Articles + Publications | November 2, 2020

Labor Employment Workforce Watch

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

In This Issue:

Class Arbitration – Two Cautionary Tales for Employers
The Supreme Court's 2018 decision in Epic Systems Corporation v. Lewis, 138 S. Ct. 1612 (2018), validated the use of class action waivers, providing employers with a valuable tool to preserve bilateral employment arbitrations and manage risk. read more

Avoiding OSHA Whistleblower Claims During the COVID-19 Pandemic
As the number of employees who return to the workplace continues to increase, complaints from employees and refusals to work also have escalated. read more

Has Your Retirement Plan Experienced a Partial Plan Termination?
The economic uncertainty of the COVID-19 pandemic has forced many employers to furlough or layoff a significant percentage of their workforce. read more

California's Expanded Family and Medical Leave Act Imposes Additional Employer Obligations
On September 21, 2020, California Governor Gavin Newsom signed into law Senate Bill 1383, considerably expanding California's family leave laws, codified as the California Family Rights Act (the "CFRA"). read more

OSHA Issues Coronavirus-Related Citations
As we all continue to adjust to the "new normal" brought on by COVID-19, employers across the country are recovering from the whiplash caused by the (at times contradictory) rules and regulations federal, state, and local government agencies have issued over the last several months. read more

AB2257: Not Much Better Than AB5 for Most Industries in California Using Independent Contractors
Many independent contractors complained of dire consequences when Assembly Bill 5 ("AB5") became effective in California on January 1, 2020. Following intense lobbying and public relations campaigns, independent contractors in 15 industries have been added to AB5's list of freelancers eligible for exemption from California's version of the so-called "ABC" test for determining independent contractor status. read more

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