

**2014 Workplace Bills Pending Before NH Legislature
by Attorney Jim Reidy, State Council Legislative Chair**

Bill No.	Title / Committee	Summary / HR Perspective	Bill Status	Response. Rep.
HB 350	Prohibiting discrimination against the unemployed <i>Senate Commerce</i>	Would prohibit hiring discrimination by employers based upon an individual's unemployment status.	Inexpedient to legislate.	Jim Reidy
HB 492	Relative to the legalization and regulation of marijuana. <i>House Ways and Means</i>	Would legalize the personal use of up to one ounce of marijuana by persons 21 years of age or older; would authorize the licensing of marijuana wholesale, retail, cultivation, and testing facilities; and would impose a tax on the sale of marijuana	Inexpedient to legislate.	Debra Dyleski-Najjar
HB 591	Relative to an abusive work environment and the health and safety of public employees <i>Senate Executive Departments and Administration</i>	Would prohibit abusive work environments for public employees	Passed the House with Amendment. Passed the Senate with Amendment. House non-concurred. Conference requested.	Charla Stevens
SB 390	Prohibiting discrimination against employees who are victims of domestic violence and establishing a committee to study the protection of employees from domestic violence <i>House Labor, Industrial and Rehab. Services)</i>	Would prohibit employers from discriminating against employees who are victims of domestic violence. Would also establish a committee to study the protection of employees from domestic violence.	Passed the Senate with Amendment. Passed the House.	Charla Stevens
HB 1168	Relative to employer documentation of worker eligibility to work in the United States <i>Senate Commerce</i>	Amends RSA 275-A:4 to prohibit employment of undocumented workers. Each employee needs to satisfy I-9 requirements. Applies to contractors too.	Passed the House with Amendment. Passed the Senate with Amendment. House concurred.	Catharine Mirabile
HB 1169	Relative to enforcement of labor laws by the department of labor <i>Senate Commerce</i>	Clarifies DOL Commissioner's authority to assess civil penalties for violations of certain wage laws.	Passed the House. Passed the Senate. Enrolled.	Jim Reidy
HB 1174	Establishing a committee to study the payment of subminimum wages to persons with disabilities <i>Senate Commerce</i>	Establishes study committee to recommend changes to NH laws on payment of subminimum wages to people with disabilities.	Passed the House with Amendment. Passed the Senate. Enrolled.	Catharine Mirabile
HB 1188	Relative to paycheck equity <i>Senate Commerce</i>	Would prohibit employers from requiring employees to refrain from disclosing amount of his/her wages. (see also SB 207)	Passed the House. Passed the Senate with Amendment.	Charla Stevens
HB 1189	Relative to temporary worker rights <i>House Labor, Industrial and Rehab. Services</i>	Requires temporary staffing companies to provide temporary workers with certain information regarding wages, benefits, hours, safety, etc. Also provides protection for temporary workers.	Referred to Interim Study.	Jim Reidy

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HB 1334	Relative to contributions to charities by employees <i>Senate Commerce</i>	Amends RSA 275:48 to clarify that voluntary charitable contributions may be deducted from wages.	Passed the House. Passed the Senate. Enrolled.	Jim Reidy
HB 1349	Relative to the definition of employee for purposes of workers' compensation <i>Senate Commerce</i>	Would exempt any employer that relies in good faith on a written determination of the department of labor that an individual is not an employee from certain interest or late fees under RSA 282-A:141 and RSA 282-A:142	Passed the House with Amendment. Passed the Senate with Amendment. House non-concurred.	Jim Reidy
HB 1368	Relative to consideration of criminal records for occupational and professional licensing <i>Senate Executive Departments and Administration</i>	Would prohibit employers from inquiring into applicant's criminal history until after conditional offer of employment is extended	Passed the House with Amendment. Passed the Senate with Amendment.	Charla Stevens
HB 1403	Establishing a state minimum hourly wage <i>Senate Finance</i>	Would re-establish a state (NH) minimum wage (no lower than \$8.25 per hour). Would be adjusted by cost of living index.	Inexpedient to Legislate.	Catharine Mirabile
HB 1404	Relative to payroll cards <i>Senate Commerce</i>	Would update and expand employer authorization to use paycards as method of employee payroll.	Passed the House with Amendment. In Committee (Senate Commerce). Interim study.	Jim Reidy
HB 1405	Prohibiting an employer from using credit history in employment decisions <i>Senate Commerce</i>	Would establish "Employer Credit Privacy Protection Act" prohibiting employers from using credit history in employment decisions for most jobs. (see also SB 295)	Passed the House with Amendment. In Committee (Senate Commerce) Laid on table.	Catharine Mirabile
HB 1407	Relative to privacy in the workplace <i>Senate Commerce</i>	Would prohibit employers from requiring applicants or employees to disclose his/her social media or email passwords.	Passed the House. Passed the Senate with Amendment.	Charla Stevens
HB 1498	Relative to wages lost when an employee submits to a medical examination required under workers' compensation law <i>Senate Commerce</i>	Would require employers to reimburse an employee for lost wages if employee who returns to work is required to submit to an IME.	Passed the House with Amendment. In Committee (Senate Commerce) Laid on table.	Catharine Mirabile
HB 1499	Increasing the maximum weekly benefit amount of unemployment benefits; amending the definitions of "full-time" and "part-time" work; and establishing a commission to study the effect on the unemployment compensation trust fund of the contribution rate reduction trigger levels in RSA 282-A:82 and RSA 282-A:82-a and the elimination of some or all of the waiting periods required to be served pursuant to RSA 282-A:31,I(h) <i>Senate Finance</i>	NHES sponsored bill would (1) adjust maximum weekly benefit amount of unemployment benefits; (2) amend the definition of "full-time" and "part-time" work; (3) establish a commission to study the effect on the unemployment compensation trust fund of the contribution rate reduction trigger levels and study the elimination of some or all of the waiting periods required to be served	Passed the House with Amendment. Passed the Senate with Amendment.	Dan Schwarz

Bill No.	Title / Committee	Summary / HR Perspective	Bill Status	Response. Rep.
HB 1561	Relative to the classification of temporary emergency workers under unemployment compensation laws <i>House Labor, Industrial and Rehab. Services</i>	Clarifies unemployment law so service of volunteer firefighter responding to call does not constitute employment for unemployment benefit purposes.	Inexpedient to legislate.	Dan Schwarz
HB 1571	Relative to breastfeeding <i>Senate Health, Education and Human Services</i>	Would require employers to provide reasonable accommodation for women who are breastfeeding. Also provides for exemption from jury duty.	Passed the House with Amendment. In Committee (Senate Health, Education and Human Services) Laid on table.	Charla Stevens
HB 1592	Relative to requiring prevailing wages on state-funded public works projects <i>House Labor, Industrial and Rehab. Services</i>	Would require employees on public works construction projects in NH to be paid the prevailing minimum hourly wage and benefits.	Referred to Interim Study.	Dan Schwarz
HB 1599	Relative to employment protection for victims of domestic violence <i>House Labor, Industrial and Rehab. Services</i>	Would permit victims of domestic violence to take leave from work to seek medical or psychological care, to relocate or participate in criminal or civil proceedings.	Referred to Interim Study.	Charla Stevens
SB 204	Relative to a benefit for certain medical conditions covered by workers' compensation and establishing a commission to study soft tissue injuries under workers' compensation and to study the feasibility of developing a first responder's critical injury fund <i>House Labor, Industrial and Rehab. Services</i>	Would establish the first responders critical injury benefit to make awards of additional workers' compensation upon warrant by the governor with approval by the executive council for group II retirement system members who suffer certain medical conditions. This will would also establish a commission to study soft tissue injuries for purposes of workers' compensation and to study the feasibility of developing a first responder's critical injury fund.	Passed the Senate with Amendment. Passed the House with Amendment. Senate concurs.	Dan Schwarz
SB 207	Relative to paycheck equity <i>House Labor, Industrial and Rehab. Services)</i>	Would: - modify law regarding pay equity; - require employers to permit employees to disclose their wages; and - establish an award for pay equity in the workplace (see also HB 1188)	Passed the Senate with Amendment. Passed the House.	Charla Stevens
SB 217	Prohibiting collective bargaining agreements that require employees to join or contribute to a labor union <i>Senate Finance</i>	Reintroduction of Right to Work Act.	Inexpedient to legislate.	Jim Reidy
SB 295	Prohibiting an employer from using credit history in employment decisions <i>House Labor, Industrial and Rehab. Services)</i>	Would prohibit employers from using credit history in applicant decisions. (see also HB 1405)	Passed the Senate with Amendment. Passed the House with Amendment. Senate non-concurred.	Catharine Mirabile

Bill No.	Title / Committee	Summary / HR Perspective	Bill Status	Response. Rep.
SB 302	Relative to public or private criticism of employers by employees <i>Senate Commerce</i>	Would prohibit criticism of employer as being grounds for termination.	Inexpedient to legislate.	Charla Stevens
SB 351	Relative to the requirement for notice of non-compete agreements prior to the start of employment <i>House Labor, Industrial and Rehab. Services</i>	Would repeal RSA 275:70 which requires employers to provide applicants with non-compete or non-piracy agreement when making offer of employment	Passed the Senate with Amendment. Passed the House. Enrolled.	Jim Reidy