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Meet Nancy Gray



In a diverse legal career that has spanned over three decades, attorney Nancy Gray has represented hundreds of clients in a variety of civil matters, including labor and employment (management/employee); sexual harassment, discrimination, wrongful termination; commercial,

Some Important California Employment & Labor Laws Effective January 1, 2016

The new year heralds some new laws as well as amendments to existing ones. In addition to the change in minimum wage, which increases to \$10.00 per hour, here are some highlights from five new noteworthy California employment and labor laws in effect as of January 1, 2016:

1. SB 358 & SB 501 -- The California Fair Pay Act: Wage Discrimination & Broader Prohibition of Gender Wage Differentials

An amendment to [California Labor Code Â§ 1197.5](#) now adds the language "substantially similar work" to the prohibition against an employer from engaging in gender wage disparity. SB 358 does not require such "substantially similar work" to be "in the same establishment" of the employer as previously required. An employee may look at all locations of the employer to determine whether there is gender wage disparity.

Employer Required To Demonstrate Exemptions

Section 1197.5 automatically exempted certain gender wage differentials

contract and business issues.

Among other highlights, Ms. Gray served as Assistant District Attorney in New York, spent seven years with a national law firm working on complex pharmaceutical and medical device cases, and successfully litigated and coordinated cases around the country. She has a unique expertise in matters pertaining to the adulteration of extra virgin olive oil.

Ms. Gray has also lectured and written on a variety of topics, including expert testimony, drug and medical device regulation, sexual harassment, employment practices and child performer issues.

In 1997, she started her own firm, based in Los Angeles.

Having been raised in New York City, Nancy enjoys dramatic, musical and comedy theater as well as pro sports. She is a PADI-certified scuba diver. Among her favorite reading material is Bon Appetit and anything pertaining to criminal behavior and behavioral profiling.

Accreditations



related to payments based on a seniority system, a merit system, quantity or quality of production, or any bona fide factor other than sex. SB 358 amends Section 1197.5 to require that an employer must now affirmatively demonstrate these differentials, and further that each underlying factor relied upon is applied reasonably, together justifying the entire wage differential.

Anti-Retaliation Protections Introduced

SB 358 added a provision to Section 1197.5 that prohibits an employer from discharging, discriminating or retaliating against an employee by reason of any action taken by the employee to invoke or assist in any manner the enforcement of this legislation or aid or encourage other employees to exercise their rights under this legislation. Employees may seek reinstatement and reimbursement for lost wages and work benefits caused by any unlawful acts of the employer as well as other appropriate equitable relief.

Recordkeeping Duration Lengthened

SB 358 also increases the duration of record keeping requirements for things detailing terms and conditions of employment from two years to three years.

Wage Garnishment Restrictions Modified

This law (SB 501) reduces the amount of an employee's weekly earnings that may be subject to levy under an earnings withholding order from exceeding the lesser of: (i) 25% of the employee's weekly earnings; or (ii) 50% of the amount by which the employee's earnings for the week exceed 40 times the minimum wage.

2. SB 600 -- Unruh Civil Rights Act: New Protected Classes

Citizenship, primary language, and immigration status are added to classes of individuals protected from

Directions



About Gray & Associates P.C.



Attorney Nancy Gray of Gray & Associates, P.C. has more than 30 years of experience providing personalized attention and creative solutions to her clients' legal issues. Whether you need a strong litigator, a labor and employment advocate, or a savvy business law attorney, you can rely on Gray & Associates to provide you with excellent legal representation. Click [here](#) to read more.

Practice Areas

- Civil litigation and trials
- Commercial law
- Contracts
- Sexual harassment
- Employment law

discrimination by business owners.

3. AB 1509 -- Retaliation Against Family Members Of Whistleblowers Prohibited

This bill makes it illegal for a California employer, or those acting on its behalf, to retaliate against workers who are family members of someone who has engaged, or is even perceived to have engaged, in protected conduct under the California Labor Code

4. SB 579 -- School Activity And Sick Leave Protections Expanded

There are now additional circumstances under which employees may take school activities leave: handling a child care provider emergency, a school emergency, finding, enrolling, and re-enrolling a child in a school or with a child care provider. The pool of eligible employees is expanded to include employees who are stepparents, foster parents or stand in loco parentis to a child.

5. AB 622 - E-Verify System

E-Verify is an internet-based system administered by the United States Citizenship and Immigration Services, the United States Department of Homeland Security (DHS), and the United States Social Security Administration (SSA) that allows employers to assess the eligibility of employees to work in the United States. This bill adds Labor Code section 2814 which expands the definition of an unlawful employment practice to include an employer or any other person or entity using the E-Verify system when not required by federal law to check the employment authorization status of an existing employee or an applicant who has not received an offer of employment, as required by federal law, or as a condition of receiving federal funds.

Also, an employer may be required to notify the affected person of any information entered in E-Verify that did not match federal records. Finally, in

- Employment contracts
- Intellectual property litigation
- Trademark litigation
- Unfair competition
- False Advertising
- Business law
- Entertainment law

addition to other remedies available, an employer who violates this new law may be liable for a civil penalty not to exceed \$10,000 for each violation, and each unlawful use of the E-Verify system on an employee or applicant constitutes a separate violation.

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