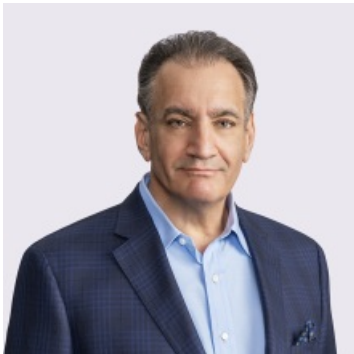


# Retail Industry Workplace Law Update – Summer 2023

By Mark S. Askanas & Laura A. Pierson-Scheinberg

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### What Retailers Can Take Away From Labor Department Opinion Letter on FMLA Leave and Holidays

The Wage and Hour Division of the Department of Labor has advised in an opinion letter on calculating Family and Medical Leave Act leave when employees take off part of a week during which a holiday falls that holidays are not counted toward leave, unless an employee takes the entire week off or the employee was scheduled to work on the holiday.

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### Retail Industry: Mental Health, Other Benefits Trends

High-stress, demanding retail positions where constant customer demands are front and center can leave employees feeling overwhelmed and burnt out, resulting in lower productivity and higher turnover for employers.

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### Retailers Must Ensure Compliance With Federal, State Child Labor Regulations

The end of the school year and the beginning of summer will bring a surge of school-age workers into the workplace as government scrutiny over employment of young workers is increasing. The Department of Labor and Department of Health and Human Services have a Memorandum of Agreement to combat unlawful child labor practices.

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### Pride at Work: Courageously Building an Inclusive Workplace

Organizational leaders focused on creating and maintaining a diverse and inclusive workplace don't have to have all the answers. DEI at its most effective simply means that employers are willing to be part of the growth process to collaborate in creating better systems and, ultimately, become better allies while allowing employees to feel aligned and supported.

[Listen to the podcast ...](#)

### Summer's Almost Here — What California Employers Should Know When Hiring Minors

As the temperatures rise, many employers, including those in the retail industry, may be fielding applications from minors looking for summer work. Before hiring applicants under the age of 18, it's important to understand the requirements that apply to that segment of the workforce.

[Read full blog post ...](#)

### Pending California Bill Proposes Changes to Employee Hiring Requirements When a Grocery Store Establishment Experiences a Change in Control

California has had a handful of bills in recent years that discuss the process for hiring employees when there is a change in ownership or control. There is another bill pending pertaining specifically to grocery stores that experience a change in control. Assembly Bill 647 would amend certain requirements upon a change in control of a grocery establishment.

[Read full blog post ...](#)

### Legislation Banning ‘Captive Audience’ Meetings Enacted in Minnesota, Awaiting Enactment in New York

Minnesota will soon prohibit employers from requiring employees to attend political or religious meetings, including talks about labor unions. Additionally, similar legislation passed by the New York legislature will likely become effective shortly.

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### Florida’s Latest Legislation in Wake of COVID-19: What Employers Need to Know

New Florida legislation seeks to protect individuals from discrimination “based on health care choices” and bars COVID-19 mandates. The new law took effect on June 1, 2023.

[Read full article ...](#)

### City of Los Angeles Issues Rules & Regulations for Retail Fair Workweek Ordinance

On April 1, 2023, the City of Los Angeles’ Retail Fair Workweek Ordinance took effect, but the City had only issued a Frequently Asked Questions page as guidance. More recently, the City published rules and regulations as required in the ordinance.

[Read blog post ...](#)

### New York City Enacts Legislation Prohibiting Discrimination Based on Height, Weight

New York City Mayor Eric Adams has signed legislation amending the New York City Human Rights Law to prohibit discrimination based on a person’s height or weight in employment, housing, and public accommodations. The new law will become effective on November 22, 2023.

[Read full article ...](#)

### How Puerto Rico’s New Minimum Wage Changes Impact the Retail Industry

When the Puerto Rico Minimum Wage Act, Act No. 47-2021, went into effect, in addition to the three hourly rate increases set out in the law, a new Minimum

Wage Review Board appointed by the governor was to periodically review the minimum wage and announce increases every two years.

[Read full article ...](#)

Please contact a Jackson Lewis attorney if you have any questions about these developments.

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