

# Labor & Employment Workforce Watch

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A guide to the employment law developments most likely to impact your business.

In This Issue:

## **The Biden Administration: What May Be Ahead and Already Is Happening**

Biden-Harris Administration changes in labor and employment laws, regulations and executive orders of course cannot be predicted with certainty. [read more](#)

## **Fifth Circuit Adopts More Stringent Approach to Collective Action Certification Under the FLSA**

On January 12, 2021, the United States Court of Appeals for the Fifth Circuit issued its opinion in the case of *Swales v. KLLM Transport Services, L.L.C.*, drastically changing the landscape of wage and hour litigation there and potentially marking the beginning of a new approach that other courts will follow. [read more](#)

## **New and Expanding “Fair Workweek” Laws Likely to Increase Costs for Employers Looking to Address Last-Minute Changes in Staffing Needs as the Pandemic Continues**

The COVID-19 pandemic forced many employers to lay off or furlough employees, conduct reorganizations, and otherwise adjust to partial operations, sometimes on short notice. [read more](#)

## **California Employment Law Update**

While California employers have had to vigorously monitor employment law changes relating to the COVID-19 pandemic, California Governor Gavin Newsom also signed several additional employment laws, which are not related to the pandemic. [read more](#)

## **Surprise Medical Billing – Changes to Law Will Have a Significant Impact on Group Health Plans**

On December 21, 2020, Congress passed the Consolidated Appropriations Act, 2021, which included a \$900 billion COVID-19 relief and stimulus package and a new set of rules intended to address “surprise” medical billing. [read more](#)

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