

Weekly Digest

• September 5, 2024 •

Human Resources

Texas Federal Court Halts FTC Noncompete Rule for All Employers Nationwide

"On August 20, 2024, a federal court in Texas granted summary judgment to the plaintiffs in *Ryan LLC v. Federal Trade Commission*, setting aside and rendering unenforceable the Federal Trade Commission's (FTC) rule banning nearly all noncompetes for US workers. As a result, the rule will no longer take effect for any employer on September 4, 2024." [Full Article](#)

DLA Piper



The ADA Turns 34: The Intersection of Technology, AI, and Individuals with Disabilities

"On July 26, 1990, the Americans with Disabilities Act (ADA) was signed into law. On the recent 34th anniversary of the ADA, U.S. Equal Employment Opportunity Commission (EEOC) General Counsel Karla Gilbride and U.S. Department of Justice (DOJ) Deputy Assistant Attorney General Jennifer Mathis issued an announcement affirming the agencies' 'Commitment to Technological Equity for People with Disabilities.'" [Full Article](#)

Littler Mendelson P.C.

In This Digest

PAGE 1

Texas Federal Court Halts FTC Noncompete Rule for All Employers Nationwide

By, DLA Piper

The ADA Turns 34: The Intersection of Technology, AI, and Individuals with Disabilities

By, Littler Mendelson P.C.

PAGE 2

The U.S. Mental Health Crisis and the Workplace

By, Ford Harrison

How to Conduct a Workplace Investigation

By, Phillips Lytle LLP

AI in the Workplace: It May Be Time to Update Your Employee Handbook

By, Morgan, Lewis & Bockius LLP

USERRA Short-term Paid Military Leave Class Action Revived by Federal Appeals Court

By, Littler Mendelson P.C.

PAGE 3

State Compliance Updates

The U.S. Mental Health Crisis and the Workplace

“Over the past 10 to 15 years, U.S. employers have increasingly been encountering employee mental health issues that impact an employee’s ability to perform his/her job duties as expected and require some variety of reasonable accommodation. Navigating such mental health issues can be difficult on several levels – i.e., personal, professional, and operational.” [Full Article](#)

Ford Harrison



How to Conduct a Workplace Investigation

“Employee complaints of discrimination and harassment must always be taken extremely seriously. Investigations of complaints are necessary to provide a factual basis for the employer’s decision-making and to mitigate potential risks.” [Full Article](#)

Phillips Lytle LLP

AI in the Workplace: It May Be Time to Update Your Employee Handbook

“One of the commonly advertised features of AI is that it is beneficial for automation and increasing productivity. When a company considers improving its productivity and employing an AI tool, it will typically go through a contracting process with the service provider and assess the terms of use and associated risks for the business. But what happens if an employee presses on and starts using an AI tool that was not vetted by the company?” [Full Article](#)

Morgan, Lewis & Bockius LLP



USERRA Short-term Paid Military Leave Class Action Revived by Federal Appeals Court

“On August 22, 2024, the U.S. Court of Appeals for the Ninth Circuit issued its decision in *Synoracki v. Alaska Airlines, Inc.*, reviving a class action under the Uniformed Services Employment and Reemployment Rights Act (USERRA). The case was brought by pilots who served in the Air Force Reserves who were seeking from their civilian employer sick leave and vacation accruals during periods of military leave.” [Full Article](#)

Littler Mendelson P.C.

STATE COMPLIANCE UPDATES

CALIFORNIA

California's Minimum Wage Will Increase Again in 2025



"California will see another increase to its minimum wage on January 1, 2025. The minimum wage in California will increase from \$16.00 per hour to \$16.50 per hour on January 1, 2025. This increase applies to all employers, regardless of size. The adjustment is based on the Consumer Price Index (CPI), which saw a 3.18% increase over the past year." [Full Article](#)

Jackson Lewis P.C.

ILLINOIS

New Illinois Law Aims to Curtail Employers' Mandatory, Captive Audience Meetings



"Illinois joined a handful of other states in limiting employers' ability to conduct 'captive audience' meetings when Governor J.B. Pritzker signed into law SB3649, commonly known as the Worker Freedom of Speech Act. The Act is set to take effect on Jan. 1, 2025. The new law prohibits employers from disciplining, discharging, penalizing, or threatening to discipline, discharge, or penalize employees for refusing to attend mandatory employer-sponsored meetings in which the employer communicates its opinion about religious or political matters." [Full Article](#)

Jackson Lewis P.C.

MARYLAND

Maryland Joins the Growing List of States Requiring Pay Disclosure in Job Postings



"Beginning October 1, 2024, Maryland will require employers to disclose wage ranges and "other compensation" in job postings and upon the request of an applicant in an effort to promote greater wage transparency in the hiring process." [Full Article](#)

Reed Smith, LLP

COLORADO

Colorado Supreme Court To Decide What Limitations Period Applies To Colorado Minimum Wage Act Claims



"On August 19, 2024, the Colorado Supreme Court announced that it will decide what statute of limitations applies to claims brought under the Colorado Minimum Wage Act – the Colorado Wage Claim Act's two or three-year statute of limitations (depending on whether the violation is willful) or Colorado's general six-year statute of limitations." [Full Article](#)

Vedder Price

NEW YORK

New York's Freelance Isn't Free Act Will Take Effect on August 28, 2024



"Under New York's Freelance Isn't Free Act (FIFA), effective August 28, 2024, companies hiring freelancers (1099s/independent contractors) will be required to comply with the law's contract, payment, recordkeeping, and anti-discrimination requirements." [Full Article](#)

Littler Mendelson P.C.