

# UPDATE YOUR EMPLOYEE HANDBOOK WITH 2021 DEVELOPMENTS CHECKLIST

An employer should strive to keep its employee handbook current with legal developments on the federal, state and local level. However, this can be a difficult task since changes often happen at a rapid pace. This checklist includes significant new or changed compliance requirements that impact employee-facing policies, based on laws and regulations that came into effect in 2021, as well as corresponding model employee handbook statements.

Employers should refer to the jurisdictions listed in the checklist below and complete the updates to their employee handbook(s) based on where they have operations and whether the laws are applicable to their workplace.

This checklist does not include COVID-19-related laws that are *temporary* in nature (e.g., in effect for a defined period or for the duration of the public health emergency). Temporary policies are best issued as Supplemental Policy Memoranda.

## FEDERAL

- Military leave:** reflects amendments regarding covered military service (01/05/21)
  - Military Leave Handbook Statement: Federal

## ARKANSAS

- Weapons in the workplace:** amends law regarding storing firearms in employer parking lots (07/28/21)
  - Weapons in the Workplace Handbook Statement: Arkansas

## CALIFORNIA

- Crime victims leave:** expands crime victim leave protections for victims of domestic violence, sexual assault and stalking (01/01/21)
  - Crime Victim Leave Handbook Statement [1-24 Employees]: California
  - Crime Victim Leave Handbook Statement [25+ Employees]: California
  - Leave to Attend Judicial Proceedings Related to Certain Felonies Handbook Statement: California
  - Accommodation for Victims of Domestic Violence, Sexual Assault or Stalking Handbook Statement: California
- Discrimination, harassment and retaliation prevention:** expands [sexual harassment prevention training requirements](#) (01/01/21); amends veteran or military [antidiscrimination protections](#) (01/01/21)
  - [Discrimination, Harassment and Retaliation Prevention Handbook Statement \[5+ Employees\]: California](#)
  - [Harassment and Retaliation Prevention Handbook Statement \[1-4 Employees\]: California](#)
- Family and medical leave:** expands the [California Family Rights Act \(CFRA\)](#) and repeals the New Parent Leave Act (01/01/21)
  - [Family Care and Medical Leave Handbook Statement \[5-49 Employees\]: California](#)
  - [Family and Medical Leave Handbook Statement \[50+ Employees\]: California](#)

- ❑ **Family leave insurance:** expands [paid family leave insurance benefits](#) to include qualifying military exigencies (01/01/21); amends [paid family leave](#) definitions (01/01/21)
  - ❑ [Family Leave Insurance Handbook Statement: California](#)
- ❑ **Pregnancy and pregnancy-related disabilities leave and accommodation:** expands the [California Family Rights Act \(CFRA\)](#) and repeals the New Parent Leave Act (01/01/21)
  - ❑ [Pregnancy and Pregnancy-Related Disabilities Leave and Accommodation Handbook Statement: California](#)

## COLORADO

- ❑ **Discussion of wages** expands the state [equal pay law](#) (01/01/21)
  - ❑ [Discussion of Wages Handbook Statement: Colorado](#)
- ❑ **EEO:** expands the state [equal pay law](#) (01/01/21)); prohibits discrimination based on [gender identity or gender expression](#) (09/07/21)
  - ❑ [EEO Handbook Statement: Colorado](#)
- ❑ **Overtime and minimum pay standards:** [modifies](#) the Colorado Overtime and Minimum Pay Standards (COMPS) Order (01/01/21)
  - ❑ [Acknowledgement of Receipt of Colorado Overtime and Minimum Pay Standards Order \(COMPS Order #37\) Poster Handbook Statement: Colorado](#)
  - ❑ [Meal and Rest Breaks Handbook Statement: Colorado](#)
  - ❑ [Overtime Handbook Statement: Colorado](#)
- ❑ **Paid sick and safe leave and public health emergency leave:** requires employers with 16 or more employees to provide [paid sick and safe leave](#) to eligible employees (01/01/21); clarifies [public health emergency leave](#) requirements (04/14/21)
  - ❑ [Paid Sick and Safe Leave and Public Health Emergency Leave \[Accrual Method\] Handbook Statement: Colorado](#)
- ❑ **Vacation:** reflects Colorado Supreme Court decision regarding [payout of accrued vacation time](#) on termination of employment
  - ❑ [Vacation Handbook Statement: Colorado](#)

## CONNECTICUT

- ❑ **EEO:** prohibits discrimination on the basis of ethnic [traits historically associated with race](#), including but not limited to hair texture and protective hairstyles (03/04/21)
  - ❑ [EEO Handbook Statement: Connecticut](#)
- ❑ **Lactation accommodation:** strengthens [lactation accommodation](#) requirements (10/01/21)
  - ❑ [Lactation Accommodation Handbook Statement: Connecticut](#)
- ❑ **Sexual and other unlawful harassment:** requires employers to provide compliant [sexual harassment prevention training](#) (07/20/21); amends timing of sexual harassment prevention training requirements (10/01/21)
  - ❑ [Sexual and Other Unlawful Harassment Handbook Statement: Connecticut](#)
- ❑ **Smoke-free workplace:** updates the [Clean Indoor Air Act](#) (10/01/21)
  - ❑ [Smoke-Free Workplace Handbook Statement: Connecticut](#)

- Voting leave:** requires employers to provide their employees with [unpaid time off](#) to vote (06/23/2021)
  - [Time Off to Vote Handbook Statement: Connecticut](#)

## DELAWARE

- EEO:** prohibits [hairstyle discrimination](#) (04/13/21); changes the [definitions of sexual orientation and gender identity](#) under the Delaware Discrimination in Employment Act (09/17/21).
  - [EEO Handbook Statement: Delaware](#)

## DISTRICT OF COLUMBIA

- Family and medical leave:** expands availability of [leave](#) (10/1/21)
  - [Family and Medical Leave Handbook Statement \[20-49 Employees\]: District of Columbia](#)
  - [Family and Medical Leave Handbook Statement \[50+ Employees\]: District of Columbia](#)
- Outside employment:** prohibits employers operating in the District of Columbia from requesting or requiring an employee working in the District of Columbia to agree to a [noncompete agreement or policy](#) (03/16/21)
  - [Outside Employment: District of Columbia](#)
- Paid family leave:** clarifies the [Universal Paid Leave Act's effect](#) on insurance benefits (07/29/21); reflects amendments that increase the amount of and expand reasons for [paid leave](#) (10/1/21)
  - [Paid Family Leave Handbook Statement: District of Columbia](#)

## HAWAII

- Domestic or sexual violence victim leave:** changes domestic violence leave [documentation requirements](#) (01/01/21)
  - [Domestic or Sexual Violence Victim Leave Handbook Statement \[50+ Employees\]: Hawaii](#)

## ILLINOIS

- EEO:** places restrictions on an employer's ability to consider [criminal convictions](#) during hiring and other employment decisions (03/23/21); requires employers with more than 100 employees in Illinois to obtain an [equal pay registration certificate](#) from the Illinois Department of Human Rights (IDHR) or certify that it is exempt from this requirement (03/23/21); bans [discrimination based on work authorization status](#) (08/02/21)
  - [EEO Handbook Statement: Illinois](#)
- Sick leave to care for relatives:** allows employees to use personal sick leave benefits for the [personal care of a family member](#) (04/27/21)
  - [Sick Leave to Care for Relatives Handbook Statement: Illinois](#)
- Chicago employer updates**
  - Paid sick leave:** reflects amendments to [paid sick leave](#) requirements (08/01/21)
    - [Paid Sick Leave Handbook Statement \[Accrual Method\]: Chicago, Illinois](#)

## INDIANA

- Pregnancy accommodation:** allows employees to seek an [accommodation](#) relating to their pregnancy, childbirth or related medical conditions (07/01/21)
  - [Pregnancy Accommodation Handbook Statement: Indiana](#)

## IOWA

- EEO:** expands [discrimination protections](#) for military members (07/01/21)
  - [EEO Handbook Statement: Iowa](#)
- Military leave:** expands [military leave](#) protections (07/01/21)
  - [Military Leave Handbook Statement: Iowa](#)

## KENTUCKY

- Adoption leave:** expands [adoption leave](#) protections (06/29/21)
  - [Adoption Leave Handbook Statement: Kentucky](#)

## LOUISIANA

- Pregnancy and lactation accommodation:** broadens [reasonable accommodation requirements](#) for pregnancy, childbirth and related medical conditions (08/01/21)
  - [Pregnancy and Lactation Accommodation Handbook Statement: Louisiana](#)
  - [Pregnancy and Childbirth Leave Handbook Statement: Louisiana](#)

## MAINE

- Earned paid leave:** requires employers with 11 or more employees to provide [earned paid leave](#) to use for any reason (01/01/21)
  - [Earned Paid Leave Handbook Statement: Maine](#)
- EEO:** prohibits discrimination based on [familial status and gender identity](#), and against [domestic violence victims](#); and modifies requirements regarding [disability discrimination](#) (10/18/21)
  - [EEO Handbook Statement: Maine](#)
- Family and medical leave:** expands [reasons for leave](#) to include care for a grandchild with a serious health condition (10/18/21)
  - [Family and Medical Leave Handbook Statement \[15-49 Employees\]: Maine](#)
  - [Family and Medical Leave Handbook Statement \[50+ Employees\]: Maine](#)

## MARYLAND

- Use of paid leave to care for family members or for bereavement:** amends [Flexible Leave Act](#) to include bereavement leave
  - [Use of Paid Leave to Care for Family Members or for Bereavement Handbook Statement: Maryland](#)

## MASSACHUSETTS

- Overtime:** decreases the overtime rate for [retail employees who work on Sundays and certain holidays](#) (01/01/21); decreases the [premium pay rate](#) for certain holidays (01/14/21)
  - [Holiday Work - Retail Employees Handbook Statement \[1-7 Employees\]: Massachusetts](#)
  - [Holiday Work - Retail Employees Handbook Statement \[8+ Employees\]: Massachusetts](#)
  - [Sunday Work - Retail Employees Handbook Statement \[8+ Employees\]: Massachusetts](#)

- Paid family and medical leave:** provides [paid family and medical leave](#) to qualified current employees, former employees and self-employed individuals (01/01/21)
  - [Paid Family and Medical Leave Handbook Statement: Massachusetts](#)
  - [Paid Sick Time Handbook Statement \[11+ Employees\]: Massachusetts](#)
  - [Parental Leave Handbook Statement: Massachusetts](#)
  - [Pregnancy and Lactation Accommodation Handbook Statement: Massachusetts](#)

## MINNESOTA

- Duluth employer updates**
  - Paid sick and safe time:** reflects amendments regarding [qualifying reasons for leave](#) and employer notices (08/19/21)
    - [Paid Sick and Safe Time Handbook Statement \[Accrual Method\]: Duluth, Minnesota](#)

## MISSOURI

- Domestic violence victim leave and accommodations:** requires employers with 20 or more employees to provide [unpaid leave and reasonable safety accommodations](#) to an employee who is a victim of domestic or sexual violence or whose family or household member is a victim (08/28/21)
  - [Domestic Violence Victim Leave and Accommodations \[20-49 Employees\] Handbook Statement: Missouri](#)
  - [Domestic Violence Victim Leave and Accommodations \[50+ Employees\] Handbook Statement: Missouri](#)

## MONTANA

- EEO:** legalizes the [recreational use](#) of marijuana (01/01/21)
  - [EEO Handbook Statement: Montana](#)
- Wrongful discharge:** amends Montana's [Wrongful Discharge from Employment Act](#) (03/31/21)
  - [About This State Supplement Handbook Statement: Montana](#)

## NEBRASKA

- EEO:** prohibits [hairstyle discrimination](#) (09/11/21)
  - [EEO Handbook Statement: Nebraska](#)

## NEVADA

- COVID-19 vaccination leave:** requires covered employers to provide their employees with paid time off to receive a [COVID-19 vaccination](#) (06/09/21)
  - [COVID-19 Vaccination Leave Handbook Statement: Nevada](#)
- EEO:** prohibits [hairstyle discrimination](#) (06/02/21)
  - [EEO Handbook Statement: Nevada](#)
- Paid leave:** includes a non-exhaustive list of reasons for which [paid leave](#) can be used (06/09/21)
  - [Paid Leave Handbook Statement: Nevada](#)

- Sick leave to care for immediate family members:** requires employers that provide employees with sick leave to provide [kin care leave](#) (10/01/21)

- [Sick Leave to Care for Immediate Family Members Handbook Statement: Nevada](#)

## NEW JERSEY

- EEO:** legalizes the [recreational use of marijuana](#) (cannabis) by adults aged 21 and over (01/01/21); expands the scope of protections against age discrimination (10/5/21)

- [EEO Handbook Statement: New Jersey](#)

## NEW MEXICO

- EEO:** prohibits [hairstyle discrimination](#) (07/01/21)

- [EEO Handbook Statement: New Mexico](#)

- Bernalillo County employer updates**

- Paid leave:** increases accrual and use of [paid leave](#) for employees of an employer with 11 or more employees (07/01/21)

- [Paid Leave Handbook Statement \[Accrual Method\]: Bernalillo County, New Mexico](#)

## NEW YORK

- Airborne infectious disease exposure prevention plan:** requires employers to implement an [airborne infectious disease exposure prevention plan](#) (07/05/21)

- [Airborne Infectious Disease Exposure Prevention Plan Handbook Addendum: New York](#)

- Sick and safe leave:** allows employees to begin using [accrued sick leave](#) (01/01/21)

- [Sick and Safe Leave Handbook Statement \[1-4 Employees and Net Income of \\$1,000,000 or Less\]: New York](#)

- [Paid Sick and Safe Leave Handbook Statement \[5-99 Employees or 1-4 Employees and Net Income of Greater Than \\$1,000,000\]: New York](#)

- [Paid Sick and Safe Leave Handbook Statement \[100+ Employees\]: New York](#)

- Paid family leave benefits:** increases [paid family leave benefits](#) rate (01/01/21)

- [Paid Family Leave Benefits Handbook Statement: New York](#)

- New York City employer updates**

- Safe and sick time:** aligns New York City's [Earned Safe and Sick Time Act](#) with the statewide paid sick leave law and changes leave requirements for certain covered employers (01/01/21)

- [Safe and Sick Time Handbook Statement \[1-4 Employees and Net Income of Less Than \\$1,000,000\]: New York City, New York](#)

- [Paid Safe and Sick Time Handbook Statement \[5-99 Employees or 1-4 Employees and Net Income of \\$1,000,000 or More\]: New York City, New York](#)

- [Paid Safe and Sick Time Handbook Statement \[100+ Employees\]: New York City, New York](#)

- Scheduling and retention for fast food workers:** amends Fair Work Practices Ordinances to include [wrongful discharge protections](#) for fast food employees and to require that layoffs be done by [reverse seniority](#) (07/04/21)

- [Scheduling and Retention for Fast Food Workers Handbook Statement: New York City, New York](#)

## OKLAHOMA

- EEO:** reflects the [Oklahoma Uniformed Services Employment and Reemployment Rights Act](#), which protects members of the state military forces who are called to state active duty or certain federal active duty (04/21/21)
  - [EEO Handbook Statement: Oklahoma](#)
- Military leave:** reflects the [Oklahoma Uniformed Services Employment and Reemployment Rights Act](#), which protects members of the state military forces who are called to state active duty or certain federal active duty (04/21/21)
  - [Military Leave Handbook Statement: Oklahoma](#)

## OREGON

- Family and medical leave:** reflects rules concerning [leave to care for a child](#) whose school or childcare provider has been closed in conjunction with a public health emergency (03/18/21)
  - [Family and Medical Leave Handbook Statement \(25-49 Employees\): Oregon](#)
  - [Family and Medical Leave Handbook Statement \[50+ Employees\]: Oregon](#)
- Military leave:** reflects amendments to the state's [military leave law](#) (09/25/21)
  - [Military Leave Handbook Statement: Oregon](#)
- Paid sick and safe time:** reflects a temporary rule relating to qualifying reasons to take [paid sick and safe time](#) (07/22/21)
  - [Paid Sick and Safe Time Handbook Statement \[10+ Employees; Accrual Method\]: Oregon](#)
  - [Paid Sick and Safe Time Handbook Statement \[10+ Employees; Lump Sum Method\]: Oregon](#)
- Scheduling for retail, hospitality and food services:** clarifies that [limitations or changes in an employee's work schedule availability](#) may relate to child care needs (06/03/21)
  - [Scheduling for Retail, Hospitality and Food Services Handbook Statement: Oregon](#)

## PENNSYLVANIA

- EEO:** extends employment protections to additional [National Guard members](#) (08/29/21)
  - [EEO Handbook Statement: Pennsylvania](#)
- Military leave:** reflects amendments regarding protected [National Guard members](#) (08/29/21)
  - [Military Leave Handbook Statement: Pennsylvania](#)
- Philadelphia employer updates**
  - Domestic violence, sexual assault or stalking victim leave:** expands the definition of [domestic violence](#) (05/11/21)
    - [Domestic Violence, Sexual Assault or Stalking Victim Leave Handbook Statement: Philadelphia, Pennsylvania](#)
  - Schedules and hours:** requires applicable employers to comply with certain [predictable work schedule](#) posting requirements (01/01/21); reflects the enforcement of predictability pay (06/01/21)

- [Schedules and Hours Handbook Statement: Philadelphia, Pennsylvania](#)
- Pittsburgh employer updates**
  - Paid sick time:** allows eligible employees who work for an employer with fewer than 15 employees to begin accruing [paid sick time](#) (03/15/21)
  - [Paid Sick Time Handbook Statement \[1-14 Employees; Accrual Method\]: Pittsburgh, Pennsylvania](#)

## RHODE ISLAND

- Whistleblower protections:** amends [Rhode Island Whistleblowers' Protection Act](#) (07/13/21)
  - [Whistleblower Protections Handbook Statement: Rhode Island](#)

## TENNESSEE

- Military leave:** amends [military leave law](#) (07/01/21)
  - [Military Leave Handbook Statement: Tennessee](#)

## TEXAS

- EEO:** expands the reach of its [sexual harassment laws](#) (09/01/21)
  - [EEO Handbook Statement: Texas](#)

## VERMONT

- Military leave:** amends the state's [military leave law](#) (07/01/21)
  - [Military Leave Handbook Statement: Vermont](#)

## VIRGINIA

- Cell phone use/texting while driving:** prohibits holding a [handheld personal communications device](#) while driving (01/01/21)
  - [Cell Phone Use/Texting While Driving Handbook Statement: Virginia](#)
- EEO:** expands discrimination protections based on [military status](#) (07/01/21)
  - [EEO Handbook Statement: Virginia](#)
- Reasonable accommodation for individuals with disabilities:** amends the [Virginia Human Rights Act](#) to expand disability discrimination protections (07/01/21)
  - [Reasonable Accommodations for Individuals with Disabilities Handbook Statement: Virginia](#)

## WASHINGTON

- Emergency responder leave:** provides [additional protections](#) to employees who are volunteer firefighters (04/16/21)
  - [Emergency Responder Leave Handbook Statement: Washington](#)
- Paid family and medical leave:** permits additional workers to use leave benefits in response to the COVID-19 pandemic; [expands](#) definition of family member (07/25/21)
  - [Paid Family and Medical Leave Handbook Statement \[50+ Employees\]: Washington](#)