

# Weekly Digest

• February 7, 2025 •

Human Resources

## President Trump Signs Executive Order Eliminating Affirmative Action Requirements for Federal Contractors

"President Donald Trump has issued an executive order (EO) targeting affirmative action and diversity, equity, and inclusion (DEI) programs at companies that do business with the federal government. The provisions of the January 21, 2025, EO, entitled 'Ending Illegal Discrimination and Restoring Merit-Based Opportunity,' take the following steps." [Full Article](#)

*Sidley Austin, LLP*



## The NLRB-harmonic: Labor Board GC Issues Memo on Balancing EEO and Labor Laws

"Given some rulings by the National Labor Relations Board (NLRB) in recent years – such as rulings invalidating civility policies or finding employers liable for disciplining employees acting in a harassing manner – many employers have struggled with how to balance National Labor Relations Act (NLRA) considerations with competing equal employment opportunity (EEO) laws. Perhaps in recognition of this tension, on Jan. 16, the NLRB's top lawyer issued a memo entitled Harmonization of the NLRA and EEO Laws." [Full Article](#)

*Barnes & Thornburg, LLP*

## In This Digest

### PAGE 1

#### President Trump Signs Executive Order Eliminating Affirmative Action Requirements for Federal Contractors

*By, Sidley Austin, LLP*

#### The NLRB-harmonic: Labor Board GC Issues Memo on Balancing EEO and Labor Laws

*By, Barnes & Thornburg, LLP*

### PAGE 2

#### IRS Updates Guidance on Section 530 and Worker Status Issues

*By, Littler Mendelson P.C.*

#### Watch Out, Employers: Using Smart Devices in the Workplace May Not Be So Smart

*By, Bradley Arant Boult Cummings*

#### OFCCP Ordered to Stop All Enforcement Activity and Close Open Audits Under Revoked Executive Order 11246

*By, Jackson Lewis P.C.*

#### It's Time For OSHA Electronic Reporting! Use OSHA's Injury Tracking Application (ITA) to Submit Form 300A, Form 300, and Form 301 Data

*By, Seyfarth Shaw, LLP*

### PAGE 3

#### State Compliance Updates

## IRS Updates Guidance on Section 530 and Worker Status Issues

"The Internal Revenue Service has released new guidance, Rev. Rul. 2025-3, clarifying the application of Section 530 of the Revenue Act of 1978, Section 3509 of the Internal Revenue Code (IRC), and Section 7436 of the IRC in five common situations where the IRS has determined that a worker is misclassified as a non-employee." [Full Article](#)

*Little Mendelson P.C.*



## Watch Out, Employers: Using Smart Devices in the Workplace May Not Be So Smart

"These devices, known as 'wearables,' can track location, brain activity, heart rate, and other mental or physical information about the wearer, which has led some employers to require their employees to wear company-issued wearables. While the wearables may provide useful data, the EEOC recently warned employers to watch out for the dangers associated with them." [Full Article](#)

*Bradley Arant Boult Cummings, LLP*

## OFCCP Ordered to Stop All Enforcement Activity and Close Open Audits Under Revoked Executive Order 11246

"In response to President Trump revoking Executive Order 11246, Acting U.S. Department of Labor (DOL) Secretary Vincent Micone issued an Order on January 24th, instructing DOL employees including OFCCP to stop all enforcement activity under the rescinded Executive Order 11246." [Full Article](#)

*Jackson Lewis P.C.*



## It's Time For OSHA Electronic Reporting! Use OSHA's Injury Tracking Application (ITA) to Submit Form 300A, Form 300, and Form 301 Data

"OSHA requires some employers to upload 2024 OSHA Form 300 log, Form 300A Summary, and Form 301 Incident Report information to its Injury Tracking Application (ITA) by March 2, 2025. Users may manually enter data to the secure ITA website, upload a CSV file to add multiple establishments at the same time, or transmit data electronically via the API (application programming interface)." [Full Article](#)

*Seyfarth Shaw, LLP*

# STATE COMPLIANCE UPDATES

## COLORADO

### Colorado Artificial Intelligence Act: What Employers Need to Know



"The Colorado Artificial Intelligence Act ("AI Act"), enacted in 2024, becomes effective February 1, 2026. It has been called the first comprehensive AI law in the country, likened to the European Union AI Law, and predicted to be first tested in employment disputes." [Full Article](#)

*Hall, Render, Killian, Heath & Lyman, P.C.*

## ILLINOIS

### Illinois Pay Transparency Law Reaches Across State Lines to Mandate Wage and Benefits Information in Job Postings



"Joining a handful of other states with so-called pay transparency laws, Illinois now requires employers with 15 or more employees to disclose 'pay scale and benefits' in all job postings for positions located in Illinois or positions that will report to a supervisor, office or other work site located in Illinois. Employers are now also required to disclose 'promotional opportunities' to current employees through internal communications." [Full Article](#)

*Lewis Rice, LLC*

## MASSACHUSETTS

### Massachusetts: As Filing Deadline Looms, State Publishes New FAQs on Pay Transparency Law



"With the deadline for covered employers to comply with the first of these mandates now just days away, on February 3, 2025, the Executive Office of Labor and Workforce Development recently published a set of FAQs designed to help employers determine if they are covered by the new filing requirements and, if so, what they need to do to comply." [Full Article](#)

*LabnetSM, Inc. / Worklaw Network*

## NEW YORK

### New York Employer 2025 Checklist: Top 10 Changes to Know This January



"From the groundbreaking mandate for paid prenatal leave to the upcoming requirement that employers disclose AI-related layoffs, 2025 is set to be a transformative year for New York employers. As you navigate the latest employment laws, keep this checklist close at hand. While it doesn't cover every new regulation, it highlights the key changes our clients need to know to stay ahead of the curve this year." [Full Article](#)

*Baker & McKenzie, LLP*

## NEW JERSEY

### 2025 New Jersey Employment Law Updates



"The start of a new year is a great time for New Jersey employers to review their employee handbooks and policies and consider revisions based on changes in the law or best practices. This GT Alert summarizes some recent legal updates and changes on the horizon to help focus employers as they evaluate the compliance of their policies." [Full Article](#)

*Greenberg Traurig, LLP*