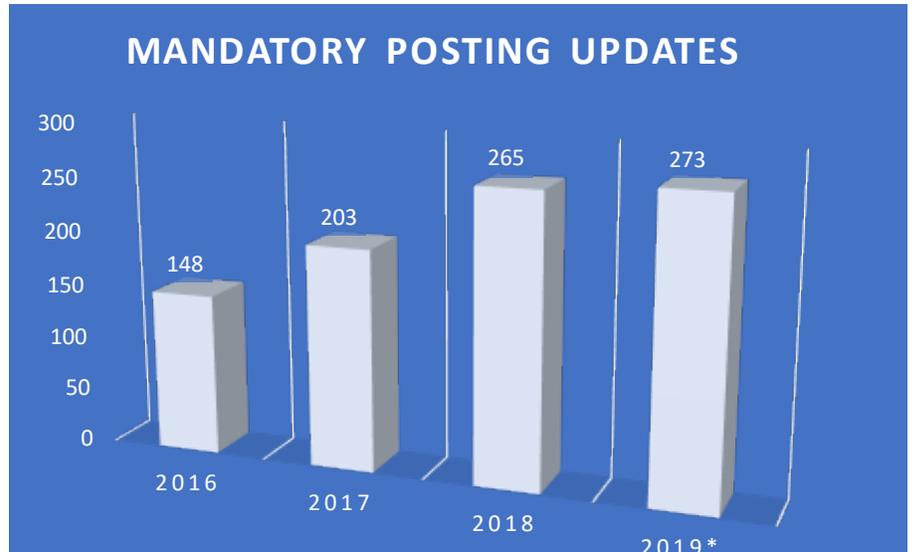


5 Unique Posting Updates and Why They Matter to Employers

Mandatory posting updates are once again on the rise in 2019.

From Jan. 1 through the end of October 2019, mandatory updates already surpassed the total from the previous year.

With updates happening more frequently at the **city and county levels**, we thought it was worth going back and reviewing the **273 updates** that have already happened in 2019. From those, we identified five that, based on the questions we received from our clients, were worth taking a closer look at.



*Through Oct. 30, 2019

Our clients — especially those large, multilocation employers — take their compliance programs seriously, often reaching out after they hear about new laws from a blog, the newspaper, an employee or additional sources. Check out these posting updates from the past 10 months and learn why they matter to employers.

1. Sacramento, Calif., Sexual Discrimination Posting

Sacramento, Calif., earlier this year passed a new ordinance regarding employee protections based on gender identity and sexual orientation.

But what makes the city's sexual discrimination posting unique? Only one clause of the ordinance is required to be posted: "Discrimination on the basis of sexual orientation or gender identity is prohibited by law. Chapter 9.20 of the Sacramento City Code."

Another noteworthy aspect of this posting is that Sacramento employers can use the California state discrimination poster to remain compliant as long as the city's ordinance citation is added.

What makes the city's sexual discrimination posting unique?

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2. Philadelphia Predictive Scheduling Posting

At the end of last year, Philadelphia passed a Fair Workweek Standards Ordinance, which showed some brotherly love to workers in retail, food and hospitality industries by requiring employers to post schedules ahead of time.

Predictive scheduling — a system that generally requires employers to provide advance schedules for workers — is growing in popularity, especially in the retail and food service industries.

Though Philadelphia's law won't be effective until Jan. 1, 2020, the ordinance requires a new posting, which the city has yet to release.

What Does the City's Predictive Scheduling Ordinance Require of Employers?

The ordinance covers employers with 30 or more locations nationwide (including franchises and chains) and 250-plus employees in these industries:

- Retail
- Food
- Hospitality

Such employers must:

- Provide new hires with a "good faith" estimate of their schedule
- Post a work schedule in a conspicuous area
- Post the schedule no later than 10 days before the start of the new schedule
- Provide the schedule in an electronic format

3. Cook County, Ill., Minimum Wage

Employers with workers in Chicago know the complexity of minimum wage in Cook County, Ill.

Specific to our list, employers asked about the city of Orland Park, wondering whether it would opt in to the Cook County minimum wage rate.

Ultimately, our researchers found that Orland Park did not, meaning a new posting wasn't required.

What Makes Minimum Wage Unique in Cook County, Ill?

Starting in 2017, Cook County gave cities the flexibility to opt in (or opt out) to its minimum wage rates. Those cities that opt out follow the state rate, which is lower.

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4. Michigan Counties' E-Verify Postings

E-Verify — the federal web-based system used to confirm whether employees are authorized to work in the U.S. — is complex when it comes to postings.

Here are three counties in Michigan (Ingham, Macomb and Oakland) that require employers to use E-Verify, a unique case among the system's posting requirements.

E-Verify: At a Glance

Generally speaking, E-Verify is a voluntary program for most employers, but mandatory for some, including but not limited to:

Federal contractors and employers in:

- Alabama, Arizona, Georgia, Mississippi, North Carolina, South Carolina, Tennessee and Utah (required for most employers)
- Colorado, California, Illinois and Rhode Island (required for companies that opt to use E-Verify)
- Florida, Idaho, Indiana, Michigan, Minnesota, Nebraska, Oklahoma, Pennsylvania, Virginia, West Virginia (required for state agencies and/or public contractors)
- Fremont, NE

5. Westchester County, N.Y., Postings

Lastly, Westchester County, N.Y., could take the top prize when it comes to questions about postings.

And no wonder. The county is among the nation's leaders when it comes to passing employment laws. Situated near New York City, Westchester County is an affluent area and home to several high-tech businesses, typical of progressive jurisdictions that tend to enact more employment-related laws.

Why Did Employers Ask About Westchester County?

The county updated its Earned Sick Leave posting in English and Spanish with new verbiage and contact information. It also added a new Safe Time Leave posting in English and Spanish, and a new Safe Time Leave Law posting to its offering. All employers are required to display them.

Conclusion

Posting updates impact all employers. This list includes just a handful of recent complicated updates. The expansion of employment laws is not slowing. Employers must continue to track posting changes — and make sure they're displayed — to remain complaint.