

# Weekly Digest

• June 16, 2020 •



Human Resources

## Supreme Court Decision

### Supreme Court Rules that Title VII Protects Employees from Discrimination on the Basis of Sexual Orientation and Transgender Status

"On June 15, 2020, the United States Supreme Court issued a landmark ruling and held that an employer who fires an employee merely for being homosexual or transgender violates Title VII. Justice Neil Gorsuch wrote the Court's majority opinion, in which Chief Justice Roberts and Justices Ginsburg, Breyer, Sotomayor, and Kagan joined. Justices Alito, Thomas, and Kavanaugh dissented."

[Full Article](#)

*Miller, Johnson, Snell & Cummiskey, P.L.C.*



## In This Digest

### PAGE 1

**Supreme Court Rules that Title VII  
Protects Employees from  
Discrimination on the Basis of  
Sexual Orientation and  
Transgender Status**

*By, Miller, Johnson, Snell &  
Cummiskey, P.L.C.*

### PAGE 2

**COVID-19 Antibody Testing:  
Useful Screening Tool or  
Impermissible Medical  
Examination?**

*By, Shawe Rosenthal LLP*

**The President Signs PPP Reform  
Bill: Loosening PPP Use and  
Forgiveness Standards and  
Expands Payroll Tax Deferral**

*By, Michael Best & Friedrich LLP*

**COVID-19: OSHA issues Updated  
Guidance on wearing Masks in the  
Workplace**

*By, Duane Morris LLP*

**"But I Don't Want to Come Back to  
the Office!"**

*By, Vinson & Elkins LLP*

**EEOC issues update on coronavirus  
and discrimination laws**

*By, Constangy Brooks, Smith &  
Prophete LLP*

### PAGE 3

**State & International  
Compliance Updates**

## The President Signs PPP Reform Bill: Loosening PPP Use and Forgiveness Standards and Expands Payroll Tax Deferral

"Today, June 5, 2020, the President signed into law H.R.7010 that extends and modifies provisions of the Paycheck Protection Program (PPP)." [Full Article](#)

**Michael Best & Friedrich LLP**



## COVID-19: OSHA issues Updated Guidance on wearing Masks in the Workplace

"The U.S. Department of Labor's Occupational Safety and Health Administration (OSHA) has published a series of frequently asked questions and answers regarding the use of masks in the workplace." [Full Article](#)

**Duane Morris LLP**

## "But I Don't Want to Come Back to the Office!"

"As employers ask employees who have been furloughed or who have been teleworking to return to the office, they may encounter some resistance from some workers who don't want to come back ." [Full Article](#)

**Vinson & Elkins LLP**



## COVID-19 Antibody Testing: Useful Screening Tool or Impermissible Medical Examination?

"As the United States still struggles with testing capacity for active COVID-19 infections, employers are increasingly asking "may we require our employees be tested for the presence of COVID-19 antibodies?" This is particularly true following the Equal Employment Opportunity Commission's position that employers were permitted to test for the presence of active COVID-19 infection, set forth in its [What You Should Know About COVID-19](#) resource (Q&A 6)." [Full Article](#)

**Shawe Rosenthal LLP**

## EEOC Issues Update on Coronavirus and Discrimination Laws

"Yesterday the Equal Employment Opportunity Commission updated its FAQs on coronavirus and discrimination. For those who are already familiar with the federal anti-discrimination laws, most of the new material will not be a surprise. But there are a few wrinkles that might be helpful to employers who are bringing employees back to work after the shutdowns." [Full Article](#)

**Constangy Brooks, Smith & Prophete LLP**



## STATE & INTERNATIONAL COMPLIANCE

### CALIFORNIA



#### CALIFORNIA REPUBLIC

### Cal/OSHA Issues Hazard Alert to Healthcare Facilities Regarding the Availability of COVID-19 PPE

"On June 5, 2020, the California Department of Occupational Safety and Health (Division), also known as Cal/OSHA, issued a [hazard alert to healthcare facilities](#) regarding the availability of COVID-19 personal protective equipment (PPE)." [Full Article](#)

*Little Mendelson P.C.*

### ILLINOIS



#### ILLINOIS

### COVID-19 Sent Many Employees Home to Work Remotely -

"Illinois law requires employers to reimburse employees for work-related expenses, subject to certain restrictions. Due to the risks of liability employers face under Illinois law for unreimbursed work-related expenses, it is important for employers to have a written reimbursement policy in place and to reimburse employees for qualifying expenses in a timely manner." [Full Article](#)

*Masuda Funai Eifert & Mitchell Ltd*

### MASSACHUSETTS



### Hearing Scheduled On Proposed Amendments to

"On June 11, 2020, the Department of Family and Medical Leave ("DFML") will hold a virtual public hearing on its recent [proposed amendments](#) to the final regulations pertaining to the [Massachusetts Paid Family and Medical Leave Law](#) ("PFML") issued in June 2019." [Full Article](#)

*Proskauer Rose LLP*

### NEW JERSEY



### New Jersey Department of Labor Releases Posters for Employers to Utilize to Satisfy Employee Misclassification Posting Requirements

"At the beginning of this year, New Jersey Governor Phil Murphy signed a package of legislation aimed at protecting the rights of workers who have been misclassified as independent contractors. One of these new laws, Assembly Bill 5843, requires employers to post notices regarding employee misclassification. The New Jersey Department of Labor and Workforce Development has now published the required posting in two different sizes ([11 x 17](#) and [8.5 x 11](#))." [Full Article](#)

*Sheppard, Mullin, Richter & Hampton LLP*

*This Weekly Digest is not intended to be exhaustive nor should any discussion or opinions be construed as legal advice. Readers should contact legal counsel for legal advice..*

*The Benefits Group, an Acrisure Agency Partner 248-299-7000 [www.healthbrokers.com](http://www.healthbrokers.com)*

**Simplify Compliance**