

Employment Law Corner

Monthly Report



FOLEY & FOLEY^{PC}
ATTORNEYS AT LAW

December 2024

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Employment Law Corner:

Updates and Upcoming Laws for 2025

The Crystal Ball for 2025

One of the most frequent questions we get as attorneys is “what do you foresee happening?” It’s a fair question. We may not have a crystal ball, but we do have a wealth of experience in Employment Law, which makes us just as good at predicting what will happen for our clients in 2025.

Federal v. State:

Given the new administration, we foresee that many states will begin to add to and strengthen their own existing laws. States that straddle the line of “employee-friendly” laws, like Wisconsin, Michigan, Virginia, Vermont, Pennsylvania, Nevada, Arizona, and New Mexico, will probably see more laws implemented and passed in the coming months. This will be to give employees more rights within their states. Everyone is competing for the same workforce and that includes the states attracting qualified candidates to boost their economy. If you are in one of those states, or manage employees in multiple states, we highly recommend you keep your eyes peeled for upcoming laws and implementation of regulations.

Enforcement of Upcoming Laws:

DOL Salary Threshold – If you recall, the DOL implemented a new salary threshold in July of this year and another one in January of 2025. However, this rule was recently struck down by a Texas District Court and included a nationwide ban. So currently the salary threshold sits at its previous amount, \$684/week. The DOL will likely appeal, however, we don’t see the new administration carrying this through. We recommend keeping the former increase you gave employees in July, but don’t anticipate an increase on January 1, 2025 being implemented. Don’t forget the state specific laws! There are states that require a higher salary threshold than the federal law, so employers should comply with the law that has the highest threshold.

I-9 Audits – A platform in this last election was immigration issues. We definitely foresee USCIS taking up more responsibility and enforcing I9 certifications. Now is a good time to do some housekeeping on existing I9s and ensure you have them filled out correctly and if not, correct them according to USCIS guidance.

Paid Family and Medical Leave – Many states are going to be implementing this law in 2026, which means deductions and contributions will begin in 2025 as well as notice requirements. Minnesota (1/1/26), Maine (5/1/26), Delaware (1/1/26),

Maryland (7/1/26) and Vermont, which will be voluntary, (1/1/26) are among the states that will begin deductions to start paying into their respective Paid Family Medical Leave trust. We will likely see other states move on this law as well.

Minimum Wage and Salary Thresholds – Every year on January 1, there is always an increase to minimum wage and salary thresholds for certain states. Notably the Federal Contractor minimum wage will go up to \$17.75 on January 1st.

Corporate Transparency Act – This is currently another case that we are awaiting a decision for and will likely be appealed to the Supreme Court. This act requires a corporation, limited liability company, or any other business reporting to the secretary of state to disclose who owns and controls their company. If you were created before January 1, 2024, you are required to file the report by January 1, 2025. If you were incorporated after 1/1/24, then you must file within 90 days for forming.

WE CAN HELP! We have so many services to assist you in navigating what is to come in 2025:

Subscription Services: Every month we send you an update to state specific laws and cases. This will let you know which laws have been implemented and any significant cases that might change or inform your decisions regarding employees.

I-9 Audit Services: We have two great services that can assist you with reviewing your I9s, one service that will look at your process, policies, and procedures and make any needed corrections. The second will review your policies and procedures and will look at each individual I-9 and let you know of the needed corrections.

Fifty-State Charts: We've got the information you need to manage employees in multiple states. We have our basic charts that give you an overview of a specific law in all 50 states, like paid sick leave, vacation payout, marijuana laws, etc. We also have a comprehensive state comparison chart which provides all the laws in each state and ranks them on risk.

Handbook Reviews: We always recommend reviewing your handbook annually, to prepare for these upcoming laws, we can assist by engaging in our Handbook Preparation Service.

Who We Are:

- We represent employers exclusively from coast to coast in all facets of employment law and litigation. Our mission is solving problems and anticipating issues so you can concentrate on your business.
- We are constantly searching for the trends and upcoming issues in the law that will impact our clients. We want our clients to be informed and ready. Our familiarity with the workplace and our approach sets us apart from other law firms, making us well equipped to handle your unique needs.
- We are not like other firms: Anyone can tell you what the law states and its limits. That is easy. We find creative solutions within those restrictions that move your business forward. We seek to minimize your risk so you can get back to business. Learn how we can help your business: **Foley & Foley PC attorneys specialize in Employment and Labor Law in the Public and Private Sectors (foleylawpractice.com).**

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