

Weekly Digest

• April 19, 2023 •

Human Resources

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Workplace Violence: An Unfortunate Reality – Are you Prepared?

“Mass shootings have been increasingly in the headlines in recent years, and many of these incidents have occurred in the workplace. Regardless of anyone’s politics, employers are having to face either the fear of, or the actual experience of, murder in their own offices, factories and schools. What steps should an employer take to keep their employees safe and help to ease the impact on their employees?” [Full Article](#)

Bradley Arant Boulton Cummings LLP



The Speak Out Act: What Employers Need to Know

“Employers should be aware of and immediately take measures to comply with the Speak Out Act, which took effect on December 7, 2022. The Act prohibits nondisclosure agreements (NDAs) and nondisparagement agreements designed to prevent current and former employees from discussing sexual harassment and assault.” [Full Article](#)

Hall Benefits Law, LLC

The Rising Importance of Trade Secret Protection in the Coming Era of Non-Compete Ban: Two Steps Your Business Needs to Take Now

"To become and remain competitive in virtually any industry, businesses develop, execute, and hone strategies to win over and keep customers. These strategies become critical operational and business information. To keep this information from falling into competitors' hands, businesses rely on several tools." [Full Article](#)

Kane Russell Coleman Logan PC



Treasury Greenbook Includes Proposal to Alter Work Opportunity Tax Credit

"On March 9, 2023, the U.S. Department of Treasury released the Greenbook (formally known as the General Explanation of the Administration's Revenue Proposals) for FY 2024 to explain revenue proposals included in the Administration's budget. One proposal is to increase the number of hours required to be worked by an individual for the employer to be eligible for the Work Opportunity Tax Credit (WOTC)." [Full Article](#)

Covington & Burling LLP

Pay Transparency Goes Primetime: Sweeping New Federal Legislation Proposed in Congress

"New proposed legislation in the U.S. House of Representatives would require all employers nationwide – regardless of size or number of employees – to include the wage range in all job postings, provide wage ranges to applicants, and provide wage ranges to existing employees for their positions." [Full Article](#)

Littler Mendelson P.C.



DOJ Continues Criminal Labor Antitrust Enforcement Despite Recent Prosecution Setbacks

"With yet another criminal wage-fixing indictment filed this week, the Antitrust Division of the Department of Justice ("DOJ") signaled its continued commitment to prosecuting anticompetitive conduct affecting the U.S. labor markets, including within the health care industry." [Full Article](#)

Hall, Render, Killian, Heath & Lyman PC

STATE COMPLIANCE UPDATES

NEW YORK

New York State Releases Updated Model Sexual Harassment Prevention Policy and Training



“The New York State Department of Labor (“DOL”) has released its long-awaited updated model sexual harassment prevention policy that addresses issues such as gender identity, remote work, and bystander intervention.” [Full Article](#)

Proskauer Rose LLP

COLORADO

Colorado’s Pay Transparency Laws

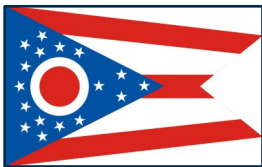


“Colorado’s Equal Pay for Equal Work Act (“EPEWA”) requires employers to include compensation and benefits information in all job postings and notifications of promotional opportunities. The EPEWA covers all employers, public or private, that employ at least one person in Colorado. Employees of covered employers must also comply with the pay transparency requirements of the EPEWA.” [Full Article](#)

Bryan Cave Leighton Paisner LLP

OHIO

Columbus, Ohio Prohibits Asking Applicants Their Salary History



“Recently, the City of Columbus joined a growing number of states and municipalities that have passed laws prohibiting employers from inquiring into a job applicant’s salary history. In Ohio, Toledo and Cincinnati currently have such ordinances.” [Full Article](#)

Vorys, Sater, Seymour & Pease LLP

PENNSYLVANIA

Pennsylvania Court Holds Employer Must Reimburse Out-of-Pocket Costs for Medical Marijuana



“A Pennsylvania Court held that an employer violated the state Workers’ Compensation Act (WCA) by refusing to reimburse an employee for out-of-pocket medical marijuana expenses related to a workplace injury.” [Full Article](#)

Jackson Lewis P.C.

CALIFORNIA

California Seeks to Ban Most Criminal Background Checks



“California legislators met on April 11, 2023 to discuss a proposed overhaul of employment-related criminal background checks. Simply put, if the Fair Chance Act of 2023 (SB 809) is passed into law, California will have the most restrictive criminal background check law in the country, and will significantly limit the way California employers can vet applicants for employment.” [Full Article](#)

Baker & McKenzie LLP