

Retail Employer Workplace News – Spring 2016

By Mark S. Askanas

March 29, 2016

OSHA's Relaxed Whistleblower Pleading Standards May Bring More Complaints

Retailers face a possible increase in whistleblower complaints under new guidance from the Occupational Safety and Health Administration that relaxes the standard for investigators tasked with determining whether a whistleblower statute has been violated. OSHA provides whistleblower protection under 22 federal statutes. [Read more...](#)

OSHA on Scissor Lifts and Power Industrial Trucks

The safe use of scissor lifts and powered industrial trucks, equipment commonly used in large retail stores, warehouses, and distribution centers, is the focus of the Occupational Safety and Health Administration's [hazard alert](#) and a [renewed alliance](#) with the Industrial Truck Association (ITA). The alert explains employer obligations and outlines preventive steps for avoiding hazards when workers use scissor lifts. The alliance agrees to raise awareness of OSHA's rulemaking and enforcement initiatives, provide outreach and communication, and promote training and education as to powered industrial trucks, such as forklifts.

Zika Virus Concerns in the Workplace

A global health alarm over the outbreak of a disease or virus raises issues for retail employers and employees as to appropriate workplace responses. Avian flu, swine flu (H1N1), and Ebola drew workplace concern in recent memory. Now, the mosquito-borne Zika virus has the Centers for Disease Control and Prevention (CDC) and the World Health Organization (WHO) declaring public health emergencies and putting employers' attention on how to respond. [Read more...](#)

Patchwork of Paid Sick Leave Laws

Paid sick leave may not be required by federal law — at least not yet — but the proliferation of [state](#) and local [paid sick leave laws](#) is a major compliance issue for employers, particularly those that operate in more than one state. Developing paid sick leave policies that meet the requirements of all of these laws can be challenging.

Congress Reacts to Obama Administration Moves on Joint Employer Liability

How far can the government go in holding a franchisor responsible for franchisees' violations of labor law? The Republican leadership of a congressional oversight committee has started investigating inter-agency communications in response to the Obama Administration's attempts to make franchisors responsible for alleged violations by franchises. [Read more...](#)

Need for Employers Privacy Policies

Having employees necessarily means storing some amount of personal information about them. Privacy experts recommend that employers consider implementing privacy policies to address the protection of personal information they maintain on their employees. Many federal and state laws require entities to protect personal or private information collected from individuals. Here's our overview of the rules and what an employer's privacy policy should include. [Read more...](#)

New California Regs on Workplace Anti-Harassment, Anti-Discrimination Policies

California employers must prepare for new regulations, effective April 1, 2016, declaring that "[e]mployers have an affirmative duty to create a workplace environment that is free from employment practices prohibited by" the California Fair Employment and Housing Act and that "[e]mployers have an affirmative duty to take reasonable steps to prevent and promptly correct discriminatory and harassing conduct." The rule requires employers to have a written policy and complaint process. [Read more...](#)

Meet the Author



[Mark S. Askanas](#)

Principal
San Francisco 415-394-9400
Email

©2020 Jackson Lewis P.C. This material is provided for informational purposes only. It is not intended to constitute legal advice nor does it create a client-lawyer relationship between Jackson Lewis and any recipient. Recipients should consult with counsel before taking any actions based on the information contained within this material. This material may be considered attorney advertising in some jurisdictions. Prior results do not guarantee a similar outcome.

Focused on labor and employment law since 1958, Jackson Lewis P.C.'s 950+ attorneys located in major cities nationwide consistently identify and respond to new ways workplace law intersects business. We help employers develop proactive strategies, strong policies and business-oriented solutions to cultivate high-functioning workforces that are engaged, stable and diverse, and share our clients' goals to emphasize inclusivity and respect for the contribution of every employee. For more information, visit <https://www.jacksonlewis.com>.

©2020 Jackson Lewis P.C. All rights reserved. Attorney Advertising. Prior results do not guarantee a similar outcome. No client-lawyer relationship has been established by the posting or viewing of information on this website.

*The National Operations Center serves as the firm's central administration hub and houses the firm's Facilities, Finance, Human Resources and Technology departments.