

2021 California Employment Law Legal Update



Presented to:



KERN COUNTY
HISPANIC
CHAMBER OF COMMERCE

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I. Introduction

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II. Wage and Hour

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II. Wage and Hour

Reminder: Minimum Wage Increases

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II. Wage and Hour

***URGENCY LEGISLATION EFFECTIVE SEPTEMBER 4, 2020:* Assembly Bill 2257: Revisions and Expansions to AB 5: Independent Contractors**

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II. Wage and Hour

URGENCY LEGISLATION EFFECTIVE SEPTEMBER 30, 2020: Assembly Bill 1512: Rest Period Carveout for Unionized Security Officers

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II. Wage and Hour

Assembly Bill 2479: Extension of Rest and Meal Period Exemption for Safety-Sensitive Positions at Petroleum Facilities

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Assembly Bill 3075: Public Notification of Judgment for Wage Violations

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Assembly Bill 1066 - Agricultural Workers: Wages, Hours and Working Conditions (2016)

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Cal-OSHA Emergency Temporary Standards Regarding COVID: Title 8 CCR Sections 3205-3205.4

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II. Wage and Hour

Gulf Offshore Logistics, LLC v. Superior Court of Ventura County (2020) 58 Cal.App.5th 264

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II. Wage and Hour

**Semprini v. Wedbush Securities, Inc. (2020) 57
Cal.App.5th 246**

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III. Employee Leaves and Benefits

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URGENCY LEGISLATION EFFECTIVE SEPTEMBER 9, 2020: Assembly Bill 1867: Expansion of federal COVID related leave

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III. Employee Leaves and Benefits

Assembly Bill 2992: Expansion of Rights to Leave for Victims of Crime or Abuse

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III. Employee Leaves and Benefits

Senate Bill 1383: Expansion of California Family Rights Act

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IV. Arbitration and Mediation

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***Brown v. TGS Management* (2020) 57 Cal.App.5th 303:
Rehearing Denied 11/12/2020**

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IV. Arbitration and Mediation

***Collie v. The Icee Company* (2020) 52 Cal.App.5th 477**

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IV. Arbitration and Mediation

***Younan v. Fleming Distribution Company (2020) 49
Cal.App.5th 477***

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V. Discrimination, Harassment, and Retaliation

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V. Discrimination, Harassment, and Retaliation

Anthony v. Trax International Corporation (2020) 955 F.3d 1123

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V. Discrimination, Harassment, and Retaliation

Rizo v. Yovino (2020) 950 F.3d 1217 (Cert. Denied)

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V. Discrimination, Harassment, and Retaliation

Arnold v. Dignity Health, et al. (2020) 53 Cal.App.5th 412

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V. Discrimination, Harassment, and Retaliation

**Bucksworth v. Tri-Modal Distribution Services (2020) 47
Cal.App.5th 532 (REVIEW GRANTED)**

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V. Discrimination, Harassment, and Retaliation

Henry v. Adventist Health Castle Medical Center (2020) 970 F.3d 1126: Petition for Certiorari filed by Henry on December 21, 2020

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V. Discrimination, Harassment, and Retaliation

Talley v. County of Fresno (2020) 51 Cal.App.5th 1060

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VI. Class Actions and PAGA Representative Actions

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VI. Class Actions and PAGA Representative Actions

**Barriga v. 99 Cents Only Stores LLC (2020) 51 Cal.App.5th
299**

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VI. Class Actions and PAGA Representative Actions

**Davidson v. O'Reilly Auto Enterprises, LLC (2020) 968 F.3d
955**

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VI. Class Actions and PAGA Representative Actions

**Robinson v. Southern Counties Oil Company (2020) 53
Cal.App.5th 476**

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VI. Class Actions and PAGA Representative Actions

**Starks v. Vortex Industries, Inc. (2020) 268 Cal.Rptr. 3d
274: ORDERED NOT PUBLISHED**

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VI. Class Actions and PAGA Representative Actions

Harris V. KM Industrial, Inc. (2020) 980 F.3d 694

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VI. Class Actions and PAGA Representative Actions

***Hildebrant v. Staples the Office Superstore, LLC (2020) 58
Cal.App.5th 128***

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VII. Miscellaneous

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Assembly Bill 685: Authorizes Closure of Business Due to COVID Risk

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VII. Miscellaneous

URGENCY LEGISLATION EFFECTIVE September 28, 2020:
**Assembly Bill 2043: COVID Fallout: OSHA Ag Employer
COVID-19 Response**

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VII. Miscellaneous

URGENCY LEGISLATION EFFECTIVE SEPTEMBER 17, 2020:

Senate Bill 1159: Worker's Compensation: Creates Disputable Presumption that Cases of COVID-19 Were Acquired in the Workplace and New Reporting Requirements

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VII. Miscellaneous

Assembly Bill 1947: Employment Violation Complaints: Extension of Time to Complaints

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VII. Miscellaneous

Assembly Bill 2143: Settlement Agreements: No Rehire Provisions

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VII. Miscellaneous

Assembly Bill 979: Corporations: Board of Directors: Underrepresented Communities

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VII. Miscellaneous

Assembly Bill 1963: Child Abuse or Neglect: Mandated Reporters

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VII. Miscellaneous

Senate Bill 1384: Labor Commissioner: Financially Disabled Persons: Representation in Arbitration

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VII. Miscellaneous

Assembly Bill 1281: California Consumer Privacy (CCP) Act

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VII. Miscellaneous

**Galeotti v. International Union of Operating Engineers
Local No. 3 (2020) 48 Cal.App.5th 850**

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VII. Miscellaneous

COVID Relief Act (Signed into law December 27, 2020)

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VII. Miscellaneous

Recommended Action Items to prepare for 2021

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