

# Weekly Digest

• October 17, 2024 •

Human Resources

## Workplace Law After 'Loper': Are Non-Competes Dead?

"The United States Supreme Court's recent decision to end the Chevron doctrine in the *Loper Bright* case exposed a governmental fault line, which may have far-reaching implications for many entrenched U.S. federal agency regulations that have existed for decades and, consequently, for employers." [Full Article](#)

*Jackson Lewis P.C.*



## EEOC Initiates Initial String of Lawsuits Under the Pregnant Workers Fairness Act

"Last month, the EEOC filed its first three lawsuits against employers under the PWFA and announced a settlement against a fourth employer resolving a pregnancy discrimination charge where the employer terminated the employee after she requested an accommodation to attend medical appointments. These matters serve as a stark reminder to employers of their obligations under the PWFA and the EEOC's intent to enforce those obligations." [Full Article](#)

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

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## How Well-Constructed Dress Codes Can Promote Civility

“While one may not automatically equate dress codes with workplace civility, dress codes do have a role in promoting a respectful and professional workplace culture. Conversely, a dress code policy can lead to discord among employees and even violate employees’ legal rights under some circumstances.” [Full Article](#)

*Hall Benefits Law, LLC*



## U.S. Department of Labor Announces New Tool for Compliant Use of AI

“The DOL has partnered with the Partnership on Employment & Accessibility (PEAT) to create a new tool to assist employers in avoiding unintentional discrimination against persons with disabilities when using artificial intelligence in hiring and other decisions within the workplace. Among the tools included on PEAT’s website is The AI Inclusive Hiring Framework, which is intended to make hiring with AI tools more inclusive and accessible for disabled applicants.” [Full Article](#)

*Shawe Rosenthal, LLP*

## Federal Contractors Should Prepare for 2025 Minimum Wage Hike as Legal Challenges Unfold

“Federal contractors may need to be prepared to increase pay for employees working on, or in connection with, covered federal government contracts. The hourly minimum wage for employees performing work on federal contracts will rise from \$17.20 to \$17.75 on Jan. 1, 2025, the Department of Labor (DOL) has announced. The new minimum wage rate will apply in full to tipped and non-tipped employees alike, as well as to workers with disabilities.” [Full Article](#)

*Jackson Lewis P.C.*



## Navigating Employee Political Speech and Expression in the Workplace (in an Election Year and Beyond)

“As we approach election day, employers are likely to notice an increase in discussions about political and social issues in the workplace. Indeed, a recent survey found that 87% of employers expressed concern with managing divisive political and social beliefs among their employees leading up to the election. (Law360, June 11, 2024).” [Full Article](#)

*Fredrikson & Byron P.A.*

# STATE COMPLIANCE UPDATES

## MASSACHUSETTS

### If Pain, Yes Gain – Part 124 : Massachusetts Expands Covered Sick Time Reasons to Include Reproductive Loss Events



"Massachusetts employers must allow employees to use Massachusetts Earned Sick Time to address the employee's or the employee's spouse's physical or mental health needs related to pregnancy loss or a failed assisted reproduction, adoption, or surrogacy." [Full Article](#)

*Seyfarth Shaw, LLP*

## CALIFORNIA

### California Inches Closer To Killing Arbitration As We Know It...



"It's not like we didn't tell you so, cuz we did! Just last year, we predicted that the latest assault on employer arbitration rights had the potential to destroy arbitration everywhere in the country. Is Arbitration Becoming "Just Somebody That We Used to Know"? Well, it's happening, and the most recent salvo (not surprisingly) comes from the Golden State." [Full Article](#)

*Proskauer Rose, LLP*

## MARYLAND

### Further Updates on Maryland's New Pay Transparency Law Effective October 1, 2024



"Maryland recently enacted the Wage Range Transparency law, which went into effect on October 1, 2024. We previously provided a Legal Alert on this topic, however, the Maryland Department Labor has since provided more helpful insight here." [Full Article](#)

*Ford Harrison*

## GEORGIA

### Georgia Federal Court Sides With The EEOC In Part And Accepts The Notion That The Denial Of Remote Work May Constitute Disability Discrimination



"The prevalence of remote work has expanded in recent years and so too as the associated liability with such work. However, the general option to work remotely does not relieve companies of their obligations under the ADA." [Full Article](#)

*Duane Morris, LLP*

## NEW JERSEY

### New Jersey's Proposed Pay Transparency Law: Preparing for Potential New Compliance Obligations



"New Jersey may soon join the ranks of an ever growing number of states that have implemented pay transparency laws with the recent passage of a pay transparency bill by the state legislature. With the goal of providing transparency to help close pay gaps and bolster wage equality overall, this bill will enhance the obligations on employers with respect to compensation practices and supplement the robust Diane B. Allen Equal Pay Act." [Full Article](#)

*Ford Harrison*