

Keep these five employment law issues on your radar this year

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Nandini Sane spoke with *Human Resource Executive* about employment law topics that employers should focus on this year. She discussed the expansion of pay transparency laws and said "this trend is likely to continue as other states and locations pass similar laws. Prior to posting any job, employers should closely review the postings and the applicable laws to ensure compliance." When addressing the FTC's proposed rule that would ban all non-competition agreements, she says that given the wide use of these types of agreements across all industries, the implementation of this rule would have a monumental impact on the employment law landscape. She singled out the growing number of employers that have been utilizing artificial intelligence technology to automate employee-management functions. These technologies, she says, which often use algorithms to track and analyze data, have wide-ranging applications and can assist employers with recruiting, hiring, tracking productivity and improving efficiencies. Another trend she says employers should be aware of is legislation that protects against racial discrimination based on hairstyle, as a number of state and local governments have passed versions of the CROWN Act, which expressly recognize hairstyle discrimination as race-based. It's expected that the U.S. Department of Labor will issue a new test this year to evaluate whether a worker is an employee or an independent contractor. "This new rule is expected to rescind the DOL's prior rule, passed in 2021, and would effectively result in more workers being classified as employees rather than independent contractors," she says.

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