

EMPLOYERS AND LAWYERS,

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# Employment Law Update: The Latest Rulings, Regulations, and Strategies

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# New Overtime Regulations

- New salary threshold: \$35,308
  - Compared to \$23,660 (current) and \$47,476 (2016 proposal)
  - “Update” every 4 years
- New “highly compensated” threshold: \$147,414

# New Round of OFCCP Audits

- On 3/25/19, the OFCCP published a list of contractors identified for an audit between May-Sept. 2019.
- More than 3,500 locations are listed.

# EEOC Charges

	<b>2015</b>	<b>2016</b>	<b>2017</b>	<b>2018</b>
U.S.	89,385	91,503	84,254	76,418
Texas	9,539	9,308	8,827	7,482
% TX	10.7%	10.2%	10.5%	9.8%

# Charges Alleging Sexual Harassment

	2015	2016	2017	2018
U.S.	10,019	9,805	9,614	11,342
Texas	971	939	893	989
% TX	9.7%	9.6%	9.3%	8.7%

# The Impact of #MeToo

- 18% increase in EEOC charges alleging sexual harassment in 2018
- 50% increase in sexual harassment lawsuits filed by EEOC
- Mandatory harassment training laws (NY, CA)
- Prohibitions on confidentiality clauses in settlement agreements (NJ)

# More State and Local Developments

- Ban the Box Laws
- Salary History Bans
- Minimum Wage Increases
- Paid Sick Leave Laws

# Texas – Paid Sick Leave

- November 2018: The Court of Appeals blocked implementation of a paid sick leave ordinance the Austin City Council passed in February 2018.
- Ordinance violated the Texas Constitution because it is preempted by the Texas Minimum Wage Act.



# Paid Sick Leave – What about Dallas?

- On 4/24/19, the Dallas City Council passed an ordinance requiring employers to provide PSL beginning 8/1/19.

# Paid Sick Leave – State Legislation

- House Bill 222 prohibits local governments from enacting paid sick leave ordinances. The Senate passed the bill, but the House has not set it for hearing. The session ends 5/27/19.

# What Else is Hot?

- Background check litigation
- Website accessibility litigation

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