

Weekly Digest

• June 14, 2024 •

Human Resources

Remote Employees & Workplace Sexual Harassment Prevention Training

"Following the COVID-19 pandemic, the number of employers with remote employees has significantly increased. Employers are reminded to monitor employment laws and ensure compliance in all jurisdictions in which they have employees performing work. Numerous employment laws—such as non-discrimination, anti-harassment, wage and hour, and leaves of absence—may cover employees performing work in remote locations, regardless of whether the employer has a physical presence there."

[Full Article](#)

Proskauer Rose LLP



The FTC's Rule Banning Non-Compete Agreements: What You Need to Know

"The Federal Trade Commission (FTC), in a tight 3-2 vote, recently voted to adopt a rule banning non-compete agreements nationwide. Non-compete agreements have never been regulated at the federal level and the FTC's adoption of its new rule breaks with centuries of state and federal law on the topic." [Full Article](#)

Kilpatrick Townsend & Stockton, LLP

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DOL Issues Artificial Intelligence Principles

"The U.S. Department of Labor (DOL) released a document entitled, "Department of Labor's Artificial Intelligence and Worker Well-being: Principles for Developers and Employers." The document outlines several artificial intelligence principles ("AI Principles") to provide employers and developers that create and deploy AI with guidance for designing and implementing these emerging technologies in ways that enhance job quality and protect workers' rights." [Full Article](#)

Little Mendelson P.C.



Those Reasonable Accommodation Requests Can Be Pretty Subtle... And Context Matters!

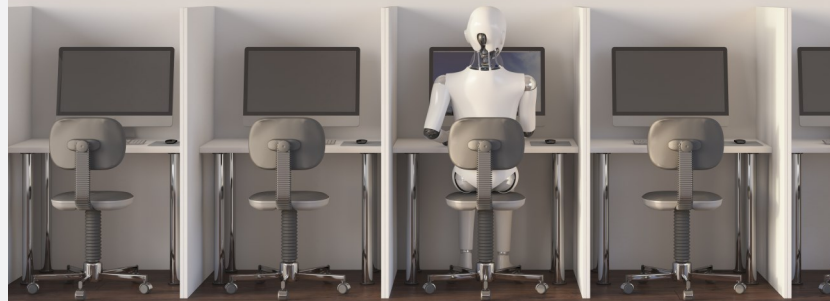
"Although employers are required to provide reasonable accommodations only where the employee makes their need for accommodation known, courts have repeatedly held that there are no "magic words" in order to trigger their rights under the Americans with Disabilities Act, and a recent case from the U.S. Court of Appeals from the Sixth Circuit reiterates this point." [Full Article](#)

Shawe Rosenthal LLP

EEOC Lowers the Boom on EEO-1s

"Employers who (allegedly) didn't file are being sued. The Equal Employment Opportunity Commission announced on Wednesday that it has filed suit against 15 employers in 11 states and in a variety of industries for failing to file their EEO-1 Reports for 2021 and 2022." [Full Article](#)

Constangy, Brooks, Smith & Prophete, LLP



The OFCCP's AI Guidance for Federal Contractors (and Private Employers?)

"In addition to the U.S. Department of Labor's AI guidance for employers discussed elsewhere in this E-Update, the DOL's Office of Federal Contract Compliance Programs released Artificial Intelligence and Equal Employment Opportunity for Federal Contractors guidance specifically for federal contractors and subcontractors - but which contains useful tips for all employers." [Full Article](#)

Shawe Rosenthal LLP

STATE COMPLIANCE UPDATES

NEW YORK

Five Actionable Compliance Steps for New York Employers



"2024 is already shaping up to be another year with significant new compliance obligations for New York employers. Below, we list five actionable steps New York employers should take to tackle the ever-growing challenge of meeting their obligations under applicable law." [Full Article](#)

Cooley LLP

MINNESOTA

Minnesota Latest State To Require Pay Transparency In Job Postings



"Effective Jan. 1, 2025, employers with 30 or more employees in Minnesota will be required to include a pay range or fixed pay rate in all job postings. The new requirement, signed into law as part of the 2024 Omnibus Labor and Industry policy bill by Minnesota Gov. Tim Walz on May 17, specifically includes both postings by the employer itself and through third parties, such as staffing agencies." [Full Article](#)

Barnes & Thornburg LLP

WASHINGTON

Washington's Amended Non-Compete Law Creates New Considerations for Employers

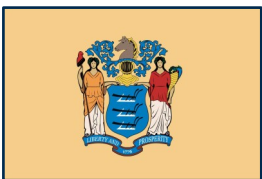


"The amended statute... follows a growing trend among states restricting the enforceability of noncompetition covenants and creates additional considerations for employers entering into non-compete agreements with Washington-based employees." [Full Article](#)

Sheppard, Mullin, Richter & Hampton LLP

NEW JERSEY

NJ Clarifies Civil Rights Protections for Out-of-State Remote Workers



"New Jersey AG Matthew Platkin and his office's Division on Civil Rights issued Guidance on Discrimination and Out-of-State Remote Workers, clarifying that the protections of the state's Law Against Discrimination (LAD)—which prohibits employers from discriminating on the basis of actual or perceived sexual orientation, gender, gender identity, gender expression, age, race, color, national origin, ancestry, religion, disability, and other protected characteristics—extends to remote employees of New Jersey companies who reside and work outside of New Jersey." [Full Article](#)

Cozen O'Connor

PENNSYLVANIA

School's Out for the Summer: Ensuring Compliance When Employing Minors in Pennsylvania



"As summer quickly approaches and businesses in Pennsylvania continue to seek applicants to fill vacancies in their workforce, employers are becoming more reliant on employees under the age of majority, or minors. Many employers, however, fail to appreciate significant compliance requirements imposed by Pennsylvania's Child Labor Act as enforced by Pennsylvania's Department of Labor and Industry (DL&I). [Full Article](#)

Littler Mendelson P.C.