

Weekly Digest

• June 28, 2024 •

Human Resources

LGBTQ Rights in the Workplace: One Step Forward and Three Steps Back

"As we enter Pride Month, it is important to celebrate our community and all we have accomplished. (I, for one, plan to get a babysitter and go out dancing. And here at DWT, we are celebrating with drag bingo on our rooftop deck!) At the same time, though, we can't lose sight of the emerging and difficult issues facing the LGBTQ community at work."

[Full Article](#)

Davis Wright Tremaine, LLP



US Supreme Court Thwarts NLRB's Attempt to Ease Its Burden to Obtain Injunctive Relief; Levels Playing Field for Employers (US)

"The issue before the Supreme Court was simple enough: does the NLRB enjoy a lower burden to obtain 10(j) injunctive relief than other litigants, or does the traditional four-part test instead apply? Writing for a nearly unanimous Court (Justice Jackson partially dissented but concurred in the Court's judgment to vacate the injunction and remand the case to the Sixth Circuit), Justice Thomas rejected the NLRB's position that a lower burden applies to its requests for 10(j) injunctive relief." [Full Article](#)

Squire Patton Boggs

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ESG Hot Topics: Pay Equity Claims Are On The Rise—How are Courts Handling the Differences in Law?

“Pay equity continues to be a hot topic for employee retention and compliance. This principle of equal pay for equal work has been mandated since the Equal Pay Act of 1963 (EPA) and reiterated in Title VII of the Civil Rights Act of 1964. More recently, legislators at the federal, state, and local level have increased their focus on pay equity and pay transparency initiatives.” [Full Article](#)

Hunton Andrews Kurth, LLP



Fireworks Before the Fourth: First Decision on FTC's Non-Compete Ban Incoming

“Swiftly after the Federal Trade Commission (FTC) approved its rule banning most non-compete agreements this spring, several entities filed suit to stop the FTC's overreach. The first of these was filed in the U.S. District Court for the Northern District of Texas by Ryan LLC, a tax firm.” [Full Article](#)

Barnes & Thornburg, LLP

Rates Up, Dude – Surfing the Wave of U.S. Minimum Wage, Tipped, and Exempt Employee Pay Increases that Will Occur on July 1, 2024

“While some across the United States are working on their tans, many employers are working on managing their labor budgets so they don’t get burned by increases in minimum pay standards for non-exempt, tipped, and certain overtime-exempt employees that will take effect on July 1, 2024.” [Full Article](#)

Littler Mendelson P.C.



Employer-Provided Health Coverage During Employee Leaves of Absence

“When an employee is on an extended leave of absence, there is often confusion regarding whether and to what extent the employer must continue to provide coverage to the employee under the employer-provided health plan. To determine whether coverage is required, the employer should consider the terms of the plan, COBRA requirements, and whether the leave is covered by FMLA.” [Full Article](#)

Jackson Lewis P.C.

STATE COMPLIANCE UPDATES

CALIFORNIA

New Workplace Violence Prevention Requirements for California Employers - Compliance Deadline Is Quickly Approaching



"What would you do if there was a threat of violence in your workplace? In California, employers must answer that question by July 1, 2024. That is the deadline to enact a comprehensive plan to prevent and respond to workplace violence in compliance with California Senate Bill 553." [Full Article](#)

Duane Morris LLP & Affiliates

ILLINOIS

Chicago Paid Leave and Paid Sick and Safe Leave Ordinance Takes Effect July 1



"The Chicago Ordinance requires employers to provide Chicago employees with up to forty (40) hours of paid leave and forty (40) hours of paid sick leave every twelve (12) months. That leave accrues under the Chicago Ordinance at a different rate than leave available under the PLFAW Act and the Cook County Ordinance." [Full Article](#)

Vedder Price

MINNESOTA

Minnesota Enacts Update To Earned Sick And Safe Time Law

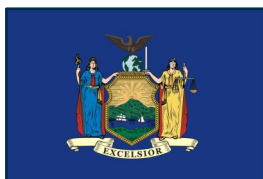


"Since Minnesota's Earned Sick and Safe Time (ESST) law went into effect on Jan. 1, 2024, Minnesota employers have been struggling with implementing some provisions due to ambiguity or perceived impracticality. On May 24, Gov. Tim Waltz signed legislation amending the ESST law that contains a mix of new and revised provisions, most of which went into effect immediately." [Full Article](#)

Barnes & Thornburg LLP

NEW YORK

New York State Department of Labor Issues Updated Materials on Workplace Lactation Rights



"The New York State Department of Labor has issued revised materials, including an updated mandatory model policy, ahead of the June 19, 2024, effective date for the transition of workplace lactation breaks from unpaid to paid in New York." [Full Article](#)

Jackson Lewis P.C.

COLORADO

Colorado Amends Non-Compete Law To Address Potential Abuses of Training Repayment Agreement Provisions (TRAPS)



"The Governor of Colorado signed House Bill 24-1324, titled 'Attorney General Restrictive Employment Agreements,' putting into place a law to toughen protections for employees who are subject to abusive contracts ostensibly requiring repayment to employers for education and training expenses upon termination of employment, commonly referred to as 'TRAPS' (Training Repayment Agreement Provisions). This new law is expected to go into effect August 7, 2024." [Full Article](#)

Seyfarth Shaw, LLP