‘Not Looking for Old White Guys’: Restaurant Chain Must Pay in Age Bias Suit

News

The EEOC said applicants who were turned away were told they were “too experienced,” as well as, “we are not looking for old white guys.”

No-Poach, No-Solicit Provisions of Corporate Agreements Now Face Criminal Prosecution

News

A nearly ubiquitous element of corporate conduct, thought to be legal and competitively harmless, now faces the prospect of criminal prosecution by the U.S. Department. of Justice, according to Locke Lord.

New York Company Must Pay

$5.1 Million for Demanding Religious Practices From Employees

News

The EEOC alleged that United Health Programs of America employees were being forced to follow an internal “Harnessing Happiness” system that required them to engage in activities such as prayers, religious workshops and “spiritual cleansing rituals.”

Franchise ‘No-Hire’ Agreement Class Actions and the Single Enterprise Defense

Insight

Franchisor employers should assess whether the joint employer risk is worth accepting in order to pursue the single-enterprise defense, warns Seyfarth Shaw.

Littler and ComplianceHR

Launch PAID Forward Solution for Wage and Hour Compliance

News

Employment and labor law practice Littler and ComplianceHR, a joint venture of Littler and Neota Logic, announced the launch of PAID Forward.

What to Do When You're in the Sexual Harassment Hot Seat

Webinar, May 2, 2018, 1 p.m. CDT

The #MeToo movement has many employers uncertain about the best ways to protect themselves from sexual harassment complaints and the right way to respond after a complaint has been made.

DOJ Stomping Out 'No Hire' Agreements Among Competitors

Insight

Companies with no-hire agreements with competitors – be they written or informal – must be aware that the DOJ will investigate and prosecute these agreements, warns Goodwin Procter.

No-Poach Agreements Targeted by Plaintiffs, Enforcement Agencies and Senators

Insight

Agreements among companies to not hire each other's workers are more risky than ever, warns Pepper Hamilton LLP in a post on its website.

Sinclair-Style Employment Contracts That Require Payment for Quitting are Uncommon

Insight

The Conversation reports that some Sinclair employees have said that their employment contracts made it prohibitively expensive to walk away.

May 3 Live Event: Explore the Value of ESOPs By Studying a Proven Implementation

Event, May 3, 2018, 2:30-6 p.m., NYC

ESOPs, when properly done, can position a company for financing, allow for acquisitions, help attract and retain top talent in a competitive environment and create wealth for owners and employees.

What Provisions are Typical in a Separation Agreement?

Insight

Daniel Schwartz, writing for Shipman & Goodwin's employment law blog, provides a handy list of typical provisions in a separation agreement between an employer and an employee.

Target Pays $3.7M to Settle Lawsuit Over Racial Disparity in Use of Criminal Background

Checks

News

As part of the settlement of the class-action complaint, independent consultants will recommend changes to Target's current screening guidelines, *The Minneapolis Star Tribune* reports.

Will You Agree to an Inclusion Rider?

Insight

Sophisticated employers have used established goals as a tool toward implementing equal employment opportunity objectives, steering clear of applying goals like quotas, according to Barnes & Thornburg.

Former Jones Day Attorney Tapped For Position at the EEOC

News

The top litigator position at the Equal Employment Opportunity Commission has been vacant since December of 2016.

Trump Labor Board Scrambles to Avoid Pro-Worker Ruling, Lawyers Claim

News

If the workers win at trial, the case could have a profound effect on how major corporations are held liable for workplace wrongdoing, Bloomberg reports.

Workplace Monitoring Gets Personal, and Employees Fear It’s Too Close for Comfort. They’re Right.

News

The *Chicago Tribune* speculates that employers could even provide Fitbits or another portable health monitor as part of a corporate wellness program. Can the personal data gleaned be used to alter, or deny, access to employer-provided insurance plans?

Collection of Employee Biometric Data: Privacy and Compliance Issues

Insight

A post on the Fisher Phillips website discusses the privacy concerns for employees and the compliance issues for employers related to collection of biometric data.

Morgan Lewis Scolded for Possible Conflict in Hotel Wage Case

News

Bloomberg Law reports that a judge concluded that Morgan Lewis "plainly violated" California attorney professional conduct rules by representing "both sides of the case" in a hotel workers' class action suit.

Ten-Week Telecommute Reasonable for In-House

Counsel, Sixth Circuit Holds

News

The U.S. Court of Appeals for the Sixth Circuit found that ten weeks of telecommuting was a reasonable accommodation for a pregnant in-house lawyer put on bed rest, reports Manatt Phelps & Phillips LLP.

Add One Line in Employment Contracts to Reduce Exposure to Misclassification Liability

Insight

A Kelley Drye blog post suggests the use of one simple sentence in employment contracts, handbooks and policies for salaried employees that would likely reduce exposure by approximately two-thirds in FLSA cases.