

Weekly Digest

• October 31, 2024 •

Human Resources

US Department of Labor Reissues and Expands on Its AI Guidance for Employers

"The new guide restates and expands upon the eight principles that the DOL previously identified as areas of concern in the prior version of the guidebook, while retaining the same overarching theme: how to avoid negative effects on employees through adoption and use of AI in the workplace – notably placing an emphasis on employee input." [Full Article](#)

Shawe Rosenthal, LLP



Eight Phrases Employers Should Watch For During Election Season (And How to Handle Them)

"As we head into the final weeks of the 2024 election campaigns, it's likely that American workplaces will be filled with employees discussing, arguing over, and participating in one of the country's hundreds of local, statewide, and national political contests. While all that activity contributes to the inherent, essential messiness of democracy, employers must take care to know what they may be required to do or are prohibited from doing when it comes to their employees' participation in the electoral process." [Full Article](#)

Venable, LLP

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Don't Want an EEOC Pregnancy Lawsuit? Then DON'T Do These 4 Things.

"In light of the flurry of EEOC litigation, I thought it might be a good idea to go over these top four pregnancy accommodation DON'Ts. If you DON'T want to be sued by the EEOC, then DON'T do these things..." [Full Article](#)

Constangy, Brooks, Smith & Prophete, LLP



Union Election Petitions Up 27%; Labor Board Activity Highest in a Decade

"The National Labor Relations Board witnessed a significant increase in union election petitions in fiscal year (FY) 2024 (Oct. 1, 2023 – Sept. 30, 2024). The Board received 3,286 union election petitions, a 27 percent rise from 2,593 petitions received in the previous fiscal year." [Full Article](#)

Jackson Lewis P.C.

NLRB GC Proposes Significant Penalties for Employers' Use of Non-Compete and Stay-Or-Pay Agreements

"The Memorandum recommends that, as a remedy for such unlawful provisions, employers be required to compensate employees for the difference between their pay and other benefits and what they could have earned in other employment but for such provisions." [Full Article](#)

Day Pitney, LLP



EEOC Report Reveals Focus on STEM Industries

"Last year, the EEOC revealed its Strategic Enforcement Plan ("SEP") for Fiscal Years 2024-2028. In the SEP, the EEOC stated that a subject matter priority was 'the continued underrepresentation of women and workers of color in certain industries and sectors.' One such industry focus is on workers in STEM (Science, Technology, Engineering, Mathematics) fields." [Full Article](#)

Hunton Andrews Kurth, LLP

STATE COMPLIANCE UPDATES

ILLINOIS

Are Boilerplate Disclaimers Enough? Illinois Employers May Still Face Unpaid Wage Claims



"The U.S. Court of Appeals for the Seventh Circuit held that "boilerplate disclaimer language" in an incentive compensation plan does not automatically prevent the formation of an "agreement" between an employee and his or her employer for purposes of a claim under the Illinois Wage Payment and Collection Act (IWPCA)." [Full Article](#)

Vedder Price

NEW YORK

New York Paid Prenatal Leave to Go into Effect on January 1, 2025



"An amendment to New York Labor Law section 196-b, the state's paid sick leave law, will go into effect. The amendment requires New York employers to provide employees with 20 hours of paid prenatal leave during any 52-week period." [Full Article](#)

Reed Smith, LLP

NEW JERSEY

New Jersey Passes Wage Transparency Law That Also Requires Posting of Promotion Opportunities



"New Jersey may join the growing list of states that require employers to include a range of the hourly wage or salary in postings for new jobs or transfer opportunities if Governor Murphy signs Senate Bill 2310, which was passed by the New Jersey Legislature on September 26, 2024. Governor Murphy has 45 days to sign the law, which, if signed, would become effective seven months later." [Full Article](#)

Davis Wright Tremaine, LLP

CALIFORNIA

New and Improved California Leave Provisions for 2025



"Out with the old and in with the new. Governor Newsom recently signed new laws which extend and clarify employees' available reasons for use of California paid sick leave. There are expanded unpaid leave protections for victims of domestic violence, sexual assault, stalking, or qualifying acts of violence, as well as for employees summoned to jury duty or responding to a subpoena or court order to testify under FEHA. The changes go into effect on January 1, 2025." [Full Article](#)

Seyfarth Shaw, LLP

MARYLAND

Maryland's New Heat Standards: What Employers Need to Know



"Maryland Occupational Safety and Health (MOSH) has issued its long-awaited heat stress standards. Maryland employers need to pay careful attention to these new standards." [Full Article](#)

Jackson Lewis P.C.