter 157, Statutes of 2023	<p>Declares that any contract void under current law cannot be enforced, regardless of where or when it was signed.</p> <p>Prohibits California employers from entering such contracts with their employees, imposes civil penalties on violating employers, and allows affected individuals to seek injunctive relief, actual damages, attorney's fees, and costs for violations.</p>	
<u>SB 723</u> (Durazo) Employment: rehiring and retention: displaced workers. Chapter 719, Statutes of 2023	Extends the provisions of existing law that require employers to offer job positions to laid-off employees who were affected by the COVID-19 pandemic. This extension delays the repeal date for these provisions, originally set for December 31, 2024, to the new date of December 31, 2025.	
<u>SB 700</u> (Bradford) Employment discrimination: cannabis use. Chapter 408, Statutes of 2023	Expands existing California law to make it illegal for employers to inquire about an applicant's prior cannabis use when considering employment.	
<u>SB 848</u> (Rubio) Employment: leave for reproductive loss Chapter 724, Statutes of 2023	Makes it illegal for employers to deny eligible employees up to 5 days of reproductive loss leave within 3 months of a reproductive loss event.	