# Circuit Split Widens Over Enforceability of Arbitration Agreements Containing Class/Collective Action Waivers

***Insight***

Polsinelli shareholder James C. Sullivan writes about how unsettled the law is on employer/employee arbitration provisions containing class/collective action waivers.

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# Court Upholds Enforceability of ‘Clickwrap’ Employee Agreement

***Insight***

If you want your electronic contracts to be enforceable, it is a best practice to require the counterparty to affirmatively accept the contract by checking a box or clicking a button, write Nikita A. Tuckett and Aaron Rubin on Morrison & Foerster LLP’s Socially Aware blog.

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# Webinar: How to Comply with New FLSA Requirements

***Event, Sept. 22, 1 p.m. EDT***

New Fair Labor Standards Act (FLSA) regulations will go into effect on Dec. 2, updating the salary and compensation levels for exempt employees, impacting millions of salaried workers.

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# Female Lawyer's Gender-Bias Suit Challenges Law Firm Pay Practices

***News***

Kerrie L. Campbell has sued Chadbourne & Parke for a total of $100 million on behalf of herself and other female partners who, she said, receive less compensation than male partners even when they bring in more client revenue, reports *The New York Times*.

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# U.S. Appeals Court Strikes Down Ernst & Young Class

# Action Waiver

***News***

The court found that the arbitration agreement violated the National Labor Relations Act by making workers arbitrate work-related claims as individuals in separate proceedings.

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# Unions, Ledbetter Warn of Supreme Court Implications of Election

***News***

Donald Trump’s power to nominate Supreme Court justices if elected to the White House is a threat to women workers, equal pay advocate Lilly Ledbetter and two union officials said, according to a report by Bloomberg Law.

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# First State-to-State Spread of Zika Magnifies Questions of Employer Liability

***Insight***

While Zika’s dangers first appeared in Brazil, its spread to the U.S. has magnified questions about risk, including to workers whose employers want them to travel, says Justin

Markel of Roberts Markel Weinberg Butler Hailey PC.

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# Is $88,500 Salary Too Much for a Deputy General Counsel?

***News***

Bloomberg Law examines a lawsuit involving U.S. Transportation Secretary Anthony Foxx, who is the target of an attempt to recover salary Foxx collected during his three-and-a-half year tenure as a now-defunct company's deputy general counsel.

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# Webinar: What's Next for FLSA Compliance: Proven Strategies to Minimize Risk

***Event, August 25, 2 p.m. EDT***

HR Daily Advisor will present a complimentary webinar discussing what the overtime changes mandated by the U.S. Department of Labor FLSA mean for employers and recommend strategies for meeting these new challenges.

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# Companies Can’t Contract Around WARN Act Sale of Business Exception

***Insight***

Parties to a corporate transaction should be aware that WARN liabilities are governed by statute, and the implications of WARN obligations and the sale of business provision of WARN must be carefully evaluated, according to Epstein Becker & Green.

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# Employees Bound By Clickthrough Agreements – *ADP v. Lynch*

***Insight***

A clickthrough agreement provides tangible evidence that employees “got the memo” (even if they chose not to read it), writes Eric Goldman in the Technology & Marketing Law Blog.

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# Time to Bring Employment

# Discrimination Suit Cannot Be Reduced By Contract

***Insight***

An article written by Deborah H. Share for Porzio, Bromberg & Newman's Employment Law Monthly reports that employers cannot contract with employees to reduce limitations periods for discrimination claims, according to a recent New Jersey Supreme Court decision.

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# NY Attorney General Sends a Message: Re-Think Non-Compete Agreements

***Insight***

Barbara E. Hoey and Dustin E. Stark of Kelley Drye's Labor and Employment group have a warning for New York employers – your non-compete agreements may be under attack.

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# Preventing Discrimination Claims: Who is Protected and

# How to Maintain Compliance

***Event, August 31, 1 p.m. EDT***

Littler Mendelson will present a webinar about maintaining compliance under Title VII of the Civil Rights Act as it concerns protection of employees, both legal and illegal immigrants.

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# Can Non-Compete Agreements Be Classified As Personal Services Contracts?

***Insight***

The 8th Circuit Court of Appeals recently addressed an issue that frequently arises in the non-compete context: what happens when a company buys the assets of another and then tries to enforce non-compete agreements? Michael Elkon of Fisher & Phillips discusses the case.

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# Littler Survey Shows Employers Grappling With Regulatory, Social Changes

***Insight***

Littler Mendelson’s 2016 Executive Employer Survey examines

the legal, economic and social issues having the greatest impact on the workplace, based on responses from more than 800 executives.

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# The New DOL Fiduciary Rule: Overview and Next Steps

***Event, July 13, 1 p.m. EDT***

Practical Law will present a free webinar about new DOL regulations that make major changes to the definition of "fiduciary investment advice" under ERISA.

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# Employee Pay and the Bankruptcy Stay – Potential Pitfalls for Employers

***Insight***

Businesses need to have written protocols in place to deal with bankruptcy filings by their employees and independent contractors, or they risk serious sanctions and, potentially, punitive damages for violations of the bankruptcy laws, according to a report in Hunton & Williams' Employment & Labor Law Perspectives blog.

# California Employment Law Update

***Event, July 20, 12 p.m. PDT***

Hatmaker Law Group will present a free one-hour webinar covering new laws passed during 2016 impacting California employers and legislation pending on the horizon.

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# FedEx Agrees to $240 Million Settlement With Drivers in 20 States

***News***

FedEx Ground Package System Inc. has agreed to pay drivers in 20 states $240 million to settle lawsuits claiming the second-largest U.S. parcel delivery company misclassified them as independent contractors, it said on Thursday, according to a Reuters report.