

Human Resources WEEKLY DIGEST

June 4, 2019

Federal Court Allows Class Action Website Disability Access Case to Proceed Against An Employer

While we continue to wait for guidance from the government on website accessibility standards, plaintiffs continue to challenge the accessibility of company websites. For years, individuals have brought lawsuits claiming that their access to goods and services is limited under Title III of the Americans with Disabilities (“ADA”). More recently we have seen individuals challenge their access to employment under Title I of the ADA due to online application processes that they claim are not accessible. [Full Article](#)

Jackson Lewis



Summer Networking Events: Workplace Harassment Can Happen Outside the Workplace

With warmer weather quickly approaching, many employers are beginning to schedule happy hours, parties, softball games, and other off-site events that employees (and interns) look forward to attending. However, at offsite work events, employees might forget—or might not realize in the first place—that they are still in a workplace setting. This could result in unwelcome behavior, such as sexual harassment, which could leave an employer open to liability. [Full Article](#)

Epstein Becker Green

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The Intersection of Workers' Compensation and OSHA: Look Both Ways Before Crossing

In many ways, workers' compensation (WC) and the OSHA are very different. WC is a statutory compensation scheme designed to limit an employer's liability in exchange for more expedient payment of medical expenses, wage replacement, and death benefits. Most of these individual state-based compensation acts were in place long before OSHA. OSHA compliance and related issues are often marshalled by safety professionals and might be considered the pre-accident or injury prevention piece. WC is often comprised of risk management personnel and takes the stage once something goes wrong and a worker is injured. [Full Article](#)

Goldberg Segalla

What Can Employers Do About the Measles Outbreak?

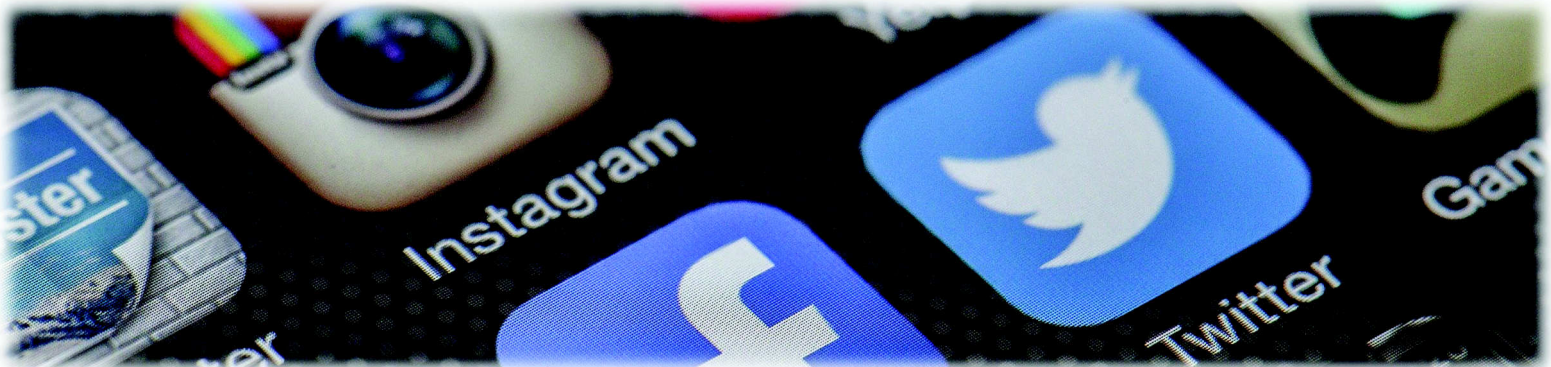
As measles outbreaks affect New York City and major California counties, employers should understand the best practices for ensuring the health and safety of their employees, customers and guests. Outlined below are steps you can (and cannot) take to ensure you're maximizing workplace safety while complying with federal, state and local laws. [Full Article](#)

Fox Rothschild

"The Times They Are A-Changing": Can the Employer Affirmative Defense Survive in the #MeToo Era?

Employers grappling with the reverberations of the #MeToo movement have been able to take some solace that, with the right policies and complaint process, they can insulate themselves against liability in sexual harassment cases where the employee does not make a complaint under the internal procedure. That insulation is possible given a well-established and objectively provable legal framework. [Full Article](#)

Blank Rome



Can Employers Request Social Media Account Information?

Job seekers have recently been warned of a new trend at job interviews; prospective employers are asking applicants for their Facebook and other social media passwords. After the Associated Press reported on this trend, there was a widespread public debate. Many people were upset and Facebook even made a statement claiming that they may pursue legal action against employers who demand passwords from Facebook users. This leaves many job seekers wondering -- is this even legal? [Full Article](#)

Raymond Law Group

STATE & INTERNATIONAL COMPLIANCE

INDIANA

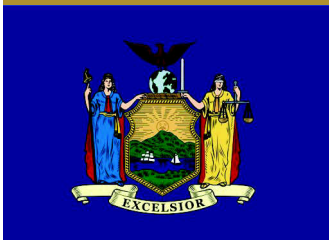


Indiana Law Now Allows Paycheck Deductions for Uniform Rentals

Under an amendment to the state's wage deduction statute, employers in Indiana may now deduct from an employee's paycheck the rental cost of uniform shirts, pants, and other job-related clothing. The amendment, Senate Bill 99, was signed by Governor Eric Holcomb on May 1, 2019, and went into effect immediately. Michael Padgett, a Principal in the Indianapolis office of Jackson Lewis, testified before the Senate on behalf of the Indiana Chamber of Commerce in support of the amendment. [Full Article](#)

Jackson Lewis

NEW YORK



Westchester County, New York to Require Paid Leave for Victims of Domestic Violence

Effective October 30, 2019, Westchester County, NY employers will be required to provide paid leave to employees who are victims of domestic violence or human trafficking. Leave under the new ordinance will be in addition to paid time off already required to be provided to employees under the Westchester County paid sick leave law, which took effect on April 10, 2019. [Full Article](#)

Proskauer

COLORADO



New Colorado Law Will Soon Criminalize Wage Violations

Under a new law signed by Governor Jared Polis yesterday, Colorado employers will soon face potential criminal charges for failure to pay wages. Once the new law takes effect on January 1, 2020, you will need to ramp up your wage and hour compliance efforts or risk facing criminal penalties. How exactly can Colorado employers avoid becoming felons? [Full Article](#)

Fisher Phillips

CONNECTICUT



Connecticut Likely To Become Latest State to Adopt \$15 Minimum Wage

Connecticut appears poised to become the next state to raise its minimum wage to \$15 per hour, following the trend set by California, Illinois, Massachusetts, New Jersey, New York, and most recently Maryland, in addition to numerous local jurisdictions. Governor Ed Lamont is expected to sign H.B. 5004, which passed the state's House and Senate earlier this month. [Full Article](#)

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OKLAHOMA



Medical Marijuana "Unity Bill" Takes Effect August 28, 2019: Steps Employers Should Consider Now

On June 26, 2018, Oklahoma voters passed State Question (SQ) 788 legalizing medicinal marijuana. SQ788 left many questions for employers unanswered. For example, it forbade employers from penalizing employees for holding a medical marijuana license or testing positive for marijuana unless failing to do so caused a loss of benefits under federal law or the license holder possessed or used marijuana while at work. However, SQ788 did not address whether employers could take action against licenseholders who worked in safety-sensitive positions, leaving many employers to decide which risk they were willing to tolerate: face a discrimination lawsuit or expose themselves to accidents and injuries caused by those potentially impaired on the job. [Full Article](#)

Gable Gotwals