

Weekly Digest

• March 23, 2023 •

Human Resources

States Push Pay Reporting Requirements in Effort to Ensure Pay Equity

"As many employers know, federal law prohibits employers from demanding pay confidentiality from employees. Pay transparency laws go a step further and require employers to publish ranges for open positions, adding transparency to the conversations about pay." [Full Article](#)

Hunton Andrews Kurth LLP

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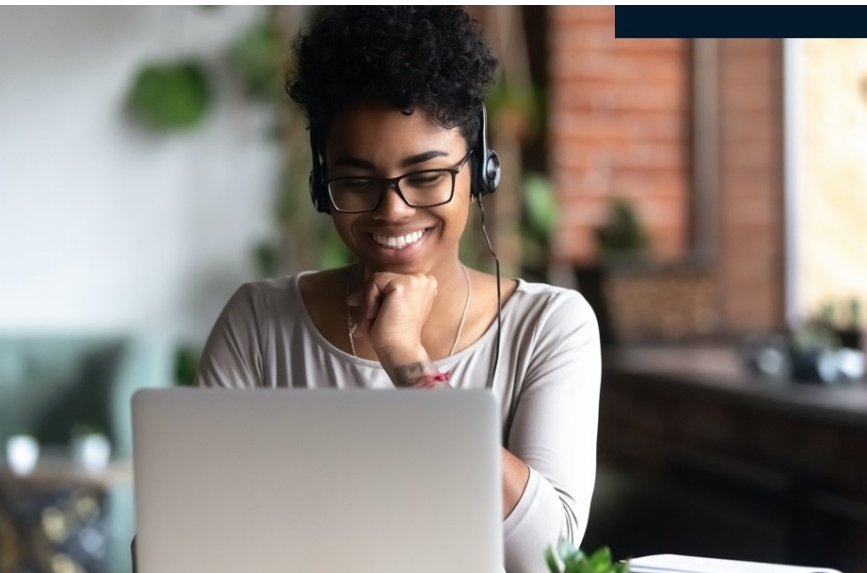
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U.S. Department of Labor Releases Guidance on Teleworkers

"The U.S. Department of Labor (DOL) Wage and Hour Division recently issued a Field Assistance Bulletin (FAB) advising on certain applications of the Fair Labor Standards Act (FLSA) and Family and Medical Leave Act (FMLA) for teleworking employees. The primary focus of the FAB is compensable time, breaks for nursing employees, and FMLA eligibility rules for remote employees." [Full Article](#)

Venable LLP

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DOJ Antitrust Division Announces Indictment Against Health Care Staffing Executive for Nurse Wage-Fixing

“On March 16, the U.S. Department of Justice Antitrust Division (“DOJ Antitrust Division”) announced that a federal grand jury returned an indictment charging a former health care staffing executive of fixing wages for nurses. The press release noted, “The charges in this case were brought in connection with the Antitrust Division’s ongoing commitment to prosecute anticompetitive conduct affecting American labor markets.” [Full Article](#)

Mintz



Circle K Agrees to Pay \$8 Million After EEOC Investigation into Disability, Pregnancy, and Retaliation Charges

“Circle K Stores Inc. has agreed to pay \$8 million and comply with the terms of a four-year settlement with the Equal Employment Opportunity Commission (EEOC) amid charges that it failed to offer reasonable accommodations to and retaliated against disabled and pregnant workers.” [Full Article](#)

Hall Benefits Law LLC

Ones to Watch: Legislation Landscape for 2023

“Three months into the new legislative year, with all but a handful of state legislatures currently in session, clear employment law trends for 2023 have emerged. Some of the more significant trends reflect the country’s social and political atmosphere.” [Full Article](#)

Littler Mendelson PC



Biden Administration Requests Big Budget Increase for OSHA

“The FY 2024 budget request for OSHA is approximately \$738.7 million, an increase of more than \$106.3 million from FY 2023. The upcoming fiscal year begins Oct. 1. Released on March 9, the proposal includes increases of 16.3% for federal enforcement (up roughly \$40 million for FY 2023), 30% for federal compliance assistance (+\$23.3 million), and 26.3% for safety and health standards (+\$11.1 million).” [Full Article](#)

Seyfarth Shaw LLP

STATE COMPLIANCE UPDATES

MICHIGAN

Michigan Senate Votes to Repeal 2012 Right-to-Work Law



"The "right-to-work" law prohibits union-security agreements, which required private and/or public employees to pay union dues or services fees as a condition of obtaining or continuing employment. Employees in unionized jobs who opted out of the union are still afforded rights and benefits as members of the bargaining unit. The bill will now return to the House for a vote before it goes to Gov. Gretchen Whitmer for her signature." [Full Article](#)

Plunkett Cooney PC

ILLINOIS

Paid Leave for Nearly All Illinois Employees Coming Soon



"Paid leave for any reason is coming to Illinois. On March 13, 2023, Gov. JB Pritzker signed the Paid Leave for All Workers Act (Paid Leave Act), which requires employers to provide up to 40 hours of paid leave to nearly all employees in Illinois. The Paid Leave Act becomes effective on January 1, 2024." [Full Article](#)

Cooley LLP

DELAWARE

Delaware is Moving Away from Broadly Enforcing Non-Competition Restrictions



"Delaware courts are joining a growing list of legislative, judicial, and regulatory bodies that view restrictive non-competition covenants unfavorably. In three recent Chancery Court opinions, Delaware courts reflect an evolution in jurisprudence regarding restrictive covenants' interpretation." [Full Article](#)

Frost Brown Todd LLP

CALIFORNIA

Cal/OSHA Proposes Changes to Update Workplace Exposure to Lead Regulations



"On March 3, 2023, the Cal/OSHA Standards Board published notice of proposed revised regulations pertaining to workplace exposure to lead for the general industry and construction safety orders." [Full Article](#)

Jackson Lewis PC

MARYLAND

Paid Family Leave Comes to Maryland



"Maryland has joined 10 other states and the District of Columbia in passing a paid family leave law. Under the new Time to Care Act of 2022 (TCA), eligible employees may apply to a state-administered fund that will be used to provide up to 12 weeks of paid family and medical leave, with the possibility of another 12 weeks for parental leave." [Full Article](#)

Gordon Feinblatt LLC