

2025 Employment Law Updates

Article By:

Anne M. Mellen

Shivani P. Bailey

Burton F. Peebles

Many state and local government employment laws went into effect January 1, 2025. Here is a non-exhaustive list of 2025 employment law updates.

STATE	TOPIC	SUMMARY OF EMPLOYMENT LAW UPDATE
California	Time-Off/Leave Policies for Victims of Crime and Jury Duty/Court Appearances	Effective January 1, 2025, California law expands the list of crimes for which victims must be allowed time off and ensure that victim's family members be allowed to take time off to provide support. In addition to domestic violence, sexual assault, and stalking, the list includes an act, conduct, or pattern of conduct that includes any of the following: In which an individual causes bodily injury or death to another individual; in which an individual exhibits, draws, brandishes, or uses a firearm, or other dangerous weapon, with respect to another individual; or in which an individual uses or makes a reasonably perceived or actual threat to use or force against another individual to cause physical injury or death. The law likewise allows the use of vacation, personal leave, paid sick leave, or compensatory time off that is already available to victims of these crimes, jury and court appearances. Employers are required to provide written notice on an annual basis of employees' time off rights.
California	Worker's Compensation Time of Hire Updated Notice	California's Department of Industrial Relations updated the notice employees are required to provide employees at the time of hire regarding worker's compensation. See Cal. Labor Code § 2810.5.1
California	Worker's Compensation Updated Poster	California's Department of Industrial Relations made changes to the required posted notice regarding workers' compensation.?
California	Freelance Worker Law	Effective January 1, 2025, the Freelance Worker Protection Act ("FWPA") imposed new requirements engaging independent contractors. The FWPA requires a written contract with each party's name and mailing address; an itemized list of the services that the freelance worker will provide including the value of the services (monetary amount) and the method of compensation; the date by which the hiring party must pay the freelance worker for services rendered, or if no specific date, the mechanism by which the date will be determined; and the date by which the freelance worker must submit a list of the services rendered under the contract (e.g., an invoice) to the hiring party to ensure timely payment. The FWPA also prohibits retaliation if a freelance worker attempts to exercise rights under the act. This law governs freelance workers as defined under the act hired for professional services of \$250 or more.
California	Temporary Disability Insurance	Effective January 1, 2025, employers are prohibited from requiring employees to use two weeks of vacation leave before receiving benefits under California's Paid Family Leave (PFL) program. Previously, employers were allowed to require employees to take two weeks of earned but unused vacation time before accessing PFL benefits. This requirement is no longer permitted.
California	Workplace Violence Protection Orders	Effective January 1, 2025, employers will be allowed to obtain temporary restraining orders for harassment against employees, broadening the existing law that only covered workplace violence or credible threats. The new law defines harassment as conduct that seriously alarms or annoys a specific person such that it causes substantial emotional distress. Further, a related law requires employers to give employees the opportunity to decline being named in a petition for a workplace violence restraining order. Employers must give the employee the option to not be named in the order before seeking a temporary restraining order. Employers may still seek a restraining order for other employees, even if an employee requested not to be named.
California	Intersectionality of Protected Classes	Effective January 1, 2025, California law codifies the concept of intersectionality. It clarifies that existing anti-discrimination law applies not only to individual protected traits, but also to the intersection, or combination, of multiple protected traits. Specifically, the bill establishes that the Unruh Civil Rights Act, the Education Code, and the California Fair Employment and Housing Act prohibits discrimination based on the intersectionality of protected traits.
California	Local Municipality Enforcement Rights for Protected Characteristic Laws	Effective January 1, 2025, the California Civil Rights Department ("CRD") is mandated to collaborate with local agencies to prevent and eliminate unlawful practices including handling discrimination complaints. This law allows any political subdivision of the state to enact and enforce anti-discrimination laws that are at least as protective as state law. Local enforcement may occur only after the CRD issues a right-to-sue notice; however, the statute of limitations provided in the right-to-sue notice is extended during any local enforcement, without prohibiting the potential plaintiff from filing during local enforcement.
California	Employer-Sponsored Meetings	Effective January 1, 2025, the California Worker Freedom from Employer Intimidation Act prohibits mandatory employer meetings regarding labor organizations (also known as captive audience meetings). Under the law, employers are prohibited from subjecting or threatening to subject an employee to discharge, discrimination, or retaliation because the employee declines to attend an employer-sponsored meeting or refuses to listen to any communications with the employer or its agents where the purpose is to communicate an employer's opinion about religious or political matters which includes labor organizations. An employer who violates this section shall be subject to a civil penalty of five hundred dollars (\$500) per employee for each violation. Some employers are exempt from the law including religious corporations, political organizations or parties, certain educational institutions and non-profits.
Colorado	Direct Care Workers Notice	Effective January 1, 2025, direct care employers must provide annual notices to all direct care workers informing them of their rights under Colorado law. The definition of "direct care workers" are workers who provide hands-on care, services and support to older adults and individuals with disabilities. This usually includes, but is not limited to, nursing aides, home health aides and personal care aides. Direct care workers have additional rights under Colorado law including an increased minimum wage and the right to participate in public hearings and file complaints with the Direct Care Workers Board. Employers must notify them of these rights and provide contact information for the Department of Labor representative whom they may contact for assistance. Notices are published on the Colorado Department of Labor and Department of Public Health websites.
Connecticut	Paid Sick Leave	Effective January 1, 2025, Connecticut HB 5005 expands paid sick leave coverage to require all private-sector employers with 25 or more employees to give employees 40 hours of paid sick leave annually. This Act also expands the definition of "family member" for whom employees can use leave, prohibits requiring documentation that an employee took paid sick leave for a qualifying reason, and requires written notice to employees of their paid sick leave rights. Coverage will expand to employers with 11 or more employees in 2026.
Delaware	Family and Medical Leave Insurance	Effective January 1, 2025, under the Healthy Delaware Families Act, which created a statewide family and medical leave insurance program funded through employer and employee contributions, employers participating in the state plan must remit employer and employee contributions to the state. Under the Act, 0.8% of an employee's wages for 2025 must be contributed, to be split between the employee and employer. This program was enacted to provide up to 12 weeks of leave and benefits to covered employees for certain parental, family caregiving and medical reasons and will provide up to 80 percent of covered individual's average weekly wage and job-protected leave. Any employee primarily working in Delaware who has worked for one year for their employer and at least 1,250 hours in the previous 12 months is eligible. All employers with at least 10 employees must contribute to the program. Employees may not utilize the job-protected paid leave benefits until January 1, 2026.
Delaware	Personal Data Privacy	Effective January 1, 2025, Delaware's comprehensive consumer data privacy law provides rights to consumers, defined as any resident of Delaware (not employees), including the right to confirm whether a controller of data is processing the consumer's personal data, to access personal data being processed, to correct inaccuracies in such data, to delete personal data provided by or obtained by the consumer, to obtain a copy of the personal data processed, to obtain a list of the categories of third parties to which the data has been disclosed, and to opt out of the processing of data for purposes of targeted advertising and profiling. The law applies to persons conducting business in Delaware who controlled or processed personal data of 35,000 consumers or more (excluding payment transactions) and/or who controlled or processed data of 10,000 consumers or more and derived more than 20% of gross revenue from the sale of personal data.
Illinois	E-Verify	Beginning January 1, 2025, Illinois employers who choose to use E-Verify must comply with new requirements imposed by amendments to the Illinois Right to Privacy in the Workplace Act. Employers must provide notice of the Act's protections in English and Spanish, complete training to use E-Verify, and follow new procedures if they believe an employee's employment verification information is inaccurate. It prohibits retaliation against employees for discrepancies reported by the E-Verify system. Lastly the act imposes strict penalties for violations, with fines up to \$10,000.
Illinois	Freedom of Speech	Effective January 1, 2025, the Illinois Worker Freedom of Speech Act, states that employers may not force employees to attend meetings discussing an employer's religious or political views, including their views on union membership. Specifically, employers are prohibited from taking adverse action against employees for declining to attend meetings which discuss religion or politics, or for declining to receive or listen to communications from the employer on religious and political matters. Employers also may not threaten or incentivize employee participation in any of these meetings or communications. Lastly, Employers must post a notice of employee rights under this Act by February 1, 2025, in the same areas as other mandatory notices.
Illinois	Discrimination: Protected Categories	On August 9, 2024, the Illinois Human Rights Act was amended to prohibit employers from discriminating against employees or applicants based on their "family responsibilities," effective January 1, 2025. The term "family responsibilities" includes the employee's actual or perceived provision of personal care to a family member, whether the care be in the past, present or future. The amended Act makes it a civil rights violation for employers to refuse to hire, segregate, or harass employees on this basis. Additionally, employers may not consider family responsibilities when making decisions regarding promotion, discharge, and discipline. Lastly, employers may not retaliate against persons who oppose discrimination based on family responsibilities. However, the Act does not require employers to make accommodations or modifications to reasonable workplace rules or policies for employees based on their family responsibilities. Therefore, the Act protects employees from biases due to their caregiver status but does not provide additional accommodation rights.
Illinois	Employee Access to Personnel Records	On January 1, 2025, amendments to the Illinois Personnel Records Review Act, impose new obligations on employees and employers when employees request access to their personnel records. The amendments add a number of requirements employees must comply with when requesting their personnel records under the Act. Additionally, the amendments add the following categories of documents employees may request: (i) employment related contracts or agreements that the employer maintains are legally binding on the employee; (ii) any employee handbooks the employer made available to the employee (iii) any written employer policies or procedures that the employer contends the employee was subject to and that concern qualifications for employment, promotion, transfer, compensation, benefits, discharge or other disciplinary action. Employers must provide employees access to these records at least twice a year.
Illinois	Salary Posting Requirements	Beginning January 1, 2025, amendments to the Illinois Equal Pay act will require that employers with fifteen or more employees disclose the pay scale and benefits for each position in all job postings. This applies to jobs that will be performed, at least in part, in Illinois, and those that will be performed outside of Illinois. If the hired employee will report to a supervisor, office or work site in Illinois. Additionally, employers are now required to announce, post or otherwise make known all opportunities for promotion to current employees no later than 14 days after making an external job posting for the same position. Employers must maintain records of all job postings, wages and benefits offered for five years. Employers may face fines up to \$10,000 per occurrence for noncompliance.
Illinois	Discrimination: Protected Categories	The Illinois Human Rights Act was amended making it a human rights violation to discriminate, harass or take adverse employment action based on an employee's decisions regarding pregnancy (and any health condition related to pregnancy), abortion, birth control, fertility or sterilization care, miscarriage management care, use of assisted reproductive technology, and prenatal, intranatal and postnatal care. Employers must make reasonable accommodations for employees' pregnancy, childbirth or related health conditions.
Illinois	Whistleblowing	Effective January 1, 2025, the Illinois Whistleblower Act prohibits employers from retaliating against, or threatening to retaliate against, an employee who discloses or threatens to disclose information about the employer where the employee has a good faith belief that an employer's activity, policy or practice violates a law, rule or regulation, or poses a danger to public health or safety. Employees are only protected when disclosing this information to a government agency, law enforcement agency, or to a supervisor/board member within the organization.
Illinois	Military Leave	Effective January 1, 2025, Illinois added the U.S. Space Force to the definition of armed forces, uniformed forces, and military forces. This change affects all laws which guarantee members of the military the ability to take leave for military service and prevents discrimination on the basis of military service more generally.
Illinois	Employee Access to Pay Stubs	Starting January 1, 2025, employers must provide pay stubs to employees which include hours worked, pay rates, overtime and deductions. Employers must maintain all pay stub records for three years and provide employees/former employees their records upon request, up to two times in a 12-month period, or once after separation. Employers must provide separating employees with access to their pay stubs for at least one year after separation.

STATE	TOPIC	SUMMARY OF EMPLOYMENT LAW UPDATE
Kentucky	Cannabis	Effective January 1, 2025, Kentucky legalized the acquisition, blending, cultivation, delivery, distribution, manufacturing, manipulation, packaging for sale, preparation, possession, sale, testing, transportation, transfer, and use of medicinal cannabis by legal cardholders. The state has specific requirements for residents to obtain medical marijuana cards. Employers can still regulate the usage of medicinal cannabis of their employees and implement drug-testing for applicants/employees.
Louisiana	Non-Solicitations	A Louisiana court has held that the state's non-compete statute does not apply to employee non-solicitation agreements, but non-solicitation agreements must still be reasonable in scope and duration.
Maine	Paid Family and Medical Leave	Payroll deductions to fund Maine's Paid Family and Medical Leave Program began January 1, 2025. Specifically, any employer with at least one Maine-based employee must begin payroll withholdings for their employees. Employers with 15 or more employees will contribute 1% of wages and may deduct up to half of the contribution from the employees' wages. Employers with less than 15 employees will contribute 0.5% of wages and may deduct the entire amount from the employees' wages. Employers will begin their first quarterly wage reporting and premium payments starting April 1st, due by April 30, 2025. Benefits are scheduled to begin May 1, 2026.
Massachusetts	Paid Family and Medical Leave	Effective January 1, 2025, the Massachusetts Department of Family and Medical Leave ("DFML") increased the maximum weekly benefits, while contribution rates from employers and employees funding the program remained unchanged. Specifically, during 2025, the maximum weekly DFML benefit eligible employees may receive is now \$1,170.64 per week (up from \$1,149.90 per week in 2024). Contribution rates remain at 0.88% of an eligible employee's wages for employers with 25 or more covered individuals. For employers with fewer than 25 covered individuals, the rate remains 0.46%.
Minnesota	Pay Transparency	Effective January 1, 2025, employers with 30 or more employees in Minnesota are required to provide starting salary ranges (including hourly ranges) and a description of other compensation and benefits that may be applicable in job postings. Open-ended ranges are not permitted under the law.
Minnesota	St. Paul Wage Theft	Effective January 1, 2025, St. Paul has a city wage theft ordinance which defines wage theft and provides remedies and penalties for wage theft by employers. Employers are required to provide employees with a wage notice at the start of their employment and must provide wage statements each pay period.
Minnesota	Paid Sick Leave	Effective January 1, 2025, Minnesota's Earned Sick and Safe Time Leave has been amended to clarify how sick and safe time is calculated, as well to expand upon reasons and use of sick and safe time. The amendment also comes with new record keeping requirements for employers related to sick and safe time leave.
Minnesota	Paid Holidays for Nursing Home Workers	Effective January 1, 2025, all nursing home employers are required to be paid at least time and a half for time worked on 11 identified state holidays (including New Year's Day, Martin Luther King Day, Presidents Day, Memorial Day, Juneteenth, July 4th, Labor Day, Indigenous Peoples' Day, Veterans Day, Thanksgiving, and Christmas).
Missouri	Paid Sick Leave	Effective January 1, 2025, Proposition A (passed on November 5, 2024 by Missouri voters) now requires employers with fifteen or more employees to permit employees to use up to 56 hours, or seven days, of paid sick time per year; for employers with fewer than fifteen employees, employees can use up to 40 hours, or five days, per year. On or before April 15, 2025, employers must provide written notice to employees about the sick leave policy, if it changed from the employer's current policy; provide written notice within 14 calendar days to any employee beginning employment after April 15, 2025; provide one hour of paid sick leave for every 30 hours worked beginning May 1, 2025; and keep records of hours worked and paid sick leave used for a minimum of three years.
Nebraska	Health Insurance Benefits Coverage	Effective January 1, 2025, Nebraska's health insurance benefits were amended to prohibit cost-sharing requirements for colorectal cancer screenings. This amendment applies to all policies, certificates, and contracts issued or renewed in Nebraska, as well as self-funded employee benefit plans. Specifically, the law prohibits such policies, contracts, and plans from imposing a deductible, coinsurance, or any other cost-sharing requirements for any service or item that is an integral part of performing a colorectal cancer screening, including polyp removal performed during the screening procedure, any pathology examination on a polyp biopsy performed as part of the screening procedure, required specialist consultation prior to the screening procedure, bowel preparation medications prescribed for the screening procedure, and anesthesia services performed in connection with a preventive colonoscopy.
New Hampshire	Gun Laws	Effective January 1, 2025, all state agencies, municipalities, and private employers that receive public funds from the federal or state government in New Hampshire are now prohibited from taking adverse employment action against any worker for storing firearms or ammunition in a locked vehicle on the employer's premises. Employers may still universally ban guns from being carried on an employee's person, in employer-owned or -leased vehicles and from everywhere else on the employer's premises. Under the law, all employers in New Hampshire may not inquire into or search for firearms or ammunition in locked vehicles on the employer's premises.
New Jersey	AI	New Jersey has launched a new Civil Rights and Technology Initiative to address potential discrimination and bias as a result of artificial intelligence and other related technologies. Additionally, guidance has been issued that the New Jersey Law Against Discrimination may apply when these technologies are used. Specifically, under the guidance, the New Jersey Law Against Discrimination applies to algorithmic discrimination in the same manner it has otherwise applied, extending the protections to discrimination resulting from the use of automated decision-making tools in employment.
New York	Prenatal Care Leave	Effective January 1, 2025, New York now requires employers to provide 20 hours of paid leave per year for pregnant employees to receive prenatal care. This is to include fertility treatments and end of pregnancy care appointments. The law does not extend to postnatal or postpartum appointments.
New York	Overtime Exemptions	Effective January 1, 2025, New York has increased salary thresholds for overtime exemptions. Employees must be paid at least \$1,161.65 per week to qualify as an exempt executive, administrative or professional employee. For New York City, Nassau, Suffolk, and Westchester counties, employees must be paid \$1,237.50 per week to qualify.
New York	Equal Rights	Effective January 1, 2025, the New York State Constitution will include protections against discrimination, "by any other person or by any firm, corporation, or institution, or by the state or any agency," based on, "race, color, ethnicity, national origin, age, disability, creed, religion, or sex, including sexual orientation, gender identity, gender expression, pregnancy, pregnancy outcomes, and reproductive healthcare and autonomy."
Oregon	Paid and Unpaid Leave	Oregon passed legislation to clarify the relationship and application of the Oregon Family Leave Act (OFLA) and Paid Leave Oregon (PLO).
Oregon	Notice and Records Response	Oregon requires certain employers to provide notice of quota production requirements to employees within warehouse distributing centers. Employers must also respond to certain quota and performance record requests within twenty-one (21) days.
Oregon	Wage Garnishment	An amendment to Oregon's law on wage garnishment imposes limitations on the amount of money that can be garnished per paycheck.
Oregon	Healthcare Agencies	The Oregon Department of Human Services (ODHS) and Oregon Health Authority (OHA) are tasked with promulgating rules in furtherance of recent legislation that requires licensing agencies that provide home care services fulfill certain co-employer responsibilities, such as hiring and firing, payroll and taxes and workplace safety standards. There are also certain circumstances where the ODHS and OHA may or may not enter into contracts with such agencies depending on the existence of a "labor peace agreement" or other specific assurances to ensure uninterrupted services in the event of a labor dispute.
Pennsylvania	Healthcare Non-Competes	Effective January 1, 2025, the Fair Contracting for Health Care Practitioners Act voids and prohibits employers from enforcing non-compete agreements with health care practitioners, including medical doctors, doctors of osteopathy, certified registered nurse anesthetists, and physician assistants. The only exception is if the non-compete is for no more than one year, provided that the employer did not dismiss the employee.
Rhode Island	Veteran Poster	Effective January 1, 2025, employers with more than fifty full time employees will be required to display a poster with veteran benefit and service information.
Rhode Island	Temporary Caregiver Insurance	Effective January 1, 2025, the state Temporary Caregiver Insurance benefits extend from six to seven weeks.
Vermont	Tax Filings	Vermont updated specifications for filing the W-2, 1099 and WHT-434 tax forms.
Washington	Overtime	Effective January 1, 2025, Washington has increased salary thresholds for overtime exemptions. Employees working for small employers (50 or fewer employees) must be paid at least \$69,305.60 per year (or \$1,332.80 per week) to qualify as an exempt executive, administrative or professional employee. Large employers (more than 51 employees) must pay exempt executive, administrative or professional employees at least \$77,968.80 (or \$1,499.40 per week). Exempt computer professionals must be paid at least \$58.31 as an hourly rate.
Washington	Non-Competes	Effective January 1, 2025, Washington has increased salary thresholds for noncompete provisions. The new threshold for employees is \$123,394.17. For independent contractors, Washington has a separate and higher pay threshold, which increases to \$308,485.43.
Washington	Paid Family and Medical Leave	Effective January 1, 2025, Washington's Paid Family and Medical Leave program has a higher premium rate and maximum weekly benefit. The total premium rate will increase to 0.92%. Employers with at least 50 employees will pay 28.48% of that premium and employees will pay 71.52%. For employers with less than 50 employees, only the employee portion of the premium must be paid. Additionally, the maximum weekly benefit increases to \$1,542.
Washington	Paid Sick Leave	Effective January 1, 2025, Washinton's paid sick leave has been amended to adjust the definition of "family member" and to include additional uses of paid sick leave. "Family member" now includes "any individual who regularly resides in the employee's home or where the relationship creates an expectation that the employee care for the person, and that individual depends on the employee for care." Additionally, paid sick leave can now be used for school closure due to a declaration of an emergency by the government.

1. The Worker's Compensation Time of Hire Notice can be found [here](#).
2. The Worker's Compensation Updated Poster can be found [here](#).

Employers should also be aware that numerous hourly minimum wage rate increases are set to take effect in various jurisdictions on January 1, 2025, as previously detailed [here](#).

Again, this is a non-exhaustive list of employment law updates. Contact your Polsinelli attorney if you have any questions or need assistance regarding employment law compliance in 2025, as well as to get up to speed on the latest employment law updates.

© Polsinelli PC, Polsinelli LLP in California

National Law Review, Volume XV, Number 38

Source URL: <https://natlawreview.com/article/2025-employment-law-updates>