



## LEGAL COMPLIANCE REQUIREMENTS BY EMPLOYER SIZE

The following list provides the state and federal laws that apply to employers according to their number of employees. In all cases, both full-time and part-time employees should be counted to determine coverage. Posting laws apply to all employers.

### 1 or More Employees

- Anti-Discrimination Provisions (3 or more employees)
- Background Checks and Investigations by Employers (new in 2003)
- Cal-COBRA (2-19 employees with group medical coverage) (new in 2003)
- California Domestic Partner Rights and Responsibilities Act of 2003 (new in 2004)
- Child Labor Laws
- Child Support Wage Garnishments and the Effect on Employers
- Computers and Privacy (new in 2003)
- Department of Transportation Pre-Employment Rules
- Disability Discrimination and Drug Use (new in 2003)
- Disclosure of Wages or Working Conditions (new in 2003)
- Domestic Partner Rules
- Ergonomics Requirements
- Family Temporary Disability Insurance (new in 2003)
- Federal and State Wage and Hour Laws
- Health Insurance Portability and Accountability Act (HIPAA)
- Immigration Laws (except anti-discrimination provisions)
- Independent Contractor reporting requirements
- Investigative Consumer Reports (new in 2003)
- Labor Contractors (SB179) (new in 2004)
- Labor-Management Relations Laws (Wagner Act/Taft-Hartley Act/Landrum-Griffin Act)
- Lawful Conduct Discrimination
- Minimum Wage Violations and Penalties (AB 276, AB 223) (new in 2004)
- New Employee Reporting
- New Mother Accommodation to Express Breast Milk
- Occupational Health and Safety Laws
- Paid Family Leave (PFL) (SB 727) (new in 2004)
- Personnel Records and Privacy/Payroll Records (new in 2003)
- Posting requirements
- Privacy Laws
- Responding to Reference Requests (new in 2003)
- Sexual Assault (new in 2003)
- Sexual Harassment (AB 196, AB 76) (new in 2004)
- Smoking in the Workplace (new in 2004)
- Social Security Number Privacy (new in 2004)
- State Disability
- State Harassment Prohibitions
- State HIPC Notification Laws
- Sue Your Boss Law (SB 796) – so-called “bounty hunter law” (new in 2004)
- Time Off for relatives who are crime victims (new in 2004)

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Time-Off Provisions for jury duty, witness duty, domestic violence leave, voting and emergency duty as volunteer firefighter  
Unemployment Insurance coverage  
Vietnam-Era Veterans Readjustment Act (Federal contracts of \$10,000 or more)  
Whistleblower Law (SB 777) (new in 2004)  
Workers' Compensation (new in 2004)

#### **5 or More Employees**

California Anti-Discrimination Laws (FEHA)  
Pregnancy Disability Leave Laws  
Pregnancy Job Transfer Laws  
Federal Immigration Laws  
Non-smoking regulations in enclosed spaces  
No "English-only" Rules

#### **15 or More Employees**

Federal Civil Rights Act of 1964, Title VII including the Pregnancy Discrimination Act of 1978  
Federal Civil Rights Act of 1991  
Americans with Disabilities Act (ADA)  
CA state law (Fair Employment & Housing Act) covering mental disabilities

#### **20 or More Employees**

COBRA (health insurance continuation) (new in 2003)  
Age Discrimination in Employment Act  
Health Insurance Premium Payment (HIPP)

#### **25 or More Employees**

Federal and State Drug-Free Workplace Act (\$25,000 Federal contracts, all state grants or contracts)  
California Literacy Act  
Health Maintenance Organization Act  
Parental Leave (Time off for employees to participate in school activities of their children)  
Domestic Violence Recovery Act

#### **50 or More Employees**

Federal and State Family and Medical Leave Acts (FMLA)  
Executive Orders 11246 and 11375 (Affirmative Action Plan required for government contracts of \$50,000 or more)  
Volunteer Firefighter Training leave  
California WARN Act (required notification to employees for facility that employs 75 or more)  
Equal Employment Opportunity Reporting (75 or more employees)

#### **100 or More Employees**

Federal WARN Act (required notification to employees in large layoff or shutdown situations)  
EEO-1 reporting requirements