

Weekly Digest

• February 10, 2023 •

Human Resources

An Introduction to Workers' Compensation Insurance for Construction Companies and Contractors

"A workers' compensation policy typically provides insurance for accidents on-site or in the workplace, and other injuries sustained while working. This coverage includes medical expenses, lost wages, worker death, and related costs." [Full Article](#)

Saxe, Doernberger & Vita, P.C.



Employees May be Held Accountable for Failing to Follow Employer's FMLA Protocols

"In a helpful case for employers, another federal appellate court has reiterated that employees who fail to comply with the employer's notice and information protocol for leave will not be protected under the Family and Medical Leave Act." [Full Article](#)

Shawe Rosenthal LLP

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New Workplace Protections for Pregnant and Nursing Moms

"The Consolidated Appropriations Act of 2023 ("CAA") (the \$1.7 trillion government funding bill) includes provisions that provide Federal workplace protections for pregnant and nursing moms. When President Biden signed the CAA on December 29, 2022, two new laws went into effect: the Pregnant Workers Fairness Act (PWFA) and the Providing Urgent Maternal Protections for Nursing Mothers Act (PUMP Act). The PUMP Act took effect immediately, while the PWFA will not go into effect until June 2023." [Full Article](#)

Dickinson, Mackaman Tyler & Hagen P.C.



Job Duties - Not the Job Title - Matter for Equal Pay Claims

"Two different cases this month make the point that it is an employee's actual responsibilities, and not just the job title, that is critical to a claim of pay discrimination under the EPA." [Full Article](#)

Shawe Rosenthal LLP

Legislation Reintroduced in Congress to Ban Non-Compete Agreements and Seeking to Go Even Further than FTC's Proposed Ban

"US Senator Chris Murphy (D-Conn.) and US Senator Todd Young (R-Ind.) on February 1st reintroduced the Workforce Mobility Act. The legislation would ban the use of non-compete agreements with some limited exceptions." [Full Article](#)

Seyfarth Shaw LLP



An Employee is Protected by the FMLA, Even if the Requested Leave Did Not Actually Qualify

"The Family and Medical Leave Act protects employees who request unpaid leave for family illness, even if the request does not lead to actual FMLA leave, according to the U.S. Court of Appeals for the Sixth Circuit." [Full Article](#)

Shawe Rosenthal LLP

STATE COMPLIANCE UPDATES

MINNESOTA

St. Paul & Bloomington, Minnesota Amend Their Sick and Safe Time Ordinances

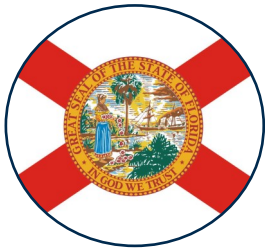


"On January 19, 2023, St. Paul, Minnesota Mayor Melvin Carter signed into law amendments to the Earned Sick and Safe Time (ESST) Ordinance, which will take effect 30 days later, on February 18, 2023. Four days later, on January 23, Bloomington enacted amendments to its forthcoming ESST Ordinance that will, like the law itself, first take effect on July 1, 2023." [Full Article](#)

Little Mendelson P.C.

FLORIDA

Gainesville First City in Florida to Pass Fair Chance Hiring Law Restricting Private Employers' Use of Criminal History



"In light of these changes, covered employers with operations in Gainesville that use criminal records to vet candidates should consider a privileged review of their policies, procedures, and other documents related to the screening process." [Full Article](#)

Little Mendelson P.C.

ILLINOIS

Illinois Legislature Passes Mandatory Paid Leave for Any Purpose, to be Effective in 2024



"The new law would require nearly all Illinois employers to provide employees with up to 40 hours of paid leave per year. Assuming it is signed, this requirement will be effective in January 2024, and the paid leave will be able to be used for any purpose." [Full Article](#)

Levenfeld Pearlstein P.C.

CALIFORNIA

Not so FAST– AB 257 on Hold Pending Voter Referendum in 2024



"On January 24, 2023, the California Secretary of State completed its verification process and qualified a referendum challenging Assembly Bill (AB) 257, also known as the FAST Recovery Act for the November 2024 ballot. In the meantime, the law will not take effect unless it is approved by voters in the November 2024 election." [Full Article](#)

Jackson Lewis P.C.

CONNECTICUT

2022 Connecticut Employment Law Recap



"The past year has been filled with employment law developments in Connecticut. Below are summaries of some of the key laws that were passed or went into effect in 2022, with which Connecticut employers should be sure to comply in 2023." [Full Article](#)

Day Pitney LLP