

# 2021 Market Trends

---

Market Trends, New Legislation & How The New Administration May Impact Your Business

PRESENTED: **December 10, 2020**

HOSTED BY: **Nate Curran**, Director of Marketing  
**Andrea Porter**, Director of Human Resources  
**Jason Knight**, Director of Operations

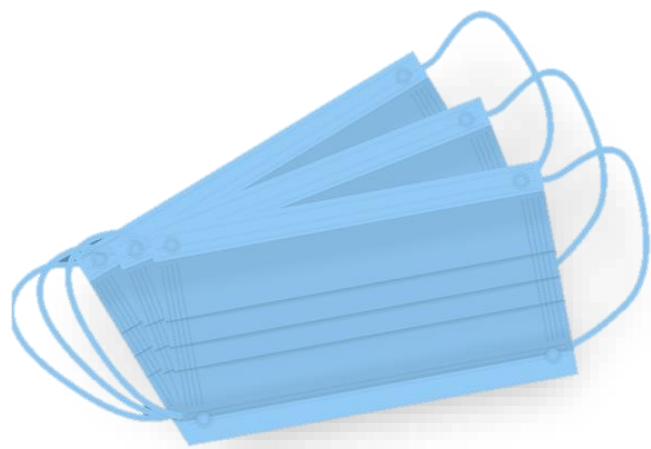


# Agenda

---

- Introduction and overview
- COVID-19 & the impact on small business
- Infrastructure related legislation
- Biden's Administration Overview
- Business Regulations
  - Federal
  - National
- California Specific Legislation
- Q&A





# COVID-19 & The Impact on Small Business



## National Mask Mandate

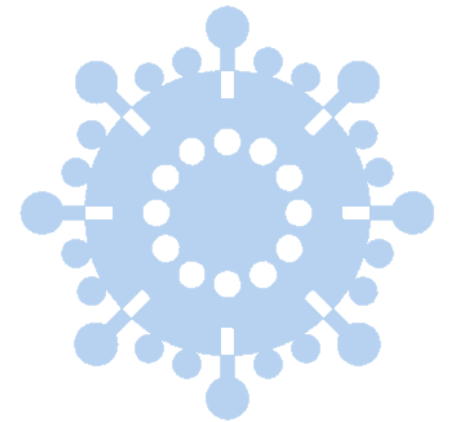
- Strongly recommended by experts
- In line with CDC guidelines

## Stimulus Package

- Essential Worker Financial Aid
- Extended COVID-19 unemployment insurance
- Small business stimulus packages or PPP extension

## Vaccine Progress

- The FDA's Vaccines and Related Biological Products Advisory Committee (VRBPAC) meets on Dec. 17 to discuss emergency request to authorize Moderna's COVID-19 vaccine.





# Biden's Administration Overview

## Green & Sustainable Infrastructure

Focuses on creating a “modern, sustainable infrastructure now and deliver an equitable clean energy future.

The ability to move on these depends on bi-partisan support, but potential areas of focus include:

- Roads & Bridges investment
- Green space and water systems investments
- Electricity grids and universal broadband

Learn more at [www.JoeBiden.com/clean-energy](http://www.JoeBiden.com/clean-energy)



## Border Wall

- Continued construction not supported by Biden's administration.
- Future of current project and calls to remove the existing wall remain unknown as more pressing matters take priority.

## Immigration

- **Deferred Action for Childhood Arrivals (DACA)** will likely be reinstated as Biden supported the creation and expansion of the original program.
- Biden has promised an immediate review of **Temporary Protected Status (TPS)** and is on record saying TPS and Deferred Enforced Departure (DED) holders will remain protected.



# Business Regulations



# Federal Legislative Landscape

## **Protect the Right to Organize (PRO Act)**

- Changes classification of Independent Contractors, essentially making California's AB5 a national law (ABC Test/ CA AB 5).
- Repeals all right to work laws in the 27 states they currently exist.
- Strengthen unions ability to organize workers.
- Includes new civil penalties for labor law violations.



## Moving Forward Act

- Passed by house, not yet signed into law.
- Proposes over \$1.5 trillion to rebuild infrastructure: roads, bridges, and transit systems along with schools, housing, broadband access and more.
- Includes \$300 billion for roads and bridges.
- \$100 billion for in transit, zero emissions technology.
- Additional areas of funding include **clean energy**, \$30 billion to **health care infrastructure** (upgrade hospitals etc.), **community development**, \$100 billion into our nation's **affordable housing infrastructure**.



## Federal Minimum Wage

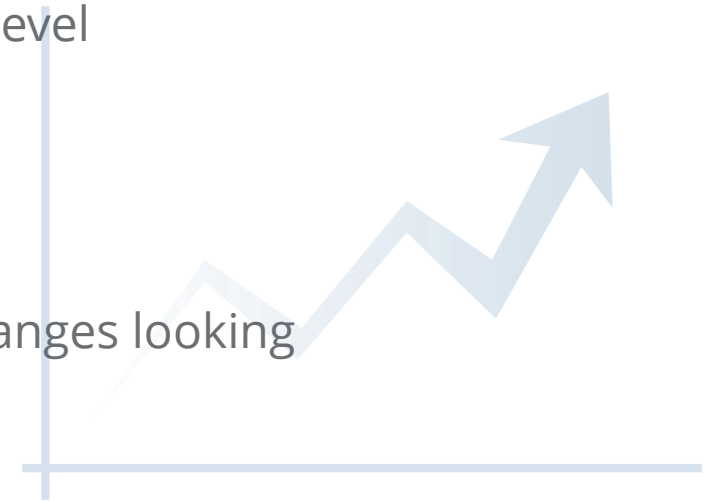
Minimum wages are trending upward at the state level, with over 25 states changing labor laws and adding state minimum wage increases in 2021.

- \$15/hr & eliminate tipping minimum at the federal level

## Federal Paid Leave

Paid leave is trending at the state level, with federal changes looking imminent in the near future, including:

- Universal paid sick days
- 12 weeks paid FMLA



# National Legislative Landscape

---

## State Labor Law Changes

States are trending toward increased minimum wages and labor protections that include paid sick leave and family leave laws.

- Multiple states have passed minimum wage increases, including Florida, which is increasing to \$10/hr in September 2021. This is part of a larger, six-year plan to increase it to \$15.00 per hour.
- Over 25 states across the country changing labor laws and adding state minimum wage 2021 increases.
- Colorado and Maine have paid sick leave and protected laws coming online in 2021, but trends lean toward additional states creating versions of paid sick.

# National Legislative Landscape

---

## Marijuana Legalization

Marijuana legalization is trending, with only 6 states currently have no form of legalized, medical or recreational.

- Arizona, Montana, and New Jersey passed measures to legalize recreational marijuana.
- South Dakota legalized recreational and medical marijuana
- Mississippi legalized just medical marijuana.





# California Specific Legislation

# Prevailing Wage Laws

## **AB 2765: Public Works / Prevailing Wages**

- Effective January 1, 2021
- Expands the definition of “public works” to include construction, alteration, demolition, installation or repair work done under private contract on a project for a charter school when the project is paid for with the proceeds of certain bonds.
- Effects companies engaged in government contracts.



# California COVID-19 Legislation

---

## AB 685 – COVID-19 Exposure Notification

- Effective January 1, 2021, requires employers who receive notice of potential COVID-19 exposure to provide specified disclosures to employees **within one business day**.

## SB 1159: COVID Workers' Comp Coverage

- Already in effect, this bill extended the presumption of workers' compensation coverage for COVID-19 illnesses for certain workers. Includes additional COVID reporting responsibilities for companies.

## AB 1867: Supplemental COVID Sick Leave

- Effective upon passing. Requires private employers with more than 500 employees to provide up to 80 hours of supplemental paid sick leave for COVID-19 purposes. Includes additional protections for food workers.



# **CA Family Rights Act (CFRA) & Leave Related**

## **SB 1383: Expansion of CFRA Leave**

- Expands CFRA to companies with as few as 5 employees.
- Requires up to 12 weeks of unpaid leave for covered reasons.
- Expands qualifying reasons to having family called into active duty.
- Allows employer to limit/combine CFRA leave when both parents are employed to a total of 12 weeks of leave.

## **AB 2017: Kin Care Leave**

- Permits employees to use at least half of their annual accrual of employer-provided sick leave for “kin care” (family) reasons.
- Allows the employee to designate leave for this purpose.

# CalSavers

## **Mandatory Retirement Program**

- Created by legislation in 2016.
- Available to California workers whose employers don't offer a workplace retirement plan, self-employed individuals, and others who want to save money.

Has tiered registration deadlines based on your number of employees:

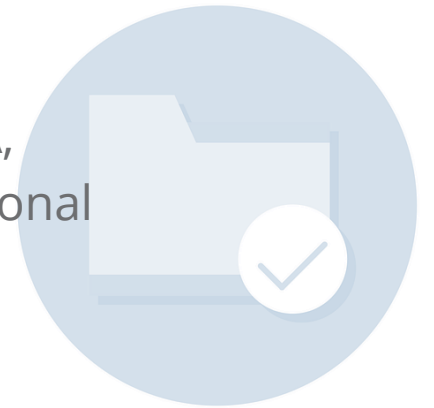
- Businesses with 50-plus employees – June 30, 2021
- Businesses with five-plus employees – June 30, 2022



# Privacy/Data

## **AB 1281 California Consumer Privacy Act (CCPA) Extension**

- Extends some provisions of the California Consumer Privacy Act (CCPA) through January 1, 2022.
- Employers must still comply with the notice provision of the CCPA, requiring them to provide notice to applicants/employees of personal information collected and the purposes for which it is used.



# **General Legislation**

## **AB 2257: Dynamex Exemptions**

- The update changes and expands the list and categories of exemptions from the “Dynamex” independent contractor classification test.

## **AB 2143: No Rehire/Settlement Agreements**

- Changes Code of Civil Procedure, Section 1002.5, which prohibited no rehire provisions in some settlement agreements.
- Includes some exceptions, like if an employee was found to be engaged in criminal conduct.

## **AB 1512: Mandatory On-Duty Rest Breaks for Unionized Security Officers**

- Effective Sept 30, 2020. Permits employers to require unionized security officers to take on-duty rest breaks. This is defined as staying on the premises, on call & carry & monitor communication equipment during breaks.
- If a break is interrupted, it can be restarted as soon as practical.

## **SB 973 — Pay Data Collection and Reporting**

- Effective January 1, 2021. Requires California private employers with 100 or more employees to submit pay data reports to the Dept of Fair Employment and Housing by March 31, 2021, and annually from this year forward.

## SB 3 (2017-2023) Minimum Wage Tiered Increase

- On January 1, 2021, the minimum wage in California is increasing at the state level. Additionally, some cities have enacted minimum wage ordinances exceeding the state minimum wage.

Date	Minimum Wage for Employers with 25 Employees or Less	Minimum Wage for Employers with 26 Employees or More
January 1, 2021	\$13.00/hour	\$14.00/hour
January 1, 2022	\$14.00/hour	\$15.00/hour
January 1, 2023	\$15.00/hour	



## Proposition 22: App-Based Drivers as Contractors and Labor Policies Initiative

- Keeps app-based drivers, like UBER and Lyft and food delivery services, classified as independent contractors instead of employees.
- Proposition essentially keeps this group classified as independent contractors.





# Want More Info?

Watch for the follow-up email to this webinar for information on how to download our 2021 New legislation eBook, PDF.

- 2021 Market Trends Presentation Download
- Webinar Recording
- 2021 New Legislation Overview eBook
- Details on upcoming webinars

Have ideas about how our  
products can better serve you?

Tell us about it:  
[info@tagpay.com](mailto:info@tagpay.com)





# Thank You.

tagpay.com | eBacon.com

