



Key Employment Law Issues in 2011, April Update

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PROPOSED FEDERAL LEGISLATION

<u>Law</u>	<u>Key Dates</u>	<u>Description</u>
Employment Non-Discrimination Act (H.R. 1397)	Introduced 4/13/11	Prohibits discrimination on the basis of actual or perceived sexual orientation or gender identity
Paycheck Fairness Act (H.R. 1519, S. 797)	Introduced 4/12/11	Amends the FLSA to permit potentially unlimited punitive damages for gender-based discrimination.
Fair Pay Act (H.R. 1493, S. 788)	Introduced 4/12/11	Amends the FLSA to make it unlawful to discriminate on the basis of sex for equivalent jobs.
FMLA Enhancement Act (H.R. 1440)	Introduced 4/8/11	Permits employees to take up to 4 hours of leave in any 30 day period to attend a child or grandchild's school or community organization activity or attend regular medical appointments, or visit an elderly relative. Also expands the FMLA to make it applicable to all employers with 25 or more employees within 75 miles.
Back to Work Extension Act (H.R. 477)	Introduced 1/26/11	Extends part of the HIRE Act to provide a payroll tax break to employers hiring individuals who were previously unemployed more than 60 days.
The Family Economic Success Act (S. 10)	Introduced 1/25/11	It should be the "sense of the Senate" that Congress should: guarantee pay equity for women, reward companies who promote flexibility for families, guarantee paid family and medical leave, and improve the quality and affordability of child care.
The Older Workers Opportunity Act (S.145, S. 150)	Introduced 1/25/11	Provides tax credit to employers that employ workers age 62 and older and provide a "flexible work program" (full and part time flexible work schedule, full pension, and health care benefits and pay at least 60% of the cost). Credit = 25% of the older workers' wages.
The Veterans Day Off Act (H.R. 319)	Introduced 1/19/11	Guarantees the right to take Veterans Day as an unpaid (or paid if available) day off of work for all veterans who work for at least one year for an employer with 50 or more employees.
Equal Employment for All Act (H.R. 321)	Introduced 1/19/11	Prohibits the use of credit checks on prospective or current employees except for national security clearance, certain public sector employees, and "supervisor, managerial, professional, or executive position at a financial institution."

PROPOSED OHIO LEGISLATION

<u>Law</u>	<u>Key Dates</u>	<u>Description</u>
Ohio S.B. 5	Signed 3/31/11 Effective 7/1/11	Dramatically changes and restricts public sector collective bargaining. Referendum likely.
Ohio H.B. 137	Introduced 3/2/11	Makes a uniform definition of "employee" and standards to determine whether an individual is an employee or an independent contractor.
Ohio H.B. 131 Ohio S.B. 30	Introduced 3/1/11 Introduced 2/1/11	Makes it unlawful for an employer to use a person's credit score or history as a factor when making employment decisions.
Common Sense Regulation Act (Ohio S.B.11)	Introduced 2/1/11	Requires state agencies to develop customer service training programs and improve state regulatory agency processes, especially with regard to small businesses.
Ohio S.B. 13	Introduced 2/1/11	Allows an individual to receive unemployment for unemployment related to domestic violence or "compelling family circumstances" including having to move to another state because of a spouse or job loss due to a family members' illness or to care for someone with a disability.
Ohio H.B. 85	Introduced 2/2/11	Prohibits requiring an individual to obtain or maintain health insurance (a response to Health Care Reform).

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