

## 2016 HR Florida Legislative Conference February 17-18, 2016

### PURPOSE

SHRM chapter representatives across the state met together with employment law attorneys, Bob McCormack and Don Works, to discuss proposed HR legislation and the effects it would have on local businesses. We then met with legislators to provide our perspectives and encourage them to vote in support of our employers.

### HR PUBLIC POLICY: THE WASHINGTON OUTLOOK (Summary)

Michael has served for 25 years in DC.

Mike provided an overview of the current national political climate, economy, and HR issues.

Some concerns:

- How the unemployment rate is being counted today
- Stock market uncertainty
- Low gas prices affecting business and the stock market
- Technology concerns – automation usually creates jobs – now possibly replacing jobs
- Government dissatisfaction at all levels leading to potential for non-traditional president in this year's election

President Obama is very active in employment issues and we should expect an aggressive approach in the next few months including the following issues:

- Compensation equity
- Pregnancy discrimination
- Labor-management policy riders
- Proposed 541 Overtime Regulation (pp 22-23)
- Proposed EEOC Guidance on Pay Data to Annual EEO-1 Reports
- Proposed EEOC Guidance on Retaliation and Related Issues
- Interpretive Guidance on Misclassification of Workers
- Executive Order on Fair Pay and Safe Workplaces
- Executive Order on Paid Leave for Federal Contractors
- Proposed Rule on Device Use Outside Work Hours

SHRM has an advocacy leadership role in the 114<sup>th</sup> Congress and in the executive branch.

Mandated paid leave continues to be a focus in congress, advocacy groups and the presidential campaign trail – several states (CA, CT, MA) have enacted paid sick leave requirements and others have paid family leave insurance programs (CA, NJ, RI, OR, DC).

Union membership is declining globally – still higher internationally than in the US.

Employment law policies are becoming global issues, such as:

- **Mandatory** maternity/paternity leave
- Anti-labor trafficking provisions (guarantee products produced without using forced labor at any stage of production)
- Minimum wage/living wage requirements

## Florida Legislation

Shannon Lands and Sharon Williams met with Rep. Mike Hill, Rep. Doug Broxson, and Rep. Clay Ingram. All are very pro-business and receptive to our input.

None of the State proposed HR legislation made it through to a vote but we continue to see the same bills we have seen over the past few years and language may continue to be refined and presented in future sessions. The following are a few of these. See the full listing in the document – “2016 Florida Proposed HR Legislation.” Below are some highlights:

**Minimum wage proposal of \$15/hr**– HR Florida does not oppose an increase but believes an increase of this size would have an adverse impact on Florida’s businesses.

**Prohibiting discrimination based on PERCEIVED** race, color, religion, sex, national origin, age, sexual orientation, etc. – HR Florida is concerned about claims without merit against employers and their ability to defend against something to which there is no real proof/evidence.

**Ban the box**...prohibiting considering applicant’s criminal history on an initial employment application unless required to do so by law. – HR Florida would support as it now includes an exception for those required to do so by law.

New –**Unemployment benefits for victims of domestic violence** who leave work voluntarily. – HR Florida is in support of this bill when there is evidence of reasonably expressed fear at work.

New –**Mini FMLA requiring up to six weeks paid family leave** to bond with new child – HR Florida opposed due to the impact on small businesses and non-profit organizations...no qualifying period required, such as minimum length of employment for eligibility, affects businesses with more than 15 employees, concern about extensive abuse of current FMLA process.

New – HR Florida opposes the **Medical marijuana proposal**...fails to address the impact in the workplace and enforcement of drug-free workplace policy.

We will continue to meet with our legislators at home during the time these bills are being drafted and offering assistance as a resource to provide appropriate legislation that is fair to workers and does not adversely impact businesses. We also encourage all HR professionals to also contact our local legislators regarding bills that would impact their businesses. Our legislators do not have an HR background and need arguments using real life situations to support or oppose as they serve on the committees considering the proposals and when voting.

The following is also posted on the GPSHRM website: HR Public Policy: The National Outlook