



A Look Ahead

News

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Rich Meneghello was quoted in the *HR Executive Online* on January 7, 2016. The article "A Look Ahead" discussed how upcoming decisions from the Supreme Court and the National Labor Relations Board are just a few of the issues HR leaders need to be focused on in the coming 12 months.

Rich was quoted on his take of the new overtime rules, upcoming Supreme Court decisions, health and wellness programs, and independent contractors.

These changes have been on the horizon since 2012," said Rich, "and there's almost no doubt that some changes will take effect in 2016." He added that, if the Final Rule is published on July 1, employers may have 60 days or until August 30 to become compliant.

There's a very good chance that the Supreme Court is going to strike down the agency shop fees that will really limit the political clout unions have," said Rich, "because it will reduce the number of workers who are unionized in the public sector." He said that, while it won't immediately impact private-sector employees, there's also the potential that the decision "is going to further reduce the effectiveness and significance of unions across the American landscape."

Rich said he expects another NLRB decision involving franchise and staffing-company arrangements that gives employees the right to negotiate directly with the parent company that otherwise might not have had any control or relationship with employees whatsoever.

He said that there seemed to be a good deal of consternation surrounding the Genetic Information Nondiscrimination Act and other privacy laws.

"Should employers be able to have that information?" he asked rhetorically. "At first, it looked as if the EEOC was saying, 'No, you couldn't,' which would really put a huge crimp in a typical wellness program. Now it appears the EEOC is softening its stance. We're not sure what it will say, how friendly it will be, but it's something to definitely keep an eye on, especially as more employers institute [wellness] programs to cut down their costs."

In 2016, Rich said, there will be "a further attack" on the classification of workers as ICs: "Unions are definitely behind that battle. They want as many workers as possible to be classified as employees, not ICs, so they can be organized." He added that the *Uber* misclassification case will

employees, not ICs, so they can be organized. He added that the Uber misclassification case will probably be decided in July, in which "a small number of Uber workers want to be employees, [but] many enjoy the freedoms" of being an IC.

To read the full interview, please visit [*HR Executive Online*](#).

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