



California Independent Grocers Association

• REPRESENTING INDEPENDENT GROCERS IN CALIFORNIA •

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New Laws for 2012

Following is a list of laws that will go into effect on January 1, 2012:

Employers: Credit Reports – AB 22 prohibits employers and prospective employers from obtaining a consumer credit report for about applicants or employees. Exempts certain financial institutions and those positions who qualify for executive exemption from overtime.

Pregnancy Disability Leave – SB 299 requires all employers with five or more employees to continue to maintain and pay for health coverage under a group health plan for an eligible female employee who takes Pregnancy Disability Leave (PDL) up to a maximum of four months in a twelve-month period.

Alcoholic Beverages: Self-Checkout – AB 183 prohibits off-sale licensees from selling alcoholic beverages using a customer-operated checkout stand located on the licensee's physical premises.

Employees Right to Bereavement Leave – AB 325 prohibits and employer from refusing to grant a request by an employee to take up to 3 days of bereavement leave or to interfere with an employee from doing so. Authorizes civil action for violations.

Notice of Pay Details – AB 469 requires employers to provide non-exempt employees, at the time of hire, a notice that specifies:

- The rate of pay and the basis, whether hourly, salary or otherwise;
- The regular payday designated by the employer as required by the Labor Code;
- The name of the employer, including any "doing business as" names;
- The physical address of the employer's main office and any mailing address, if different;
- The telephone number of the employer; and
- The name, address and telephone number of the employer's workers' compensation carrier.

Employee Leave – AB 592 makes it an unlawful employment practice for an employer to interfere with, restrain, or deny the exercise of, the attempt to exercise, any right provided an employee to take leave to bond with a child who was born to, adopted by, or placed for foster care with the employee, to care for an employee's parent, spouse, or child who has a serious health condition.

Food and Drugs: Sale – AB 688 prohibits a retailer from selling or offering for sale after the expiration date an over-the-counter drug. It also prohibits a retail food facility from selling or offering for sale, after the use-by date, infant formula or baby food that is required to have this date on its packaging pursuant to federal law.

Employment" Hiring Practices: Electronic Verification – AB 1236 prohibits the state, or a city, county, city and special districts from requiring an employer other than one of those government entities to use an electronic employment verification (ie. Federal E-File) system except when required by federal law or as a condition of receiving federal funds.

Gender Expression – AB 887 amends the Fair Employment and Housing Act to further define "gender" to include both gender identity and "gender expression and to make clear that discrimination on either basis is prohibited. AB 887 also amends the Government Code relating to dress codes to include that an employee must be allowed to dress consistent both the employee's gender identity and gender expression.

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Leave of Absence: Organ Donation – SB 272 amends existing law that requires an employer to grant a leave of absence to an employee who is an organ donor or a bone marrow donor (currently 5 days and 30 days in a one-year period, respectively). Provides that the days of leave are business days rather than calendar days, and that the one-year period is measured from the date the employee’s leave begins and consists of 12 consecutive months.

Dextromethorphan: Sales to Minors Prohibited – SB 514 makes it an infraction for any person, corporation, or retail distributor, in an over-the-counter sale to, without a prescription, to willfully and knowingly supply, deliver, or give possession of a nonprescription drug containing Dextromethorphan to a person under the age of 18.

For questions regarding any of this information please contact CIGA’s Vice President, Government Relations John Handley at jhandley@ciga.org or (800) 852-7606.

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