

6 LAW OFFICE OF MERRILL A. HANSON

A PROFESSIONAL CORPORATION

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RE: Law Office Newsletter – February 2019

Planned Office Closure:
Feb. 20 – Mar. 6

Dear Friends and Fans of Law Office of Merrill A. Hanson,

We are pleased to provide you updates happening around the firm and with the law. You can always stay up to date with current events and more at <https://www.merrillhanson.com/category/bLAWg/>

Happy New Year!



Legal Practice in the Modern World

We truly do live in a global economy, and communications technology has advanced to the degree that the legal procession is increasingly more efficient. The Law Office of Merrill A. Hanson has always prided itself at being at the technology, court system is now possible pleadings make appearances in courtrooms by video. Merrill regularly makes phone and video appearances from Nevada at local southern California courthouses. *Clients appreciate saving money on travel and parking!*



Success at the Range

The firearms training course this past September was an informative event. We were instructed on safety aspects of responsible firearm ownership, the *do's and don'ts* of self-defense, and firing range etiquette. We had the benefit of putting our training into action against real live cardboard targets. It was Merrill's first time with a handgun, and it was exhilarating and a little terrifying all at the same time. Even the smallest firearm is very loud.



Nevada Legal License Expected May 2019

California *and* Nevada locations are open and only by appointment. Due to the demands of opening a new location and having a new baby (#3 is a boy!), Merrill has not attempted the NV bar exam, but will do so this February 2019; full licensing expected by May 2019. A formal merger with Sullivan Law is also expected to take place this summer. The firm has attorneys licensed to practice in CA, NV, and AZ.



LEGAL UPDATES (CALIFORNIA, 2019) – HIGHLIGHTS ONLY

In light of recent changes, you may need to review your organization's policies, procedures, handbooks.

New Employment Laws Regarding Sexual Harassment

- Employers with 5 or more employees are required to provide two hours of anti-sexual harassment training to all supervisory employees and one hour of anti-sexual harassment training to all nonsupervisory employees by January 1, 2020. Training must be completed within six months of a hire or promotion.
- A contract or settlement agreement generally may not contain a waiver of the right to testify concerning criminal conduct or sexual harassment.
- Employers may generally not require current employees to waive the right to sue for harassment or discrimination or agree not to disclose information about unlawful workplace conduct as part of a release obtained in exchange for a raise or bonus, or as a condition of continued employment.
- Employers now expressly may be liable for any type of harassment (not just sexual harassment) committed by nonemployees.
- Talent agencies must provide educational materials to their artists on sexual harassment prevention and other matters.
- Legislative “guidance” significantly relaxes the requirement that harassment be “severe or pervasive” to be unlawful, and instructs courts to view harassment cases as “rarely appropriate” for dismissal before trial.

New Employment Laws Concerning Hiring

- Employers may ask an applicant about criminal history if (1) the employer is required by law to obtain information regarding the particular conviction; (2) the applicant would be required to possess or use a firearm in the course of employment; (3) an individual with a particular conviction is prohibited by law from holding the position sought; or (4) a check is required/authorized pursuant to the rules of a “self-regulatory organization,” as defined by the Securities Exchange Act of 1934.
- Employers, upon “reasonable request” (after the applicant has completed an initial interview), must provide “pay scale” (salary or hourly wage range) for a position to a job “applicant” (including current employees).
- Employers may ask an applicant about “salary expectations” for the position.

Other Employment Laws

- A publicly held corporation whose principal executive offices are located in California must have a minimum number of female board members: 1 by 2019, 2 by 2021 (if the board has at least 5 members), or 3 by 2022 (if the board has more than 5 members). Failure to do so may result in the California Secretary of State exacting a fine of \$100,000 (initial); \$300,000 (subsequent).
- Paid Family Leave to include compensation for “qualifying exigencies” for military-related leaves of absence related to the covered active duty status of their spouse, registered domestic partner, child, or parent, which shall include: military ceremonies, changes to child care, counseling, or spending time with the covered service member during rest and recuperation leave.
- Employers required to make reasonable efforts to provide an employee with the use of a room or other location, *other than a bathroom*, to express breast milk.
- Employees now have the right to receive a copy of their wage records, in addition to their existing right to inspect such records.