

Labor & Employment Workforce Watch

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

In This Issue:

Wage Theft Update: Increased Efforts to Recover Lost Wages

Most employers are familiar with the basic tenets of the Fair Labor Standards Act (“FLSA”): generally an employer must pay covered employees a minimum wage and pay non-exempt employees overtime for hours worked over 40 in a workweek. [read more](#)

The Federal Trade Commission Targets M&A Non-Competes

As [we discussed last year](#), on July 9, 2021, President Biden issued an “[Executive Order on Promoting Competition in the American Economy](#)” in which he encouraged the Federal Trade Commission (“FTC”) to “curtail the unfair use of non-compete clauses and other clauses or agreements that may unfairly limit worker mobility.” [read more](#)

Whistleblower Retaliation Claims for Alleged PPP Loan Fraud

After numerous [headlines](#), [press releases](#), and law enforcement efforts, including the Department of Justice’s new [COVID-19 Fraud Strike Force teams](#), there may be increased traffic at the intersection between allegations of PPP loan fraud and whistleblower activity. [read more](#)

Legal Considerations for Using Artificial Intelligence in Hiring

Over the past decade, employers and employee recruiting platforms have increasingly relied on advanced technology, such as artificial intelligence (AI) and algorithms, to assist with screening, interviewing, and selecting candidates. [read more](#)

UK Independent Contractor Misclassification Issues

While misclassification is a well-known employer liability issue in the US in the context of wage and hour claims, the complexity of the UK legal framework concerning employment status is also worth exploring to understand the risks and potential pitfalls. [read more](#)

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