

Construction Industry Workplace Law Update – Fall 2021

By Stacey A. Bastone, Victor N. Corpuz, Michael R. Hatcher, Brian P. Lundgren,

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Meet the Authors



Stacey A. Bastone

Principal
(631) 247-0404
Stacey.Bastone@jacksonlewis.com



Victor N. Corpuz

Principal
(214) 520-2400
Victor.Corpuz@jacksonlewis.com



Michael R. Hatcher

Principal

OFCCP Issues Second Construction Contractor Audit List, Increasing Scrutiny of Contractor Compliance

The Office of Federal Contractor Compliance Programs (OFCCP) has long been interested in greater scrutiny of the affirmative action planning (AAP) efforts of contractors performing construction work directly for the federal government or in connection with federally assisted construction projects. That wish may be granted soon. [Read full article ...](#)

During an OSHA Inspection: Know Your Rights

During an Occupational Safety and Health Administration (OSHA) inspection, the OSHA official, escorted by management, will tour the facility or construction site to observe working conditions, identify violations, and so on. However, an OSHA official cannot require equipment be positioned a certain way or an accident scene be reenacted for photographs of an allegedly violative condition. [Read full article ...](#)

New Sex Harassment Laws: Making for Strange Bedfellows in Construction Industry

In the construction industry, where multiple companies working closely together abound and where it is more difficult to monitor employee behavior because many employees are in the field, more incidents of inappropriate behavior occur. [Read full article ...](#)

OSHA Announces Enhanced Emphasis on Heat-Related Hazards

The Department of Labor has announced enhanced initiatives aimed at heat-related illnesses to better protect employees in hot working environments. The construction industry has been among the industries with the highest average heat-related fatalities per year, according to the Bureau of Labor Statistics. [Read full article ...](#)

Third-Party Access to Employer Property Under Court Scrutiny

When assessing whether a private employer must allow others access to its private property for union organizational purposes, the National Labor Relations Board's (NLRB) precedent often has hinged on whether the person seeking access is an employee, a third-party union organizer, or an onsite contractor's employee. [Read full article ...](#)

Construction Industry Seeks to Diversify Its Workforce

In September 2021, Congress continues to debate a bipartisan infrastructure bill. The Biden Administration estimates that if its \$1 trillion plan is enacted, the legislation will create up to two million new job per year for a decade. Many, if not most, of those new jobs would be in the construction industry. [Read full article ...](#)

Please contact a Jackson Lewis attorney if you have any questions about these developments.

(703) 483-8328

Michael.Hatcher@jacksonlewis.com



Brian P. Lundgren

Principal

206-626-6424

Brian.Lundgren@jacksonlewis.com

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