



SNAPSHOT: Regulatory Trends Impacting Household Employment

Being a household employer carries inherent risk.

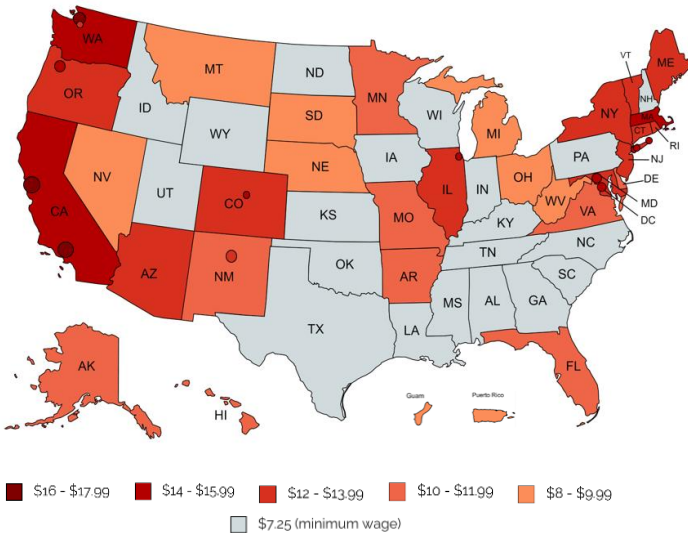
Any decision to hire, fire, or otherwise manage employee performance can create liability if not handled with extreme care.

In today's increasingly complex employment landscape, it has never been more critical to stay abreast of laws and regulations that not only protect you and your employees, but create a safer and happier work environment.

Wage and mandated leave laws are rapidly changing.

It's critical that household employers stay current on ever-evolving federal, state, and local employment regulations.

Monitoring changes to the employment law landscape at the state, county, and local levels is critical to avoid inadvertently running afoul of regulations and risk wage and hour claims or other penalties.



33

states

12

counties

45

cities

have minimum wage requirements above the federal minimum

There are very few exceptions to paying minimum wage. It's critical to be aware of these laws in the areas in which you hire employees.

9

states

6

cities & counties

require job listings to include wage information

Before posting a job opening, employers should be aware of local laws that govern the wage information they must **legally provide**, as well as what they **can and cannot ask** candidates regarding their current wage.

12 states

require employers to offer paid family leave:

- CA • DC • NY • MD
- CO • DE • OR • RI
- CT • NJ • MA • WA

Employers had to pay an astounding

\$164M

in back wages from minimum wage and overtime violations in 2021, which often come with steep penalties for each day the issue goes unresolved.

5

states

6

cities & counties

require employers to offer supplemental paid leave due to COVID

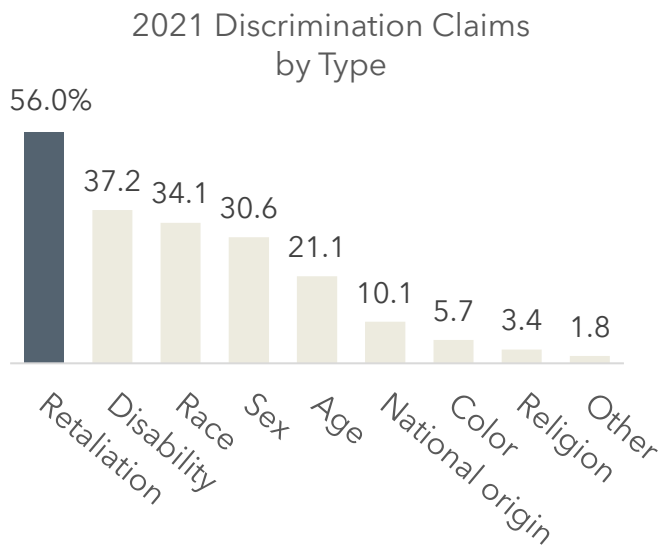
These COVID-specific ordinances often dictate that this additional leave be made available to employees for reasons **beyond contracting COVID** - such as caring for someone who's been exposed - and that employees can use it in addition to, not in place of, standard paid time off or sick leave.

Proactive HR support is more critical than ever.

Discrimination and retaliation claims are relatively easy to file, but these accusations pose some of the greatest risks for household employers.

Employers lacking evidence to dismiss these claims are at a disadvantage, as ambiguities in an employment relationship are interpreted in favor of the employee. Consulting an HR professional who knows document retention laws, recordkeeping best practices, and how to handle employee relations concerns ensures you'll have accurate, reliable proof if an issue does arise.

More than 61,000 discrimination charges were filed in 2021



Retaliation claims have dramatically outpaced other types of claims in recent years.

2001: 27.5%

2011: 37.4%

2021: 56.0%

As the **EEOC** makes it easier for employees to understand and report retaliation online, it's critical for managers to proactively address potential issues before they escalate to a formal claim.

*Percentages add up to more than 100% because some charges allege multiple bases.

Background check laws are becoming stricter

37

states

nationwide have adopted what is known as "**ban the box**" to ensure that employers consider a job **candidate's qualifications** first – without the stigma of a conviction or arrest record.

168

cities & counties

In these areas, employers may generally only conduct a background check **after an offer has been made** and the candidate has been assessed solely on the strength of their interview, references, and resume.

8

cities & states

require **anti-harassment training**

for all **employees and managers**.

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