



Weekly Digest

• December 1, 2020 •

Human Resources

EEOC Updates Religious Discrimination Guidance

“Over the past 10 years, there have been several significant changes related to how federal courts handle alleged religious discrimination.” [Full Article](#)

Nexsen Pruet LLC



CDC Alters Critical Infrastructure Personnel Guidance and Recommends New Testing Strategies

“In its most recent COVIDView weekly update, the U.S. Centers for Disease Control and Prevention (CDC) reported that levels of COVID-19 ‘virus circulation and associated illnesses’ have been rising nationally since September 2020.” [Full Article](#)

Ogletree, Deakins, Nash, Smoak & Stewart, P.C.

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COVID-19: Vaccines for Everyone! Wait, Not So Fast. Considerations for Health Care and Other Employers When Evaluating Mandatory COVID-19 Vaccination Programs

“Following earlier announcements as to the efficacy of vaccine trials by pharmaceutical companies Pfizer, Inc. (Pfizer) and Moderna, Inc. on November 20, 2020, Pfizer and BioNTech submitted applications for emergency use authorization to the U.S. Food and Drug Administration (FDA) for their COVID-19 vaccinations.” [Full Article](#)

K&L Gates LLP

IRS and Treasury Department Release Guidance on the Deductibility of Eligible Expenses under the Paycheck Protection Program

“On November 18, 2020, the IRS and Treasury Department released Revenue Ruling 2020-27 (the Revenue Ruling) stating that, if a taxpayer received a PPP Loan (defined below) and paid or incurred Eligible Expenses (defined below), the taxpayer may not deduct such expenses in the year paid or incurred if, at the end of the year, the taxpayer has a reasonable expectation that the PPP Loan will be forgiven on the basis of such Eligible Expenses.” [Full Article](#)

Bracewell LLP



Understanding Immigration Changes Imposed During the COVID Pandemic

“Two presidential proclamations were issued that restrict U.S. entry and consular visa processing abroad until December 31, 2020.” [Full Article](#)

Holland & Hart LLP



OSHA Reiterates Stance on Cloth Face Coverings and PPE

“In a statement released November 18, 2020, the Occupational Safety & Health Administration (OSHA) reiterated its long-held stance that standard cloth face coverings – those now used daily by millions of Americans, both in and out of the workplace – do not constitute “personal protective equipment” (PPE) subject to OSHA’s regulations and standards.” [Full Article](#)

Frost Brown Todd LLC

STATE & INTERNATIONAL COMPLIANCE

CALIFORNIA



Cal/OSHA Emergency Workplace COVID-19 Regulation: 10 Frequently Asked Questions

"On November 19, 2020, the California Occupational Safety and Health Standards Board voted and approved an emergency COVID-19 regulation governing employers and workplaces." [Full Article](#)

Ogletree, Deakins, Nash, Smoak & Stewart, P.C.

CALIFORNIA



Asked and Answered: Updates on California's Pay Data Reporting Law

"California's Department of Fair Employment and Housing released 16 new FAQs regarding the recently enacted Pay Data Reporting Law, previously summarized here." [Full Article](#)

Seyfarth Shaw LLP

NEW YORK



New York Amends Mini-WARN Law to Require New Notifications

"On November 11, 2020, Governor Cuomo signed amendments to the New York WARN law, which requires additional notifications to government officials in the event of a WARN event." [Full Article](#)

Davis Wright Tremaine LLP

PENNSYLVANIA



Pennsylvania Court Affirms Unemployment Benefits for Medical Marijuana User

"A Pennsylvania Appeals Court affirmed an order granting unemployment benefits to a medical marijuana user who was terminated by his employer for a positive drug test." [Full Article](#)

Jackson Lewis P.C.

PENNSYLVANIA



Pennsylvania Employers May Need to Revise Policies and Practices Within the Workplace in Response to New Mitigation Order by Governor Wolf

"On November 23, 2020, Governor Tom Wolf issued the Order of the Governor of the Commonwealth of Pennsylvania for Mitigation, Enforcement and Immunity Protections, which establishes various mitigation measures that Pennsylvania businesses must implement effective November 27, 2020." [Full Article](#)

Reed Smith LLP