



New Laws for 2024

As the CVMA has widely reported in prior publications, 2023 was a significant legislative year for the veterinary profession, with big changes in the offing due to the passage of Assembly Bill (AB) 1399 (see pages 12-15) and Senate Bill (SB) 669 (see pages 16-19). Beyond those veterinary-specific bills, other new laws of general application should be noted by veterinary practitioners. A few of those are discussed below.

SB 616 (Gonzalez) Sick days: paid sick days accrual and use.

This new law expands California's Paid Sick Leave (PSL) statutory provisions from three days or 24 hours to **five days or 40 hours**, with other components of existing sick leave law remaining the same. The bill also raises the cap employers can place on PSL and the number of sick days an employee can roll over to the next year.

For purposes of sick leave compliance under the modified law, employers may generally choose from the following three options:

- As before, the employee can accrue one hour of sick leave for every 30 hours worked; or
- The employee can receive an upfront grant of 40 hours or five days of paid sick leave (whichever is greater) at the beginning of employment and each 12-month period thereafter ("frontloading," such that no carryover or accrual of sick leave is required); or
- As before, the employee can accrue sick leave at a rate other than one hour of sick leave for every 30 hours worked, provided the accrual is regular and results in the accrual of no less than 24 hours or three days of sick leave by the 120th day of employment and no less than 40 hours or five days of sick leave by the 200th day of employment.

When sick leave is accrued (i.e., not frontloaded), SB 616 allows employers to impose a maximum accrual cap of 80 hours or 10 days and a use limit of 40 hours or five days per 12-month period. This is a significant expansion since, under prior law, the allowable maximum accrual cap was 48 hours or six days and the allowable use limit was 24 hours or three days per 12-month period.

SB 848 (Rubio) Employment: leave for reproductive loss.

This law requires employers with five or more employees to provide up to **five days of work leave** for specified reproductive losses, including miscarriage, failed adoption, failed surrogacy, stillbirth, or an unsuccessful assisted reproduction, as defined. The leave days must be offered either as consecutive or non-consecutive but must be taken within three months of the event. If an employee experiences more than one defined reproductive loss within a 12-month period, an employer shall not be obligated to grant a total amount of reproductive loss leave time in excess of 20 days within a 12-month period. If there is no existing applicable leave policy, reproductive loss leave may be unpaid, except that an employee may use vacation, personal leave, accrued and available sick leave, or compensatory time off that is otherwise available to the employee. The law specifically prohibits retaliation against an employee taking reproductive loss leave.

SB 553 (Cortese) Occupational safety: workplace violence: restraining orders and workplace violence prevention plan.

This law implements workplace violence safety requirements applicable to nearly all California employers, including veterinary practices, under the jurisdiction of Cal/OSHA. New requirements include:

- A written workplace violence prevention plan to be incorporated as part of the existing Injury and Illness Prevention Plan with information specified in law. (Labor Code 6401.9(c))
- An incident investigation form containing requisite information specified by law. (Labor Code 6401.9(d).)
- Worker training when the plan is first established, for new hires, during changes in job positions, and annually on a general basis. (Labor Code 6401.9(e).)
- Maintenance of relevant records for up to five years.

These requirements have a delayed implementation, taking effect on **July 1, 2024**.

COVID Laws

Two COVID-19 laws that have been on the books since 2020 sunsetted at the end of 2023.

The first rollback concerns the notice provisions found in Labor Code section 6409.6, which required employers to provide notice of COVID-19 exposures in the workplace. While those statutory requirements are expiring, employers should remember that even after that expiration, Cal/OSHA's COVID-19 non-emergency regulations still require employers to notify employees and independent contractors who had a close

contact with a COVID-19 case, as well as any employer with an employee who had a close contact, as soon as possible.

Second, California's 2020 COVID-19 workers' compensation presumptions for workers, first responders, and healthcare personnel, as well as the workers' compensation notice requirements, have also ended.

Minimum Wage Increase

Regarding California's new minimum wage requirements, it is first and foremost important to note that SB 525—which raises minimum wage for “health care workers” to \$25 per hour—*does not apply to the veterinary profession*. In that regard, SB 525 defines “covered health care employees” as individuals working for human health care facilities and other defined locations that do not include veterinary practices.

However, the veterinary profession and other California employment sectors will be required to make another incremental minimum wage increase triggered by SB 3, which was signed by Governor Jerry Brown in 2016. Accordingly, all veterinary and other employees must be paid a wage of at least \$16.00 per hour beginning on January 1, 2024. In addition, specific municipalities throughout the state are independently imposing even higher minimum wage requirements for employees within their respective jurisdictions; most of those requirements took effect on January 1, while a few jurisdictions are waiting until later in the year to implement their new wage standards. Therefore, it is important for all employers to be aware of any requirements operative within their respective cities and counties to ensure full compliance with both state and local laws. ■



CVMA Legislative Action Center

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