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# Human Resources Weekly Digest

## Knock, Knock, Who's There? OSHA Inspector!

“Effective January 15, 2020, the Occupational Safety and Health Administration (OSHA) hiked the maximum fines for workplace safety violations. As an example, the maximum fine for a ‘serious’ violation is now \$13,500 per violation and the maximum fine for a ‘willful’ or ‘repeated’ violation is now \$135,000 per violation.” [Full Article](#)

*Graydon Head & Ritchey LLP*



## Little Lightbulb: Tips for Handling Workplace Issues Related to the Big Game and Other Madness

“As we near two heavily followed sporting events—the Super Bowl and the March Madness NCAA basketball tournament—employers may notice flagging focus from employee fans. Because these events are popular and often available via streaming services, employees may be tempted to use work time and company resources to watch the events, place bets, or even take time off from work altogether. Here we examine these three possible areas of concern.” [Full Article](#)

*Little Mendelson P.C.*

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## – What Employers Need to Know

“The Centers for Disease Control and Prevention (CDC) has indicated that it is closely monitoring an outbreak caused by a new 2019 Novel Coronavirus (2019-nCoV) (coronavirus) first identified in Wuhan, Hubei Province China.” [Full Article](#)

*Seyfarth Shaw LLP*



### The New Year Brings New Guidance on FLSA Issues from the U.S. Department of Labor

“In its first installment of opinions letters in 2020, the U.S. Department of Labor’s Wage and Hour Division (“WHD”) addressed two issues under the Fair Labor Standards Act (“FLSA”): (i) the salary basis requirements in the context of per-project compensation arrangements and (ii) calculation of overtime pay for employees who receive nondiscretionary lump-sum bonus payments earned over time and not tied to a specific period.” [Full Article](#)

*Epstein Becker & Green, P.C.*

### “OK, Boomer” – What Amounts to Actionable Age Discrimination?

“What does an age discrimination plaintiff have to prove to succeed? Federal employees may have an easier path for proving an age discrimination claim, if we are reading the tea leaves correctly on the Supreme Court’s oral argument in the [Babb v. Wilkie](#) case.” [Full Article](#)

*Bradley Arant Boult Cummings LLP*



### DOL Issues Final Rule Addressing Joint Employer Status Under the Fair Labor Standards Act

“On Thursday, January 16, 2020, the U.S. Department of Labor’s Wage and Hour Division (“WHD”) published in the Federal Register the much-anticipated [Final Rule regarding joint employer status under the Fair Labor Standards Act](#). This rule completes the rulemaking process initiated in early April of last year, when WHD published its Notice of Proposed Rulemaking (“NPRM”), [which we discussed here.](#)” [Full Article](#)

*Epstein Becker & Green, P.C.*

## STATE & INTERNATIONAL COMPLIANCE

### NEW JERSEY



#### New Jersey Hoteliers Required To Provide Panic Devices to Employees

"New Jersey recently enacted legislation that requires hotel employers to provide a "panic button" to individuals "performing housekeeping or room service duties at a hotel" and is employed by a hotel or subcontractor of a hotel. The new law only applies to hotels and other similar establishments containing at least 100 guest rooms. The law became effective on January 1, 2020." [Full Article](#)

*Pepper Hamilton LLP*

### NEW JERSEY



#### In the Weeds: Medical Marijuana Protections Continue to Expand in New Jersey

"Continuing on a recent trend in New Jersey, employees who use medical marijuana received another layer of protection thanks to an Appellate Division ruling. In *Hager v. M&K Construction*, No. A-0102-18T3 (January 13, 2020), the Appellate Division held that a workers' compensation court order that the employer is responsible for the cost of the employee's medical marijuana prescribed to manage chronic pain did not violate federal law." [Full Article](#)

*K & L Gates LLP*

### MASSACHUSETTS



#### Call Center Employees in Massachusetts Win Claim For Sunday Premium Pay

"A Massachusetts trial court judge ruled that employees were entitled to premium pay for work on Sundays at a call center, under a Massachusetts statute governing Sunday and holiday work at a retail "store or shop." Employers should consider whether to treat call centers the same as brick-and-mortar stores for purposes of Massachusetts' Sunday premium pay requirements." [Full Article](#)

*Seyfarth Shaw LLP*

### MASSACHUSETTS



#### The Massachusetts Paid Family and Medical Leave Quarterly Contributions Are Due January 31, 2020

"Under the new Massachusetts Paid Family and Medical Leave Law, M.G.L. c. 175M ("MAPFML"), employees and other covered individuals in the Commonwealth will be entitled to a generous set of new paid family and medical leave benefits and rights beginning January 1, 2021. While no benefits are available under the MAPFML until 2021, the Commonwealth is requiring employers to file quarterly employment and wage detail reports and make quarterly contributions to fund MAPFML benefits far in advance of 2021. More specifically, the first quarterly reports and contributions to the Commonwealth's MAPFML fund (i.e. to cover the period from October 1 to December 31, 2019) must be remitted on or before **January 31, 2020.**" [Full Article](#)

*Little Mendelson*

### NEW JERSEY



#### New Jersey Enacts Leave for Organ and Bone Marrow Donors

"New Jersey has amended its Temporary Disability Benefits Law (TDB) to provide job-protected leave during "a period of disability" resulting from the donation of any organ or bone marrow. The new law will take effect on May 20, 2020." [Full Article](#)

*Jackson Lewis P.C.*