

EMPLOYMENT LAW UPDATE

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*New Labor And Employment Laws For 2002*

by Douglas J. Melton

During the 2001 Legislative Session, the California Legislature passed, and Governor Davis signed, several new employment law bills that will take effect on January 1, 2002. The following is a brief summary of some of the more important new laws.

**Domestic Partnerships** (AB 25) This law requires employers to allow registered domestic partners to use sick leave to care for the other partner or the other partner's child. It also allows a domestic partner to qualify for unemployment insurance benefits if he or she leaves a job to relocate with a domestic partner.

**Lactation Accommodation** (AB 1025) This law requires employers to reasonably accommodate employees who wish to express breast milk at work by providing break time and privacy.

**Drug Testing** (SB 871) This law imposes new requirements and penalties on motor carrier employers that are subject to Federal Department of Transportation Drug and Alcohol testing requirements – including the potential for triple damages for driver-caused injuries.

**Wage Garnishments** (AB 1426) This law increases penalties for failure to comply with child support garnishments and authorizes court-ordered electronic transfer of garnishments from the employer's bank account.

**Elimination Of At-Will Presumption For Certain Building Maintenance Personnel** (SB 20) This law limits an employers right to terminate certain building maintenance personnel and janitors at-will under certain circumstances.

**Increased Unemployment Insurance Benefits** (SB 40) This law increases unemployment insurance benefits, expands eligibility to part-time workers and modifies the base period calculation.

**English-Only Policies** (AB 800) This law limits an employer's ability to adopt or enforce a policy requiring employees to speak only English in the workplace.

For further information regarding these laws and how they may affect your business, please contact our San Francisco office.

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