



EMPLOYER
SOLUTIONS
LAW

Labor & Industries Matters	WISHA/DOSH	Workers' Compensation
Employment Law	Training	EEOC/ESD Cases



FREE WEBINAR THIS TUESDAY



WEBINAR:
Kept on Salary & Light Duty Options
Tuesday, September 17th
11am-12pm
with Alicia McDonnell

Email Anne for Access

Webinar Flyer

INDUSTRY NEWS

Federal Trade Commission Ban on Non-Compete Agreements

The Federal Trade Commission (FTC) published a final rule that effectively bans all non-compete agreements between employers and “workers” as “unfair method[s] of competition” and requires employers to refrain from enforcing most existing non-compete agreements. This statement outlines the key policies and practices employers need to know to achieve compliance and maintain a thriving workplace.

OVERVIEW

1. Prohibition of Non-Competes:
 - a. This new ruling applies to terms and conditions of employment that “prohibit a worker from, penalize a worker for, or function to prevent a worker” from seeking or accepting work in the United States or from operating a business.
 - b. It also includes prohibition of provisions that require employees to repay some forms of training costs.
2. Limited Exceptions:

The only major exception to this ruling is *existing* non-competes with senior executives.
3. Employer Notice Requirements:

Employers must notify all employees with non-competes that their non-compete agreement is no longer enforceable.

[Read the full article below.](#)

Ban on Non-Compete Agreements by Weston Augustyniak



NEWS FROM WA EMPLOYMENT SECURITY DEPARTMENT

1. Unemployment Insurance:

Act before Sept. 30 to protect your tax rate

If you have a balance, you can get a deferred payment contract

Avoid a delinquent tax rate for 2024! By Sept. 30:

- File all your tax reports.
- Pay your current and past-due unemployment taxes, penalties and interest in full.

Consider a deferred payment contract if you cannot pay

Are you unable to pay your balance owed? You can protect your tax rate by getting a deferred payment contract. Email our Collections unit at ESCtax@esd.wa.gov.

If you have a delinquent account, we charge:

- At least one percentage point more on your regular tax rate for the first year you are delinquent.
- Two-percentage points more if you are late two years in a row.
- The maximum social tax rate.

2. Paid Family & Medical Leave:

Submit all reports before we calculate business size in September

The Paid Family & Medical Leave program is calculating business size on Sept. 30 for the next year. To do this, we'll average the employee headcount you reported over the previous four quarters.

How you can benefit from an accurate count

Businesses with fewer than 50 employees do not have to pay the employer portion of premiums. Employers with 150 or fewer employees can apply for small-business assistance grants.

Read about the grants and how we calculate business size on the [Small businesses page of the Paid Leave website](#).

How to be sure if you submitted all your reports

Log into your employer account and check your wage report status to make sure you have successfully submitted for every quarter, including quarters with no payroll. Each quarterly reporting period should have a status of "Processed."

- If the status is "Rejected," we found an issue with your submission. Correct any errors or warnings in your file and resubmit.
- If the status shows nothing, you are missing a report. Select the reporting period and choose your filing method. Upload your file, enter your employee wage data or select "I have no payroll to report." Then submit. If the report submission was successful, the status will change to "Processed" in 24 to 48 hours.

If our calculations show that your business size changes, we will send you a letter in November.



UPCOMING Governor's Industrial Safety & Health Conference September 25-26

Next week, the Governor's Industrial Safety & Health Conference is returning to the Greater Tacoma Convention Center. The annual Conference offers training and education providing the latest tools, technologies and strategies for workplace safety and health. **Alicia McDonnell will be presenting *In or Out of the Course of Employment for Workers' Compensation Coverage*** and Employer Solutions Law will have a booth in the Exhibitor Hall. Stop by and say Hi.



UPCOMING WEBINAR OCTOBER 1ST



WEBINAR:
Attorney Client Privilege and Work Product
Tuesday, October 1st
11am-12pm
with Weston Augustyniak

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