



SHRM Asks Fisher Phillips Attorney About How Employers Should Handle Super Bowl Inspired Absences

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Studies are increasingly showing that employees will conveniently catch a cold the day after the Super Bowl. *SHRM* asked Boston attorney Josh Nadreau how employers should handle employees playing hooky when Monday rolls around. Josh says, "You're going to want to be compliant with any advance-scheduling laws, as well as making sure you're compliant with any on-call pay regulations. The employer is buying the employee's availability. Make sure you talk to your in-house employment counsel, so you don't accidentally run afoul of those regulations."

According to Josh, employers also should be aware of state regulations that do not allow them to verify whether someone who calls in sick is truly ill. In some states, such as Massachusetts, employers cannot request a doctor's note except in very specific instances. "In many of these states, if an employee calls in and says, 'I can't come in; I'm sick,' that's the end" of the conversation, Josh said.

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