

Weekly Digest

• February 21, 2025 •

Human Resources

The Non-Compete Agreement Landscape in 2025

"While non-compete agreements survived two federal agencies' attempts to ban or deem them invalid in 2024, such provisions remain a legitimate way to protect an employer's interests from unfair competition under federal law. However, 2024 saw more states adopting laws restricting the use of non-competes for lower-paid employees and medical professionals. State courts also issued decisions invalidating non-competes that were overly broad or not supported by adequate consideration." [Full Article](#)

Frost Brown Todd, LLP



More Shake-Up of NLRB: President Trump Appoints New NLRB Acting General Counsel

"On February 3, 2025, President Donald Trump appointed William B. Cowen as the new acting general counsel of the National Labor Relations Board (NLRB), according to a statement from the NLRB. The move comes days after President Trump discharged Acting General Counsel Jessica Rutter, who served for less than a week after President Trump discharged former General Counsel Jennifer Abruzzo and removed NLRB Member Gwynne Wilcox." [Full Article](#)

Ogletree Deakins

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State Compliance Updates

Interplay Between FMLA and State or Local Family and Medical Leave Programs

"On January 14, 2025, the Department of Labor (DOL) Wage and Hour Division (WHD) issued an opinion letter stating that employers are not permitted to require employees to use accrued employer-provided paid leave benefits during a designated Family and Medical Leave Act (FMLA) leave when the employee is also receiving benefits from a state or local family and medical leave program." [Full Article](#)

LabnetSM, Inc / Worklaw Network



New Executive Order Revokes 60-Year Old Executive Order 11246 and Targets "Illegal" DEI Efforts: What This Means for Employers

"On his second day in office, President Trump issued an Executive Order entitled "Ending Illegal Discrimination and Restoring Merit-Based Opportunity" (the "Executive Order"). The Executive Order revokes, among other things, Executive Order 11246, and calls for the end of 'illegal' and 'immoral' 'diversity, equity, inclusion, and accessibility (DEIA)' preferences and discrimination that 'can violate the civil-rights laws of this Nation.'"

[Full Article](#)

Ford Harrison

Trump's "Gender Ideology" Executive Order Meets the Workplace

"As we previously summarized, President Trump recently issued a number of wide-ranging executive orders intended to transform the social and regulatory landscape, including in the workplace. One of the most comprehensive of these executive orders is entitled: Defending Women From Gender Ideology Extremism And Restoring Biological Truth To The Federal Government (the "Order")."

[Full Article](#)

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



Immigration Audits and Raids: Employer Preparations to Mitigate Risks

"Seven executive orders by President Donald Trump have expanded federal agencies' authority to arrest and detain undocumented individuals. Increased raids and unannounced workplace visits by ICE mean employers should have a plan in place for how to respond. Employers and contractors may face two types of investigations: ICE Audits and ICE Raids." [Full Article](#)

Peckar & Abramson P.C.

STATE COMPLIANCE UPDATES

CALIFORNIA

New California Law Allowing for Workplace Restraining Orders Against Harassment Now In Effect



"A new law addressing workplace violence restraining orders, which expands employers ability to obtain temporary restraining orders in non-violent situations of harassment, was signed into law on September 30, 2023, became effective on January 1, 2025." [Full Article](#)

Hunton Andrews Kurth, LLP

OHIO

Ohio's Pay Stub Protection Act: What Employers Need to Know



"Effective April 9, 2025, the Pay Stub Protection Act, codified as Ohio Revised Code Section 4113.14, mandates that every employer in the state provide each of their employees with a written or electronic pay statement that includes the employee's earnings and deductions for each pay period, on the employer's regular paydays." [Full Article](#)

Little Mendelson P.C.

OREGON

Oregon Increases Salary Threshold for Noncompetition Agreements



"In January, the Oregon Bureau of Labor and Industries (BOLI) announced a new minimum salary threshold for noncompetition agreements. Effective immediately, for an Oregon noncompetition agreement to be enforceable, the total amount of the employee's annual gross salary and commissions at the time of termination must exceed \$116,427 (up from \$113,241)." [Full Article](#)

Little Mendelson P.C.

MASSACHUSETTS

Massachusetts Issues New Paid Family and Medical Leave Posters and Notices



"Under Massachusetts law, state employers are required to keep their workforce and new hires informed about the state's Paid Family and Medical Leave (PFML) law, including any updates in related benefits, protections and contributions. The Massachusetts Department of Family and Medical Leave recently furnished 2025 editions of the posters, notices and rate sheets that employers must distribute. Accordingly, employers should replace their existing posters and send the updated notices." [Full Article](#)

Baker & Hostetler, LLP

NEW YORK CITY

New York City Requires Employers To Post Lactation Accommodation Policy



"New York City employers will be required to physically and electronically post a copy of their written lactation accommodation policy beginning May 8, 2025. This includes a requirement to post the policy in an area accessible to employees and electronically on the employer's intranet, if one exists. This posting obligation is in addition to employers' obligation to distribute a written lactation policy to employees upon hire." [Full Article](#)

Davis Wright Tremaine, LLP