

Mid-Year 2024: Now + Next

July 24, 2024

By almost any measure, 2024 is a memorable year for employment and labor law – and it's only halfway done. Our timely report, *Mid-Year 2024: Now + Next*, takes a closer look at the recent rules, regulations and rulings affecting employers today, the rest of the year and beyond.



Accommodations

The EEOC's final rule implementing the Pregnant Workers Fairness Act (PWFA) provides important clarifications and insights into how the EEOC will enforce the law.





Artificial Intelligence

Workplace AI continues its rapid evolution, making adoption a business imperative. But recent guidance from agencies and legislatures indicates implementation will be the real issue.



Discrimination + Harassment

Will the EEOC's first updated enforcement guidance on workplace harassment in 25 years and SCOTUS's *Muldrow* decision refine — or reshape — workplace behaviors and culture?



Labor + Wage/Hour

Two new DOL final rules on EAP minimum salaries and independent contracting, as well as the NLRB's joint-employer rule, are re-writing what employment is — and what it's worth.



Non-Competes

Employers using restrictive covenants are understandably nervous about the FTC's final rule. It's not yet in effect — and the legal challenges to it are significant. Is the status quo a safe bet?



Arbitration

“Just as ‘shall’ means ‘shall,’ ‘stay’ means ‘stay.’” Several federal and state court decisions highlight the evolving landscape for employment-related arbitration.

SCOTUS Decisions Challenge Federal Agency Authority

The U.S. Supreme Court's *Loper Bright* decision overturning the decades-old *Chevron* doctrine of judicial deference to a federal agency's interpretation of an ambiguous statute may have been the most momentous business-related decision this term. But it wasn't the only one. Several other cases, including *Corner Post* and *Jarkesy*, could prove to be just as consequential for federal agency authority.

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