



From Cannabis to Minimum Wage and Beyond: A Recap of Workplace Law Issues on State Ballots this Election Day

Insights

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Voters will be deciding more than just who will capture the White House and Congress this Election Day – they’ll also be voting on a slew of state ballot measures that could change your workplace. How can you prepare? Read this recap of the most significant labor and employment laws that could be voted into effect this year, and make sure to visit our [Election Season Resource Center for Employers](#) to review all our thought leadership and practical resources for employers.

Alaska

Voters will be deciding whether to raise the state **minimum wage** to \$15/hour and to create a **paid sick leave system** for workers.

Arizona

Arizona’s current tipped wage is \$3 less than the state’s standard minimum wage, and a campaign to end the tip credit altogether failed to make the ballot. Instead, voters will decide on a ballot initiative that would allow hospitality employers to pay a **lower tipped minimum wage** (25% less than the standard minimum wage) if workers earn at least \$2 an hour more than the standard minimum wage when tips are factored in. Proponents say the initiative will support small businesses and their employees. Opponents say they will continue their efforts to end tipped wages in Arizona either through legislation or a ballot initiative in a future election. [You can read more about how this issue has become a flashpoint for national politics here.](#)

California

California voters will get a chance to decide whether the state’s **minimum wage** should be raised to \$18/hour – which would make it the highest in the nation.

Florida

Businesses in the Sunshine State should start thinking about how a ballot initiative to legalize **recreational cannabis** could impact their workplace policies and practices. If 60% of voters agree this Election Day, Florida will join the growing ranks of states allowing recreational sales and use. While we anticipate that employers would still be able to enforce drug-free workplace policies if

voters approve the initiative, you should stay tuned for developments as they unfold and review your policies to ensure they are up to date and compliant. [Click here to read about the key things Florida employers need to know ahead of Election Day.](#)

Massachusetts

There are three key ballot issues to track in Massachusetts:

- Voters will have their say on [a ballot initiative to end the tip wage by 2029](#) and require **hospitality employers to pay the standard minimum wage** regardless of how much workers earn in tipped wages. Industry groups like the National Restaurant Association are [pushing back against this type of initiative](#), arguing that it would lead to higher prices and fewer jobs. [You can read more about how this issue has become a flashpoint for national politics here.](#)
- A ballot measure would allow **Uber and Lyft drivers** to form a union and engage in collective bargaining under state law. [You can read all about a key settlement that could change the shape of this election here.](#)
- Massachusetts voters will also determine whether the state will begin to provide regulated access to certain **psychedelic substances**. [Click here to read more about psilocybin and other psychedelics, their legal status, and their potential impact on your workplace policies across the country.](#)

Missouri

Missouri voters will have a say about whether the state should raise the **minimum wage** to \$15/hour by 2026, and whether it should create a **paid sick leave** requirement.

Nebraska

Nebraska is another state that will see voters decide whether **paid sick leave** will become enshrined in state law.

New York

New York voters will have an opportunity to pass an **Equal Protection Amendment** that would be added to the state constitution. Currently, the state constitution prohibits discrimination based only on race, color, creed, and religion. If passed, the EPA would expand protections to include ethnicity, national origin, age, and disability, as well as sex, which would include sexual orientation, gender identity, gender expression, pregnancy, pregnancy outcomes, and reproductive healthcare and autonomy. While New York already has broad protections for these categories in state law, adding them to the constitution would create a higher level of judicial review and make it much more challenging for opponents of expanded rights to change the law at any future point.

North Dakota

A ballot measure in North Dakota will allow voters to decide whether **recreational cannabis** will be allowed in the state.

Oregon

Oregon voters will decide whether **cannabis businesses will need to enter into a signed labor peace agreement** with a labor organization to obtain or renew the license from the Oregon Liquor and Cannabis Commission required to do business in the state. [You can read more about this industry trend by clicking here.](#)

South Dakota

Just like their neighbors to the north, voters in South Dakota will decide whether **recreational cannabis** will be legalized in their state.

Conclusion

We will continue to monitor developments related to all aspects of workplace law with a focus on the 2024 elections. Visit our [Election Season Resource Center for Employers](#) to review all our thought leadership and practical resources. Make sure you are subscribed to [Fisher Phillips' Insight System](#) to get the most up-to-date information. If you have questions, contact your Fisher Phillips attorney or the authors of this Insight.

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