

Weekly Digest

• September 20, 2023 •

Human Resources

Labor Department Proposes Increasing Salary Threshold for Overtime Pay

"On Aug. 30, 2023, the WHD of the DOL released a NPRM that proposes to revise the 'white collar' overtime exemption regulations applicable to executive, administrative, and professional employees." [Full Article](#)

Greenberg Traurig, LLP

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The EEOC's Strategic Plan Provides Insight Into Its Priorities, Including Systemic Discrimination

"The Equal Employment Opportunity Commission has released its Strategic Plan for Fiscal Years 2022-2026, effective immediately. This document provides employers with an overview of the EEOC's particular areas of focus." [Full Article](#)

Shawe Rosenthal, LLP

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DOL's Conflicting Versions of Independent Contractor Standard Under FLSA

"In January 2021, the U.S. Department of Labor (DOL) under the Trump administration issued a final rule defining the standard for when a worker is an independent contractor for the purposes of the Fair Labor Standards Act (FLSA). This standard remains in effect, although the DOL under the Biden administration issued a new proposed rule redefining the standard in October 2022." [Full Article](#)

Hall Benefits Law, LLC



Pajamas, Pennies and Time Rounding

"Submitted for your consideration are two court decisions, decided less than a year apart, and involving the same practice of rounding time entries up or down to the nearest quarter hour. The legal principles applicable to both decisions were identical, but their outcomes (so far) were very different." [Full Article](#)

Constangy Brooks Smith & Prophete LLP

State Pay Transparency Laws: What's Required Now and What's Next?

"As the summer winds down, multistate employers must remain apprised of an ever-increasing number of obligations in the area of pay transparency. Below, we highlight recent developments to existing pay transparency laws, summarize new pay transparency laws enacted over the summer and offer compliance tips for multistate employers grappling with this growing nationwide trend." [Full Article](#)

Cooley LLP



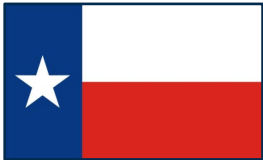
Expanding Existing Bereavement Leave Policies to Account for Fertility Related Losses

"Bereavement leave policies generally aim to provide employees with paid leave following the death of a family member. These policies, however, often fail to acknowledge the grief that employees experience upon a fertility related loss, such as a miscarriage. Fertility related losses are very common (with more than 1 in 4 pregnancies resulting in miscarriage) and frequently result in post-traumatic stress disorder (with almost 1 in 3 women developing PTSD after a miscarriage), and yet they remain largely unaddressed in the workplace." [Full Article](#)

Mintz, Levin, Cohn, Ferris, Glovsky and Popeo P.C.

STATE COMPLIANCE UPDATES

TEXAS



Employee E-Signatures in Arbitration Agreements Under Scrutiny

"A recent opinion out of the Texas 14th Court of Appeals has raised the bar for employers trying to enforce arbitration agreements electronically signed by employees." [Full Article](#)

Hunton Andrews Kurth LLP

NEW YORK



New York Enacts Laws on Captive Audience Meetings, Wage Theft, Gender Identity

"During a busy term at the New York Legislature, Governor Kathy Hochul signed legislation prohibiting captive audience meetings, categorizing wage theft as larceny, and expanding protection of "gender identity or expression" to interns." [Full Article](#)

Jackson Lewis

CALIFORNIA



Legal Update: If Pain, Yes Gain – Part 111: California State Legislature Passes Amendments to Statewide Paid Sick Leave Law

"In what promises to be a tectonic shift in California's paid sick leave landscape, on September 13, 2023 the California legislature passed S.B. 616, which is expected to expand the State's existing paid sick leave mandate, the Healthy Workplaces, Healthy Families Act of 2014, in significant ways." [Full Article](#)

Seyfarth Shaw LLP

WISCONSIN



Worker's Compensation in the Work-from-Home Era

"The work-from-home revolution has proven it is here to stay. Brandon Jubelirer discusses how the Wisconsin Worker's Compensation Act approaches compensability for at-home work injuries." [Full Article](#)

State Bar of Wisconsin

NEW HAMPSHIRE



New Hampshire Adopts Workplace Accommodations for Nursing Mothers

"New legislation in New Hampshire will guarantee the right of nursing mothers to an unpaid break of 30 minutes to pump for every three hours of work beginning July 1, 2025." [Full Article](#)

Jackson Lewis P.C.