

# Weekly Digest

• May 31, 2023 •

Human Resources

## Department of Labor Issues Updated FLSA and FMLA Posters

"The U.S. Department of Labor (DOL) has released updated posters regarding the federal Fair Labor Standards Act (FLSA) and Family and Medical Leave Act (FMLA). Employers covered by these laws are required to display copies of the posters in a conspicuous place where employees and applicants for employment can see them." [Full Article](#)

*Proskauer Rose LLP*



## Promoting Employee Mental Health Well-Being Pays Off

"Since the COVID-19 pandemic, workers have reported experiencing stress at work due to compensation not keeping up with inflation, longer hours, increased workplace monitoring, and lack of involvement in their organization's decisions." [Full Article](#)

*Akerman LLP*

## In This Digest

### PAGE 1

#### Department of Labor Issues Updated FLSA and FMLA Posters

*By, Proskauer Rose LLP*

#### Promoting Employee Mental Health Well-Being Pays Off

*By, Akerman LLP*

### PAGE 2

#### Marijuana in the Manufacturing Workplace

*By, Jackson Lewis P.C.*

#### How to Combat Loneliness and Social Isolation in the Workplace

*By, Levenfeld Pearlstein, LLC*

#### EEOC's Crosshairs Locked on Harassment of Teens in Restaurant Industry

*By, Seyfarth Shaw LLP*

#### A Cautionary Tale: Inconsistent Reasoning in Employment Decision Can Lead to Trial

*By, Seyfarth Shaw LLP*

### PAGE 3

#### State Compliance Updates

## Marijuana in the Manufacturing Workplace

“Manufacturing employers still may prohibit the use of marijuana at work, as well as marijuana impairment at work. But marijuana drug testing is complicated and controversial because of the legal protections for off-duty marijuana use in some states and cities, the legal protections for medical marijuana users in many jurisdictions, and because there are no drug tests that can detect current marijuana impairment or very recent use of marijuana.” [Full Article](#)

*Jackson Lewis P.C.*



## How to Combat Loneliness and Social Isolation in the Workplace

“Earlier this month, U.S. Surgeon General Vivek Murphy released a Framework for a National Strategy to Advance Social Connection to address the public health problem of social disconnection, calling it an ‘epidemic of loneliness and isolation.’” [Full Article](#)

*Levenfeld Pearlstein, LLC*

## EEOC’s Crosshairs Locked on Harassment of Teens in Restaurant Industry

“Over the past several years, the EEOC has maintained a litigation focus on protecting young workers in low wage jobs from sexual harassment. This has translated to intense scrutiny of teenagers working in the restaurant industry. According to the EEOC, these workers are particularly vulnerable to harassment and other forms of discrimination.” [Full Article](#)

*Seyfarth Shaw LLP*



## A Cautionary Tale: Inconsistent Reasoning in Employment Decision Can Lead to Trial

“Michigan college loses motion for summary judgment in former instructor’s age discrimination claims because the college provided ‘shifting justifications’ over time for its decision not to interview instructor for a tenure-track position.” [Full Article](#)

*Seyfarth Shaw LLP*

# STATE COMPLIANCE UPDATES

## CALIFORNIA

### Court Provides Guidance Regarding Employer Vaccine Mandates



"A California Court of Appeal has ruled that a hospital's decision to terminate an employee for failing to comply with its flu vaccine mandate did not violate California's Fair Employment and Housing Act (FEHA) prohibition on disability discrimination. *Hodges v. Cedars-Sinai Medical Center.*" [Full Article](#)

*Seyfarth Shaw LLP*

## FLORIDA

### Florida's New Law Overhauls Public Sector Labor Laws Related to Dues Deduction and Labor Organization Registration



"On May 9, 2023, Governor Ron DeSantis signed into law Senate Bill 256, which overhauls Florida's Public Employees Relations Act, implementing significant changes to procedures related to dues authorization and deduction, registration requirements, and certification procedures for public employers and public sector labor unions." [Full Article](#)

*Ford Harrison*

## MINNESOTA

### Minnesota Set to Ban Noncompete Agreements on July 1st - What Companies Need to Know (and do)



"In a lightning-fast move, the Minnesota Legislature just passed a bill that voids all future covenants not to compete, with limited exceptions for agreements entered into in connection with the sale or dissolution of a business." [Full Article](#)

*Benesch*

## ILLINOIS

### Illinois Gender Violence Act to Specifically Apply to Employers



"Illinois employers should be aware that they will likely be subject to liability under amendments to the Illinois Gender Violence Act (GVA) proposed by recent legislation. HB1363 is one of a number of bills that recently passed both houses of the Illinois Legislature and should soon be sent to the governor for signature." [Full Article](#)

*Ford Harrison*

## NEW YORK

### New York City Holds Roundtable on the Use of Automated Employment Decision Tools (LL144)



"The stated purpose of this roundtable was to revisit the requirements under the law and to address questions that remain with the intention of releasing FAQ-type guidance to assist employers prior to Local Law 144's July 5, 2023 enforcement date." [Full Article](#)

*Seyfarth Shaw LLP*