

Weekly Digest

• February 22, 2022 •

Human Resources

Biden Task Force Aims to Increase Unionization Efforts with Pro-Union Report

"The Biden administration's task force on organized labor recently released a report outlining steps to promote unionization amongst private and public sector employees and to strengthen labor unions. The Task Force on Worker Organization was created by executive order in April to enact policies for federal agencies and contractors that encourage unionization and to model best practices for private and public sector employers. It is co-chaired by Vice President Kamala Harris and Secretary of Labor Marty Walsh." [Full Article](#)

Barnes & Thornburg



New Federal Contractor Minimum Wage Hike Heads to Court

"On February 8, 2022, just days after the Department of Labor's ("DOL") Final Rule "Increasing the Minimum Wage for Federal Contractors," implementing Executive Order ("EO") 14026, went into effect, five states – Arizona, Idaho, Indiana, Nebraska and South Carolina – filed a lawsuit – in Arizona federal district court, seeking, among other things, a court order invalidating the federal contractor minimum wage Final Rule and EO 14026."

[Full Article](#)

Crowell & Moring

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Female Video Game Developers Show Importance of Diversity

“Recent news about Activision Blizzard’s workplace harassment has triggered broader conversations about female treatment in the video game industry. While Microsoft’s plan to acquire Activision Blizzard could lead to improvements, sexist gender stereotypes have long plagued the gaming industry. Part of the culture stems from the lack of female video game developers as well as a lack of representation at the executive levels of gaming companies. A report released by Activision showed that only 25% of its employees were women. At the executive levels, that number was significantly lower.” [Full Article](#)

Carpenter Wellington



New Nationwide Ban against the Enforcement of Mandatory Arbitration Agreements in Sexual Misconduct Cases

“On February 10, 2021, the US Senate passed the Ending Forced Arbitration of Sexual Assault and Sexual Harassment Act of 2021 (the Act), a bipartisan bill that invalidates and renders unenforceable predispute arbitration agreements in any case alleging sexual assault or sexual harassment. The US House of Representatives passed a version of the bill on February 7, 2021. US President Joe Biden is expected to sign the bill into law soon.” [Full Article](#)

McDermott Will & Emery

A Brief Status Report on COBRA

“The normal difficulties that employers have adhering to the technical requirements of COBRA have been exacerbated during the past two years as COBRA rules were changed to recognize the complications accompanying the COVID-19 pandemic. This added complexity is particularly worrisome as an employer’s simple oversight in administering COBRA can result in ERISA penalties, an excise tax, unintended self-insurance of medical claims, and litigation, including class-action lawsuits.” [Full Article](#)

Jackson Lewis



Impact of Recent OSHA and CDC Updates on Employers’ Mandatory Vaccination Policies

“Now that OSHA has withdrawn its vaccine or test rule, many employers are considering the use of mandatory vaccination policies in their workplaces. Employers have met this development with varied responses – some employers have rescinded vaccination requirements that were compliant with the more stringent OSHA Emergency Temporary Standard (“ETS”) requirements, some have retained mandatory vaccination policies compliant with the now-withdrawn ETS, and still others have created mandatory vaccination policies without reference to the ETS.” [Full Article](#)

Mintz

STATE & INTERNATIONAL COMPLIANCE

CALIFORNIA

California Reactivates COVID-19 Supplemental Paid Sick Leave



“The new legislation appears to be similar to the 2021 CSPSL, but also contains major differences regarding the characterization of the amount of hours allotted, regular rate calculations, and wage statement obligations.” [Full Article](#)

Ford & Harrison

PENNSYLVANIA

Court Approves \$4.2 Million Settlement in Suit for Unpaid Overtime



“A Pennsylvania federal judge approved a \$4.2 million settlement between Pittsburgh-based grocery chain Giant Eagle and employees who were “team leaders” at its grocery stores and GetGo convenience stores in Ohio and Pennsylvania. Team leaders made allegations of misclassification and unpaid overtime in violation of the federal Fair Labor Standards Act and state wage laws.” [Full Article](#)

Hall Benefits Law

NEW YORK

New York State Employers Freed From Mask Mandate



“On February 10, 2022, New York State Governor Kathy Hochul lifted the statewide indoor mask-or-vaccine mandate that had been in effect since December 13, 2021. This mandate required that all persons entering a business’s premises wear a mask, unless all persons were vaccinated against COVID-19.” [Full Article](#)

Phillips Lytle

VIRGINIA

Virginia’s Republican Lawmakers Seek to Reverse State’s Overtime Wage Act



“During the November 2021 elections, Republicans regained a 52-48 majority in the Virginia House of Delegates and a Republican Governor, Glenn Youngkin, was elected. Now, although the Senate remains under control of the Democrats by a three-member margin, Republican lawmakers in both houses are seeking to undo the Virginia Overtime Wage Act.” [Full Article](#)

Jackson Lewis

ILLINOIS

First Deadline Approaching for New Illinois Equal Pay Act Requirements



“On January 25, 2022, the Illinois Department of Labor (“IDOL”) issued notices to 625 Illinois businesses to inform them that they have until May 25, 2022 to submit their Equal Pay Registration Certificate (“Certificate”) application as required under the amendments to the Illinois Equal Pay Act (“IEPA”).” [Full Article](#)

Proskauer