

Weekly Digest

• October 3, 2023 •

Human Resources

OSHA's Walk-Around Proposal Could Open Workplace Inspections to Outsiders

"The Occupational Safety and Health Administration ('OSHA') recently announced a Notice of Proposed Rulemaking that would make it easier for non-employee representatives to participate in worksite inspections." [Full Article](#)

Hunton Andrews Kurth LLP



Dismantling Gender Walls in the Construction Industry

"According to the national construction industry trade association Associated Builders and Contractors, construction labor demands are high. The construction business pays well and offers great opportunities for progression. The traditionally male-dominated industry has struggled, however, to convince women to join its workforce." [Full Article](#)

Jackson Lewis P.C.

In This Digest

PAGE 1

OSHA's Walk-Around Proposal Could Open Workplace Inspections to Outsiders

By, Hunton Andrews Kurth LLP

Dismantling Gender Walls in the Construction Industry

By, Jackson Lewis P.C.

PAGE 2

Significant Changes to US Overtime Pay Requirements on the Horizon

By, Baker & McKenzie LLP

Federal OSHA Announces Inspection Initiative Focusing on Crystalline Silica in the Stone Fabrication Industry

By, Seyfarth Shaw LLP

EEOC, NLRB and DOL Shutdown Contingency Plans—The 2023 Edition

By, Shawe Rosenthal LLP

Hair, Beards, and the Invigorated Duty to Accommodate Religious Practices

By, Constangy, Brooks, Smith & Prophete LLP

PAGE 3

State Compliance Updates

Significant Changes to US Overtime Pay Requirements on the Horizon

"On September 8, 2023, the Department of Labor announced publication of a Notice of Proposed Rulemaking Defining and Delimiting the Exemptions for Executive, Administrative, Professional, Outside Sales, and Computer Employees." [Full Article](#)

Baker & McKenzie LLP



Federal OSHA Announces Inspection Initiative Focusing on Crystalline Silica in the Stone Fabrication Industry

"The U.S. Department of Labor recently announced that OSHA has launched a new initiative focused on enhancing enforcement and providing compliance assistance to protect workers from the hazards of silica." [Full Article](#)

Seyfarth Shaw LLP

EEOC, NLRB and DOL Shutdown Contingency Plans—The 2023 Edition

"Once again we are poised on the brink of another possible federal government shutdown, and employers may be wondering how it may impact them." [Full Article](#)

Shawe Rosenthal LLP



Hair, Beards, and the Invigorated Duty to Accommodate Religious Practices

"Hair. In some religions it is considered a sacred gift from God that should not be cut. In other religions, it must be styled, covered, or cut in particular ways. These religious practices may result in employees' requesting relief from various employment policies. If that happens, the request must be evaluated under the newly invigorated "undue hardship" test outlined in the Supreme Court's *Groff v DeJoy* decision. Failure to do so is likely to lead to an unpleasant outcome for the employer." [Full Article](#)

Constangy, Brooks, Smith & Prophete LLP

STATE COMPLIANCE UPDATES

NEW YORK

New York State Department of Labor Issues Proposed Regulations on Salary Transparency Law



"On September 13, 2023, the New York State Department of Labor published proposed regulations on the state's salary transparency statute that took effect on September 17, 2023." [Full Article](#)

Proskauer Rose LLP

CALIFORNIA

California Further Extends the Ban on Employers Entering Noncompete Agreements Starting in 2024



"On Sept. 1, 2023, California Governor Gavin Newsom signed Senate Bill (SB) 699 into law with at least two significant additions to Section 16600 of the California Business and Professions Code (BPC). First, SB 699 extends the reach of California's restrictions on noncompete agreements to contracts signed out of state. Second, SB 699 creates a private right of action for employees whose agreements include restrictive covenants. SB 699 will go into effect on Jan. 1, 2024." [Full Article](#)

Greenberg Traurig LLP

RHODE ISLAND

Rhode Island's Amended Payment of Wages Act Now Imposes Felony Penalties on Employers

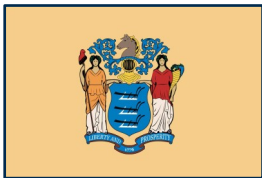


"Rhode Island law taking effect January 1, 2024 will impose criminal penalties on employers for knowing and willful wage and hour violations. The law also includes harsher penalties for employers generally, and those in the construction industry specifically, that misclassify workers as independent contractors." [Full Article](#)

Little Mendelson P.C.

NEW JERSEY

Watch Out New York—New Jersey Wants Its Taxes Too



"July 21, 2023, New Jersey Governor Phil Murphy signed Assembly Bill No. S3128/A4694 into law, which implements an aggressive tax treatment of nonresidents who work for New Jersey employers. The law essentially adopts the Convenience of the Employer rule." [Full Article](#)

Little Mendelson P.C.

GEORGIA

GA Update: Voting Leave, No Sunset on Kin Care



"Georgia's voting leave law changed effective July 1. First, the Georgia statute was amended to add "advance in-person voting" (early voting) to the types of voting for which employers must allow unpaid time off." [Full Article](#)

*Constangy, Brooks
Smith & Prophete LLP*