

Human Resources Weekly Digest

May 19, 2020

Protecting Trade Secrets During the Pandemic

“Employers with at least 100 employees and federal contractors with at least 50 employees must annually submit an Employer Information Report, commonly known as the EEO-1, to the U.S. Equal Employment Opportunity Commission. The EEO-1 requires company employment data to be categorized by race/ethnicity, gender, and job category.” [Full Article](#)

Vorys Stater Seymour and Pease LLP



Updated Leave Tracking and Recordkeeping Under COVID-19: Adjusting to the New Normal

“One important question the Families First Coronavirus Response Act (FFCRA) and other recent legislative changes raise for employers is how to track and account for employee leaves. While most employers already have systems in place to track employee absences, employers should review their pre-pandemic recordkeeping to account for the ‘new normal’ and new laws.” [Full Article](#)

Mintz, Levin, Cohn, Ferris, Globsky and Popeo, P.C.

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COVID-19 Coronavirus Business Impact: Further Guidance on Holiday Entitlements

“On 13 May 2020, following the announcement of the extension of the Job Retention Scheme until the end of October 2020, the Government published guidance on holiday entitlement and pay during coronavirus (COVID-19) (the “Guidance”). Guidance issued in April addressed the issue of holiday for those who had been furloughed but this additional guidance extends to all workers and provides some welcome clarification, in particular in relation to the carryover of holiday following the amendments made to workers’ ability to roll over their statutory holiday entitlements into subsequent holiday years by the Working Time (Coronavirus) (Amendment) Regulations 2020 (the “Regulations”).” [Full Article](#)

Dechert LLP

Coronavirus Economic Response Update: The Road to Recovery

“As an increasing number of governors plan to reopen state economies, Congress is under pressure to pass a fourth stimulus package to help businesses and individuals navigate economic recovery. This weekly newsletter outlines the latest developments in Washington, including major tax, small business and financial services developments related to CARES 4.0 negotiations and newly -issued regulatory guidance from various agencies.” [Full Article](#)

Brownstein Hyatt Farber Schreck, LLP



Old Rules, “New Normal”

“Most employers have settled into maintaining a virtual workforce. It's now time to begin to plan for a tentative return to the workplace. Whether virtual or in returning to the office, it is important to remember that the laws that govern “the workplace” -- discrimination, disability, and other laws -- remain in full force and effect.” [Full Article](#)

Porzio, Bromberg & Newman, P.C.

Key Issues to Consider While Reopening or Partially Reopening

“As state and local governments relax their “stay-at-home” orders, businesses must look at how to revamp and reinvent their day-to-day operations to comply not only with a wide variety of new regulations, but also legal implications from existing laws and regulations. Often, these issues are overlapping and involve more than one area of law.” [Full Article](#)

Brownstein Hyatt Farber Schreck, LLP

State & International Compliance

MASSACHUSETTS



Governor Outlines Four-Phased Approach to Reopening State's Economy

"On May 11, 2020, Massachusetts Governor Charlie Baker outlined the state's Four-Phased Approach to Reopening the Massachusetts economy, and provided Mandatory Workplace Safety Standards, which will apply to all workplaces when Phase 1 of the reopening plan begins. Phase 1 may begin on May 18, 2020, provided the state meets certain public health metrics."

[Full Article](#)

Seyfarth Shaw LLP

NEW YORK



New York Announces Additional Reopening Guidance, Including a Regional Monitoring Dashboard

"As we previously detailed, last week New York State Governor Andrew Cuomo outlined guidelines for when Empire State businesses can reopen and return to "in-person" operations. Under the Governor's plan, reopening's will be determined, first, on a region-by-region and then, once a region is eligible to reopen, on a phased industry-by-industry basis." [Full Article](#)

Reed Smith LLP

NEW JERSEY



State Expands Protections of the Family Leave Act and Amends Mini-WARN Act Amid COVID-19 Pandemic

"On April 14, 2020 New Jersey Gov. Phil Murphy signed legislation through Senate Bill S2374 that expands protections of the New Jersey Family Leave Act (NJFLA) to employees taking time off to care for a family member during the COVID-19 outbreak." [Full Article](#)

Goldberg Segalla

PENNSYLVANIA



Pennsylvania Court Allows Unemployment Benefits for CBD User

"A Pennsylvania court affirmed an order of the Unemployment Compensation Board of Review holding a claimant to be eligible for unemployment benefits after her employer terminated her employment for testing positive for marijuana. *Washington Health System v. Unemployment Compensation Board of Review*, No. 886 C.D. 2019 (May 11, 2020)."

[Full Article](#) *Jackson Lewis P.C.*

MICHIGAN



Virginia Legislators Propose Amendment to Workers' Compensation Law to Benefit Certain COVID-19 Positive Employees

"As you will recall, the Director of the Michigan Department of Labor and Economic Opportunity promulgated Emergency Rules ("Rules") on March 30, 2020 in response to the COVID-19 pandemic. As we discussed in a previous blog post, the Rules establish a rebuttable presumption of personal injury for "first response employees" who are diagnosed with COVID-19. Now, the Michigan legislature is getting involved in the issue." [Full Article](#)

Foster Swift Collins & Smith PC