



# FP's Essential Summer Reading List for Employers

Insights

6.05.23

Summer's the time to sit back and relax and catch up on some light reading you've been meaning to get to. And what better way to spend time poolside or at the beach than to scroll through some links from Fisher Phillips? Here are our top links to get employers prepared for the summer ahead.

## Are You Hiring for the Summer?

Many of you are moving into your busiest season, and may be looking at creative staffing options you haven't considered in the past – including hiring teen workers, creating internship programs, and offering volunteer opportunities. If those may be viable options for your organization, there are a host of potential compliance pitfalls that you need to consider. [Here is a guide to bringing aboard minors, interns, and volunteers this summer.](#)

## Do You Have Employees Doing Work Outside this Summer?

Last year, federal workplace safety officials implemented a new National Emphasis Program related to heat illnesses and injuries for both outdoor and indoor workers. OSHA put that in place on the heels of the agency proposing a permanent safety standard for hazards stemming from heat-related injuries and illnesses. What do employers need to do now before withering summer temperatures kick in across the country? [Here are some tips to protect workers from extreme heat this year.](#)

## Workcations, Bleisure Travel, and Hush Trips

If you have employees who work remotely or travel for business, they've likely considered taking their laptop to the beach – or maybe even abroad – to combine business and leisure travel. Perhaps they've already done so without telling you. Before the summer gets away from you, [now is the time to weigh the pros and cons of allowing employees to combine work and play and consider creating a clear policy](#) on what type of travel is permissible on company time.

## Have You Considered a 4-Day Workweek?

Could this summer be the time you experiment with a four-day workweek? Employers are being challenged to reevaluate what they consider traditional elements of work in order to keep up with the times, and this now includes the very length of the workweek. Notably, however, the four-day

workweek trend — which has garnered significant media attention — isn't about redistributing the 40-hour workweek to four 10-hour days. Instead, under this model, employers would essentially cut a day of work and make the workweek 32 hours without reducing workers' pay. Maybe this sounds intriguing to you, or maybe it sounds completely impractical. Either way, the trend is likely to stick around. What are the pros and cons of a four-day workweek, and what are the top four steps to consider if your organization wants to adopt this new model?

## Catch Up on SCOTUS Action

In the coming weeks, the Supreme Court will wrap up its term and issue three big decisions that we've been tracking.

- We predict that SCOTUS will make it more difficult for employers to deny religious accommodations in a case involving a mail carrier who doesn't want to work on Sundays.
- Look for the Court to decide whether a trial court's proceedings are automatically paused when someone challenges a judge's decision denying arbitration.
- And in the biggest blockbuster left in the term, we predict that SCOTUS will block colleges and universities from using affirmative action and consider race in their admissions processes.
- Bonus: if you want to get a head start on next term's cases, you can also read our summary of a big case that will be heard in the fall – whether someone can serve as a legal "tester" that goes from business to business looking for – and suing for – alleged violations of the Americans with Disabilities Act (ADA), even if they have no intent of patronizing the business.

## Catch Up on Artificial Intelligence

You can't scroll the news these days without reading about artificial intelligence (AI), so why would you think this list would be any different? Here are some links to help you navigate this exploding field as it applies to the workplace.

- Have you attended a Fisher Phillips AI Workplace Forum yet? It's the nation's preeminent space focusing on the intersection of AI and all things employment – the singular place where innovative business leaders will get the news on how AI will be impacting their operations. Join our next biweekly 30-minute rapid-fire session to hear firm leaders discuss the latest AI trends and breaking news. Up for discussion this week: what are some best practices for introducing AI into your workplace so that your employees appreciate the new tools and don't panic?
- The EEOC sent a reminder a few weeks ago that employers using AI will be closely scrutinized for possible discrimination violations. The federal agency released a technical assistance document warning employers deploying AI to assist with hiring or employment-related actions that it will apply long-standing legal principles to today's evolving environment in an effort to find possible Title VII violations. What are the five things you need to know about this latest development?

- What are your peers and competitors doing in the AI space? [Our most recent FP Flash Survey results provide an enlightening glimpse into the state of artificial intelligence in the workplace](#), and could help guide you as you navigate the AI waters in 2023.

## **Catch up on Non-Compete Law**

It's been a tumultuous year when it comes to the law surrounding non-compete agreements, and we expect more activity this summer and beyond.

- First things first – the federal government proposed a rule earlier this year that would ban most non-compete agreements. [Read our comprehensive FAQs here](#).
- Just a few weeks ago, we learned that this proposal would be delayed for about a year. [What are you supposed to do in the meantime during this limbo period?](#)
- And then last week, the NLRB's General Counsel announced that many non-compete agreements in effect [already violate existing federal law](#) that applies to both unionized and non-unionized workplaces.
- [Here's a good read to guide you](#) whenever you're forced to decide whether to take legal action against parties who may have violated non-competes or other restrictive covenants.

## **Conclusion**

We will continue to monitor workplace law developments and provide updates when necessary, so make sure you are subscribed to [Fisher Phillips' Insight System](#) to get the most up-to-date information. For further information, contact the authors of the various Insights compiled here or your Fisher Phillips attorney.

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