State activity drives 2020 poster updates

New laws are making the start of a new decade a busy time for poster updates:

**Minimum wage:** Many states update their minimum wage (and minimum wage poster) on January 1. This year is no exception, as updated minimum wage posters are needed in 15 states as of January 1 (or December 31, 2019, if you’re in New York).

In 2020, Illinois and New Mexico are part of that list for the first time, thanks to state laws passed last year calling for a minimum wage increase.

**Discrimination:** New employee protections brought mandatory changes to two states.

- In California, laws prohibiting discrimination based on hairstyle and extending the window for filing a complaint brought a mandatory change to the Discrimination & Harassment posting. The Transgender Rights posting was also updated with information on the new filing deadline.
- In New York, a number of new laws are reflected on the state’s revised discrimination posting released in December. These include laws prohibiting discrimination against individuals based on religious garb, facial hair, reproductive choices, or domestic violence. Protections now cover domestic workers and independent contractors.

**Pregnancy Accommodation:** In Oregon, a law requiring employers to provide accommodations for pregnant employees has brought a new Workplace Accommodations posting requirement to the state.

**Paid Family Leave:** In Washington state and the District of Columbia, paid family leave laws have a posting requirement. In Washington, it took effect on January 1, and in the District of Columbia, it’s effective on February 1.
Federal contractor minimum wage goes up

The minimum wage for federal contractors increased to $10.80 per hour on January 1, bringing a mandatory posting change.

Federal contractors with a contract covered by Executive Order 13658 are required to pay the rate, which is adjusted annually for inflation. The rate was $10.10 per hour when the executive order took effect in 2015.

The new rate of $10.80 per hour remains in effect through December 31, 2020.

The executive order also has a minimum cash wage for tipped employees that increases each year. In 2020, tipped employees covered by the executive order must be paid a cash wage of at least $7.55 per hour.

Recent changes: Federal contractor

Federal contractors should make sure that they:

- Are displaying the 2020 Worker Rights Under Executive Order 13658 (federal contractor minimum wage) poster, if their contract indicates that they are covered by the executive order.
- Are also displaying the most recent version of the Employee Rights under the National Labor Relations Act poster. This posting was updated in May with contact information for hearing impaired callers.

Recent changes: State postings

Changes since October 2019:

- **Alaska** — Minimum Wage
- **Arizona** — Minimum Wage
- **California** — Discrimination & Harassment, Transgender Rights
- **Colorado** — Minimum Wage
- **Connecticut** — Sexual Harassment
- **District of Columbia** — Paid Family Leave
- **Florida** — Minimum Wage, Unemployment Insurance
- **Illinois** — Minimum Wage
- **Maryland** — Child Labor, Equal Pay for Equal Work
- **Maine** — Minimum Wage
- **Minnesota** — Minimum Wage
- **Missouri** — Minimum Wage
- **Montana** — Minimum Wage*
- **New Mexico** — Minimum Wage
- **New York** — Minimum Wage, Discrimination, Wage Orders for the hospitality, building service, apparel, and agricultural industries
- **Nevada** — OSHA, Workers’ Compensation
- **Ohio** — Minimum Wage
- **Oklahoma** — Workers’ Compensation
- **Oregon** — Pregnancy Accommodation
- **South Dakota** — Minimum Wage*
- **Vermont** — Minimum Wage
- **Washington** — Minimum Wage*, Paid Family Leave

*The state does not require employers to display a minimum wage poster. However, the poster is an effective way for employers to make workers aware of the state’s minimum wage rate.
2019 a record year for posting changes

State regulatory activity was in high gear in 2019, and that brought a record number of mandatory posting changes.

### Recent changes: Local postings

**Arizona**
- Flagstaff

**California**
- Belmont
- Cupertino
- Daly City
- El Cerrito
- Los Altos
- Menlo Park
- Mountain View
- Novato
- Oakland
- Palo Alto
- Petaluma
- Redwood City
- Richmond
- San Diego
- San Francisco
- San Jose
- San Mateo
- Santa Clara
- Sonoma
- South San Francisco
- Sunnyvale

**Minnesota**
- Duluth
- Minneapolis
- St. Paul

**New Mexico**
- Albuquerque
- Bernalillo County
- Las Cruces

**Washington**
- Seattle

**New York**
- Westchester County

*All changes are for minimum wage except San Francisco (Health Care Security Ordinance), Duluth (Earned Sick and Safe Time), and Westchester County (Safe Time Leave Law).*

### Mandatory state posting changes

<table>
<thead>
<tr>
<th>Year</th>
<th>Changes</th>
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<tr>
<td>2020*</td>
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</tr>
</tbody>
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*Through January 2020

### Potential changes

**Federal**
- FLSA — New DOL enforcement authority for tipped wage violations has been proposed and could bring a mandatory posting change.

**State**
- Colorado — Minimum Wage
- Connecticut — Minimum Wage
- Louisiana — Earned Income Credit
- Virginia — Earned Income Credit

**Local**
- New Mexico
  - Santa Fe Minimum Wage
- Pennsylvania
  - Philadelphia Fair Workweek (retail, hospitality, and food service employers)
Posters not going out of style

I don’t have anything against online media, but there’s something about the slick feel of a glossy magazine or the crackle of a newspaper that makes them enjoyable to pick up and read.

So as an avid fan of print media, I'm happy to see that state legislatures still believe in posters.

Over the past year, a number of new laws with posting requirements took effect. These include laws and posters relating to:

- Servicemember Rights (Illinois)
- Paid Sick Leave (Michigan)
- Paid Family and Medical Leave (Massachusetts)
- Notice of Employee’s Sickness or Injury (Nevada)
- Paid Family Leave (Washington)
- Workplace Accommodation (Oregon)

These new laws with posting requirements show that having a physical posting on the wall still carries clout as a way to make employees aware of their rights.

These may not be as fun to read as the magazines I subscribe to, but they get their point across in a visible way that’s not going out of style any time soon.

Terri Dougherty

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MESSAGE FROM THE EDITOR