



LEGISLATIVE UPDATE  
FEBRUARY 12, 2018

### Leave Laws by State and Municipality

This comprehensive chart summarizes the main employee leave laws (from family and medical leave and paid sick and safe leave through organ donor donation, voting, bereavement and military-related leaves) that are required in each state and includes paid sick leave information on nearly two dozen municipalities. Updated frequently as new laws are adopted and existing laws evolve, the chart includes links to XpertHR for further details on each law.

### Health Care Cadillac Tax Delayed Until 2022

President Donald Trump signed into law a two-year delay on the 40 percent excise tax on high-value health care plans—the so-called Cadillac tax—as part of the measure to restore funding to the federal government. Both political parties supported the provision to postpone the Cadillac tax from taking effect until 2022, instead of in 2020—as did SHRM.

### EEO-1 Report (due 3/31 )

The Employer Information Report EEO-1, otherwise known as the EEO-1 Report, is required to be filed with the U.S. Equal Employment Opportunity Commission's EEO-1 Joint Reporting Committee. Reports must be submitted and certified by March 31, 2018 at the latest

### E-Verify doesn't prevent many companies from hiring undocumented workers

### Could Corporate Giants Transform Employer-Sponsored Health Care?

Amazon, Berkshire Hathaway and JPMorgan Chase & Co. are collaborating to offer health care services to their U.S. employees more transparently and at a lower cost. The venture could expand to challenge today's major health care providers.

### Workplace Issues Take Center Stage During State of the Union Address

In his first State of the Union address, President Donald Trump highlighted a series of workplace issues—some as accomplishments during his first year in office (growing jobs, enacting tax cuts and restrictive regulations), while others designated as priority issues for Congress to tackle in 2018 (immigration reform and infrastructure). [MORE]

### Review of the Trump Administration's First Year: Surprising and Controversial Moves

The past year has included many expected moves by the Trump administration, such as the reversal of some of the National Labor Relations Board's (NLRB) controversial decisions under the Obama administration, as well as several unexpected developments among several agencies.

### #Me Too: Facts About Sexual Harassment in the Workforce

The #MeToo and Time's Up Now movement is sparking much debate across the country, and your workplace is no exception. But just how prevalent is sexual harassment in companies across the U.S.? The infographic below highlights key findings from a recent CareerBuilder survey.

### **New report outlines benefits of paid family leave**

A new analysis released this week by the National Partnership for Women & Families points to the value of paid family leave as a workplace benefit in Iowa and nationally. According to the report, 61 percent of Iowa workers do not have access to paid family and medical leave through their workplaces. Enacting a national paid leave plan would reduce the number of working families in Iowa facing significant economic insecurity when they need to take family and medical leave by 81 percent, the organization estimates. The report kicks off a series of nationwide activities marking next Monday's 25th anniversary of the federal Family Medical Leave Act, which provides unpaid leave. The organization backs passage of a bill introduced in Congress, the Family and Medical Insurance Leave (FAMILY) Act, which would create a national insurance program for paid leave funded through small employer and employee contributions. A fact sheet with Iowa data from the report can be found [here](#).

### **National Paid Family Leave**

Budget fights and immigration continue to dominate the headlines, but is paid family leave at the federal level gaining traction? Recent months have seen various paid family leave proposals floated. The issue was mentioned in the January 30 State of the Union Address and reportedly has been the subject of e-mails between Senator Marco Rubio and first daughter and presidential adviser Ivanka Trump. The buzz may have employers wondering what's in store and how a federal policy might affect how they comply with the patchwork of state and local laws currently on the books. The differing legal obligations worry many employers, according to Nita Beecher, an editor of Federal Employment Law Insider and attorney with Fortney & Scott, LLC, in Washington, D.C.

"It's not that employers don't want to provide paid leave; they do," Beecher says. But the multitude of state and local laws—all a little different—make the subject difficult. A proposal backed by the Society for Human Resource Management (SHRM) is called Workflex in the 21st Century. Beecher says she's surprised the bill, which was introduced by California Republican Representative Mimi Walters, hasn't gained more attention.

### **WPI State of the States: State Legislatures are Back in Business**

The majority of state legislatures are back in session, wasting no time considering new labor and employment measures. More than 600 state and local bills governing workplace issues were introduced or actively evaluated in January. Many bill topics are familiar. As we saw throughout 2017, a host of new bills seek to mandate paid leave, establish a family and medical leave insurance program, or expand the number of protected categories in state discrimination statutes. But there are some noteworthy trends. This month's State of the States provides a brief overview of these and other legislative themes that have emerged thus far this year.

### **DOL Is Urged to Withdraw Proposed Tip-Sharing Rule**

Congressional Democrats are calling for the U.S. Department of Labor's (DOL's) proposed tip-sharing rule—popular with business groups—to be withdrawn following news reports that the DOL buried internal analysis showing the regulation will cost workers billions.

### **Wellmark pledges to re-enter individual health market in 2019**

Wellmark Blue Cross and Blue Shield of Iowa announced Thursday that it plans to re-enter the individual health insurance market on the public exchange in Iowa next year, assuming there aren't any significant changes to the Affordable Care Act. In a statement, the Des Moines-based insurer said it "believes the individual market can be functional once again."

The company said that it "will offer fully ACA-compliant products on the public exchange for 2019, assuming there aren't any significant changes to the Affordable Care Act. We will also explore offering additional options outside of the ACA for lowans, if state and federal rules allow us to do so.