How Forced Arbitration and Non-Disclosure Agreements Can Perpetuate Hostile Work Environments

Insight

It is possible for state lawmakers to crack down on corporate abuse of arbitration and non-disclosure agreements, but the prospects do not seem good, writes Michelle Chen for *The Nation*.

Be Careful When Using Liquidated Damages with Your Non-Compete Clause

Insight

While a liquidated damages provision is not a silver bullet, if properly drafted, such a clause can be a significant deterrent to an employee who might otherwise decide to test the bounds of a non-compete, writes Shep Davidson.

To Help Bridge Gender Gap, Women Lawyers Should Get Comfy with Self-Promotion

Insight

A report by the Dallas Women Lawyers Association outlines the challenges women lawyers face, including pay gaps, disparity in equity partnerships, high attrition, bias in work assignments and origination credit, and underrepresentation on committees.

Handling Off-Duty Misconduct

Insight

Off-duty misconduct can be tricky to deal with at times., warns Natalie Lynch of Lynch Service Company in a web posting Her article shows how to deal with it.

Creating Defensible Employment Agreements Before an Employee's First Day

Insight

Significant tools in the arsenal of strategies are contracts signed by the employee, but waiting until the employee departs

is too late to start thinking about them, points out Spiwe L. Jefferson in an article for the ACC.

JPMorgan Judge Upends $1.1 Million Whistle-Blower Verdict

News

A U.S. district judge says she saw prejudice in a jury's verdict Tuesday that would have awarded $1.13 million in damages to a former JPMorgan Chase & Co. employee over her dismissal, according to Bloomberg.

Tips For Drafting Employee Handbooks: Avoiding Breach of Contract Claims

Insight

To avoid breach of contract claims premised on employee handbook policies, employers should include an express contract disclaimer in their employee handbook, according to Bryan Cave.

How Lawyers Protect the Harvey Weinstein in Your Workplace

News

NDAs are geared to ensure that the fraction of people who do come forward can’t warn others or bring claims to light, all of which contributes to the culture of silence around workplace harassment, according to Bloomberg Law.

How to Structure Global Mobility Assignments, Expatriate Postings and Cross-Border Secondments

Insight

In structuring overseas postings, multinationals inevitably struggle with the interplay between expatriate assignment strategy and the legal ramifications of a particular foreign posting, points out Donald C. Downling, a shareholder in Littler Mendelson P.C.

CBS Fires Legal Counsel Over Facebook Comments on Vegas Shooting

News

CBS fired a a senior legal counsel after she criticized some victims of the Las Vegas mass shooting as “Republican gun toters” who did not deserve sympathy, reports *The Washington Post*.

Employment Attorney: NFL Players Can Be Fired For Political Protests

News

Regardless of the cause, Dallas employment lawyer Rogge Dunn says, more employers are regulating employees’ actions inside and outside of work.

Trump’s Impact Felt in Supreme Court Labor Rights

Cases

News

When the Supreme Court opens its 2017 term on the first Monday in October, its very first cases will serve as a stark reminder of why elections matter, predicts *USA Today*.

Lurid Lawsuit's Quiet End Leaves Silicon Valley Start-Up Barely Dented

News

In contrast to the venture capitalists who were knocked off their perches this summer by harassment complaints, Upload was scarcely dented by the publicity surrounding the suit, *The New York Times* reports.

Sex Scandal Simmered for Years Before Silicon Valley CEO's Swift Fall

News

After weeks of growing scrutiny of alleged sex-related improprieties involving Social Finance CEO Mike Cagney, the start-up said he would leave as chief executive by the end of

the year and that he would step down immediately as chairman, reports *The New York Times*.

The Questionable Non-Compete: How to Hire Someone but Avoid a Tortious Interference Claim

Insight

What specific steps should you take to set up your best defense to a claim that your company interfered with a new hire's non-compete agreement with her current employer?

Law Firm Sex-Bias Cases Will Turn on Key Question: Can Partners Be Employees?

News

Reuters reports that a sex bias suit filed by an anonymous partner hinges on whether a law meant to protect employees applies to her – an equity partner.

On-Demand: Recent Developments in Employee Whistleblower Litigation

On-Demand

Jackson Lewis has posted an on-demand webinar exploring recent developments and important decisions in whistleblower litigation under the Sarbanes-Oxley Act and the Dodd-Frank Act.

Federal Employee Overtime Policies in Flux

News

Businesses hoping to avoid overtime obligations for hourly workers must jump through three hoops in most cases. One of those hoops is to pay at least the minimum salary set by the U.S. Department of Labor.

Confusion Between ‘FMLA’ and ‘Maternity Leave’ Sends

Employer to Trial

News

HR Dive reports on a federal case in which an employee's Family and Medical Leave Act suit will go to trial over how she was fired after confusion about how much leave she had available.

Google CEO Cancels Company Town Hall on Gender Dispute After Employee Questions Leak

News

Sundar Pichai said in an email to staff that several Google employees became fearful for their safety and grew concerned about being outed for speaking up at the town hall, the Associated Press reports.