This is your new

Employment Law Yearbook 2015

by Orrick, Herrington & Sutcliffe LLP’s Global Employment Law Practice Group

Employment Law Yearbook 2015 provides a review of developments in the law from the past year, including case decisions, legislative changes, government agency actions, and other events of interest to employers, as well as practical steps employers can take to minimize their risk and to comply with the law. Here’s a full chapter-by-chapter listing of the topics covered in this year’s edition:

Chapter 1  Wage-and-Hour Issues
Chapter 2  OFCCP Developments
Chapter 3  Gender and Sexual Orientation Discrimination and Sexual Harassment
Chapter 4  Race, Religion, and National Origin Discrimination
Chapter 5  Age Discrimination
Chapter 6  EEO Class Actions
Chapter 7  Americans with Disabilities Act
Chapter 8  Employee Privacy Law
Chapter 9  Guarding Trade Secrets
Chapter 10  Reductions in Force
Chapter 11  Whistleblowing and Other Retaliation Claims
Chapter 12  Employee Blogging and Social Media
Chapter 13  Family, Medical, and Military Leave: Recent Developments Under the FMLA and USERRA
Chapter 14  Arbitration

A Table of Cases and Index are also included to assist in your research.

It remains imperative for employers and employment law practitioners to understand the legal implications of a wide range of workplace actions. The coverage in Employment Law Yearbook 2015 includes the following:

(continued on reverse)
• Wage-and-hour litigation remains a primary risk for employers. Chapter 1 offers coverage of *Integrity Staffing Solutions, Inc. v. Busk*, one of the most watched cases this year, in which the U.S. Supreme Court held that *security screenings were “noncompensable postliminary activities” under the FLSA*. The chapter also addresses such hot topics as the continued rise of lawsuits brought by interns, cases addressing what time is compensable under FLSA, and trends in exemption and meal and rest period cases.

• In 2014, the EEOC issued its first comprehensive update of its *guidance on discrimination against pregnant workers* in more than thirty years, and in March 2015, the Supreme Court remanded *Young v. UPS* to the Fourth Circuit—a case that addresses whether, under the Pregnancy Discrimination Act, employers are required to provide reasonable accommodations to pregnant women to the same extent they provide them to other disabled workers. *See* chapters 3 and 7.

• As the legalization of recreational and medical marijuana continues to evolve, employers may still prohibit *marijuana use in the workplace* under state laws. However, they could still face liability for terminating employees who test positive for marijuana. *See* chapter 8, which also addresses *employee privacy issues* raised by the use by employers of *online personality tests* to measure job candidates’ personality, skills, and other traits.

• President Obama and the OFCCP continued to expand *minority rights and equal pay initiatives* in 2014. Some of the most significant developments include: proposed rules for equal pay data collection; anti-retaliation prohibitions for workers who discuss compensation; new requirements for employing workers with disabilities and veteran status; and the inclusion of sexual orientation and gender identity to the list of protected classes. Combined, these developments increase the compliance and record-keeping obligations of federal contractors and drive up the cost of doing business with the federal government. They also underscore the importance for federal contractors to revisit their employment practices to ensure they comply with OFCCP requirements. *See* chapter 2.

• Chapter 12 offers coverage of the rapidly evolving subject of *employee blogging and social media*. With a full complement of five board members for the first time in a decade, the NLRB will likely continue to have an impact on *employee use of social media* as well as on other section 7 issues involving technology. NLRB members have suggested that with respect to employers’ social media policies, guidance might come in the form of case-by-case adjudication rather than rulemaking.

• *Retaliation claims against employers* have more than doubled over the past two decades, and since 1993, retaliation has been the most common claim alleged with the EEOC. And the SEC, in its *Dodd-Frank Whistleblower Program*, issued whistleblower awards to more individuals in Fiscal Year 2014 than in all previous years combined. Chapter 11 provides coverage of numerous recent whistleblower and retaliation claims, providing extensive new coverage of *First Amendment retaliation claims*.

Practising Law Institute is proud to publish *Employment Law Yearbook 2015*. If you have any comments or questions, please contact us (see *Questions About This Book*? on the page following the title page).