

Four new Delaware employment laws that every Delaware employer should know about

Timothy M. Holly

Delaware statutory law experienced the following noteworthy changes during summer 2014.

- (1) New law imposes on small employers (*i.e.*, those having only 4-14 employees) a duty to provide reasonable accommodations to disabled employees – previously the law applied only to those having 15 or more employees.
- (2) New law, applicable to employers having 4 or more employees, requires employers to treat pregnancy (and also “childbirth or “a related condition”) much like a disability (*e.g.*, providing reasonable accommodation – possibly including modified work schedules and time off from work).
- (3) New law (and potential liability) has been created regarding disposal of employee records.
- (4) New law creates a presumption about how lost wages and/or future medical expenses are calculated, which may require employers to consider more than ever engaging expert economic damages experts in litigation.

As Chair of the Delaware State Bar Association’s Labor & Employment Section’s Legislation Action Subcommittee and as Co-Chair of the Delaware State Chamber of Commerce’s Employer Advocacy and Education Committee, I will continue watching with great interest as Delaware law continues to evolve. If there is anything the employment attorneys at Connolly Gallagher can do for you, please feel free to contact us.



(302) 252 – 4217

tholly@connollygallagher.com

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The Brandywine Building

1000 West Street • 14th Floor
Wilmington, DE 19801