Hunton Employment & Labor Perspectives Blog
Hunton & Williams LLP
September 2015

This Client Alert is a monthly update on labor and employment developments as posted on **Hunton & Williams' Employment & Labor Perspectives Blog**. If you would like to receive email alerts when new posts are published, please visit our **blog** and enter your email address in the subscribe field.

Recent posts on the **Hunton Employment & Labor Perspectives** Blog include:

- New York's $15 minimum wage hike: Who's behind it and why − and what may be coming next
- Equal Pay for "Substantially Similar" Work – California Legislation Alert
- President Obama Orders Federal Contractors to Offer Paid Sick Leave for Employees
- OFCCP Announces Final Rule Implementing 2014 Wage Transparency Executive Order
- Hunton & Williams Partner, Kurt Larkin, quoted in Inside Counsel's "NLRB Raises Many Issues as it Broadens Joint Employer Standard"
- NLRB Decision Produces "Sea Change in Labor Relations and Business Relationships"
- California Legislators Move Forward on a Bill Prohibiting Binding Arbitration as a Condition of Employment
- California's DLSE Weighs In On What A "Day" Means In State's New Paid Sick Leave Law

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New York's $15 minimum wage hike: Who's behind it and why − and what may be coming next

September 24, 2015

New York's fast food workers won a major victory last month when the state's Wage Board voted to recommend a substantial increase in their minimum wage.

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Equal Pay for "Substantially Similar" Work – California Legislation Alert

September 22, 2015

California Governor Jerry Brown indicated in late August that he intends to sign into law a California Senate Bill aimed at further closing gender pay gaps in California. On August 31, 2015, the California State Senate unanimously passed the bill which aims to eliminate gender wage gaps in California by amending the California Equal Pay Act to prohibit employers from compensating employees at wage rates less than rates paid to employees of the opposite sex for "substantially similar" work. Governor Brown was presented with Senate Bill 358 ("SB 358") in early September, and it is anticipated he will sign it soon.

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President Obama Orders Federal Contractors to Offer Paid Sick Leave for Employees

September 21, 2015

President Obama signed an Executive Order on Monday, September 7, requiring federal contractors to provide paid sick leave to their employees, effective January 1, 2017. The Order requires federal contractors and their subcontractors to let employees earn at least one hour of paid sick leave for every 30 hours worked, up to 56 hours, or 7 days, of leave.

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OFCCP Announces Final Rule Implementing 2014 Wage Transparency Executive Order

September 14, 2015

On September 10, 2015, the Office of Federal Contract Compliance Programs ("OFCCP") issued a Final Rule implementing last year's Executive Order 13665, which prohibits federal contractors from discharging, or discriminating against, any employee or applicant who "has inquired about, discussed, or disclosed" either their own compensation information or that of another employee or applicant.

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Hunton & Williams Partner, Kurt Larkin, quoted in *Inside Counsel*'s "NLRB Raises Many Issues as it Broadens Joint Employer Standard"

September 11, 2015

A recent ruling from the National Labor Relations Board (NLRB) has broadened the standard for assessing joint-employer status under the National Labor Relations Act (NLRA).

With permission from *Inside Counsel*.

NLRB Decision Produces "Sea Change in Labor Relations and Business Relationships"

September 10, 2015

In a ruling that redefines the concept of employment in the United States, the National Labor Relations Board yesterday issued its much-anticipated decision in Browning-Ferris Industries of California, Inc. d/b/a Newby Island Recyclery, 362 NLRB No. 186 (2015). The decision rewrites and drastically expands the definition of who is a "joint employer" under the National Labor Relations Act. The business community has been bracing for this decision for several months, and now that it has been released, the Board's new standard is likely to create a host of labor relations problems for employers going forward.

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California Legislators Move Forward on a Bill Prohibiting Binding Arbitration as a Condition of Employment

September 3, 2015

For many employers and employees, arbitration is a quicker and less costly means of resolving employment-related disputes. As a result, it has become standard practice for many employers to require as a condition of employment that employees agree to arbitrate employment-related claims. Mandatory arbitration clauses are routinely found in employment agreements or given to employees as separate employment policies at the time of hire or during their employment.

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California's DLSE Weighs In On What A "Day" Means In State's New Paid Sick Leave Law

September 1, 2015

California's paid sick leave law, which only went into effect on July 1, 2015 and was recently further clarified on July 13, 2015, continues to raise questions for California employers. Most recently, California's Division of Labor Standards Enforcement ("DLSE") was asked by an employer to clarify what the use of the word "day" meant for employees who work ten hour shifts, i.e. more than the traditional eight-hour work day. The DLSE found that such employees would be entitled to the wage they normally earn, meaning for those employees a day would mean ten, as opposed to eight hours, entitling them to an additional two hours of leave.

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