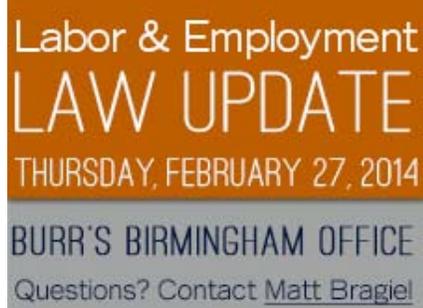




February 13, 2014

Burr & Forman's 2014 Labor & Employment Law Update



8:00A - 9:00A CST:

Registration/Breakfast

9:00A - 3:30P CST: Program/Lunch

3:30P - 5:00P CST: Cocktail Hour

Program Pending Approval For SHRM/HRCI Continuing Education Credit.

Topics Include: Health Care Reform; Labor Update; Immigration; OSHA Update; Hiring; Non-Compete; Conducting Audits; Investigations; Legislative/Regulatory Update. Register [HERE](#), or for more information, contact [Matt Bragiel](#).

Using Social Media in Hiring Decisions: Is It Really Worth the Risk?



Employers today often utilize social media websites such as Facebook, Twitter, and MySpace to investigate job applicants (or current employees) as part of the hiring process. This article discusses trends and considerations with respect to social media utilization in employment decisions.

Click [here](#) to read the article. For more information, contact [Carlton Hilson](#) at (205) 458-5195 or chilson@burr.com.

Wage & Hour: Top 10 Mistakes in Nursing Homes

On January 13, 2014, Birmingham partner [Ashley Hattaway](#) presented at the Alabama Nursing Home

Headlines

- [High Court Rules Steel Workers Need Not be Paid for Changing Clothes](#)
- [NLRB Proposes Rules to Streamline Unionization Voting Process](#)
- [Obama Administration Delays Another Health Insurance Mandate](#)
- [Businesses Have Mixed Reviews on Paid Sick Leave Laws](#)
- [Tech Startups Offering High-Quality Health Care as New Perk](#)
- [More Startups Offer Employees Chance to Cash in on Stock Options](#)
- [Volkswagen Plant Could Be First Foreign-Owned, U.S. Union Factory](#)
- [Labor Troubles at Kellogg's Memphis Plant Continue](#)
- [College Athletes Looking to Form Labor Union](#)
- [Obama Teams with Big Companies to Help Unemployed Find Work](#)

News Briefs

High Court Rules Steel Workers Need Not be Paid for Changing Clothes

The U.S. Supreme Court has handed a victory to employers by ruling that a group of unionized steel workers does not have to be paid for the time they spend "donning and doffing" safety gear before and after their shifts. The unanimous ruling came in a case involving workers at a U.S. Steel Corp plant that was closely watched by industries that employ workers who wear safety clothing.

(Source: Reuters, 2014-01-27)

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NLRB Proposes Rules to Streamline Unionization Voting Process

Labor regulators are trying once again to streamline the process in which workers decide whether to join labor unions, a move sure to reignite the bitter debate between union advocates and employers that seek to discourage workers from unionizing. The National Labor Relations Board proposed rules that would allow unions to hold workplace elections more quickly by simplifying procedures, setting shorter deadlines and requiring businesses to hand over lists of employee phone numbers and emails to union leaders before an election.

(Source: ABC News, 2014-02-05)

[Read More](#)

Obama Administration Delays Another Health Insurance Mandate

For the second time in a year, the Obama administration is giving certain employers extra time before they must offer health insurance to almost all their full-time workers. Under new rules announced by Treasury Department officials, employers with 50 to 99 workers will be given until 2016 -- two years longer than originally envisioned under the Affordable Care Act -- before they risk a federal penalty for not complying.

(Source: The Washington Post (free reg. req'd), 2014-02-10)

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Businesses Have Mixed Reviews on Paid Sick Leave Laws

Many cities and states across the country have been adopting strict new mandates outlining paid sick days. Proponents of such laws say low-wage workers are the least able to afford an unpaid day off, and sick workers can infect others, but critics say the laws unnecessarily raise costs for small employers and blunt job growth.

(Source: The Wall Street Journal, 2014-02-05)

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Tech Startups Offering High-Quality Health Care as New Perk

Tech startups are known for their crazy perks -- a gym membership, unlimited vacation, and free meals -- which are designed to recruit and retain engineers. The hot new



Association's 2014 Annual Legal Compliance Seminar. The topic of her presentation was "Wage & Hour: Top 10 Mistakes in Nursing Homes."

For more information, contact Ashley at (205) 458-5135 or ahattaway@burr.com.

Practical Solutions to Workplace Social Media Problems



Birmingham partners [John Coleman, III](#) and [Marcel Debruge](#) will present at the 10th Annual Labor & Employment Law Advanced Practices (LEAP) Conference held March 12-14, 2014 in Las Vegas, NV.

John and Marcel will co-present a session about the importance of having a social media policy and will cover what your policy should (and shouldn't) contain, along with social media recruiting practices, background checks, Bring Your Own Device (BYOD) issues, and more.

For more information, [click here](#), or contact John at (205) 458-5167 or jcoleman@burr.com and Marcel at (205) 458-5263 or mdebruge@burr.com.

2014 DRI Toxic Torts and Environmental Law Seminar



Burr & Forman partners [Paul Cavender](#) and [Ricardo Woods](#) will be attending the 2014 DRI Toxic Torts and Environmental Law Seminar, which will be held February 20-21, 2014 in New Orleans, Louisiana.

Click [here](#) for more information, or contact Paul at (205) 458-5350 or pcavender@burr.com, and Ricardo at (251) 345-8257 or rwoods@burr.com.

Burr & Forman Boosts Intellectual Property Practice in Tampa

Burr & Forman is pleased to

benefit is far more practical: High-quality primary care.

(Source: Venture Beat, 2014-02-10)

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More Startups Offer Employees Chance to Cash in on Stock Options

It used to be that stock options would only become of real value after a company's IPO. Now, many large startups are offering employees a chance to sell a portion of their stake, at the same time as continuing to hold onto the rest.

(Source: The Wall Street Journal, 2014-02-03)

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Volkswagen Plant Could Be First Foreign-Owned, U.S. Union Factory

The answer rendered by the 1,500 workers eligible to vote on whether to unionize could have profound implications for the future of the U.S. auto industry and organized labor. No one is more aware of this than the UAW, which hopes a victory in Chattanooga will finally give it a foothold for expansion in the South's foreign-owned auto plants after three decades of struggles to organize their workers, while a loss would be devastating, given that VW has all but invited the UAW into the Chattanooga plant to help create a German-style labor council that would give workers a say in corporate decisions about new products and manufacturing sites.

(Source: Automotive News, 2014-02-10)

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Labor Troubles at Kellogg's Memphis Plant Continue

For more than three months, Kellogg has locked out Joey Watts and 225 of his co-workers, barring them from returning to their jobs making Frosted Flakes and Froot Loops until their union agrees to a new contract. To locked-out workers, Kellogg is yet another American company seeking to knock middle-class workers down a few pegs and chip away at their pay and benefits, but to Kellogg the Memphis plant is a high-cost operation with above-market wages that badly need to be brought under control to make the plant competitive.

(Source: The New York Times, 2014-02-10)

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College Athletes Looking to Form Labor Union

Football players at Northwestern University have kicked off a daunting, but not necessarily impossible, drive to become the first U.S. college athletes to unionize, starting a legal process with the potential to redefine college sports. Wildcats quarterback Kain Colter has teamed up with Ramogi Huma, a former University of California-Los Angeles player turned activist, to form the College Athletes Players Association (CAPA), a first-of-its-kind labor union.

(Source: Reuters, 2014-02-10)

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Obama Teams with Big Companies to Help Unemployed Find Work

President Barack Obama met with chief executive officers of companies from Bank of America to eBay who have committed to giving the long-term unemployed a better chance in the hiring process. More than 300 companies, including retail giant Wal-Mart and automaker Ford Motor Co., have signed a pledge to develop initiatives for hiring and recruiting job-seekers who have been out of work for an extended period, according to the White House.

(Source: Bloomberg Businessweek, 2014-01-31)

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BURR & FORMAN BLOGS



announce that [Harvey S. Kauget](#) has joined as a partner in the firm's Tampa office. Kauget boosts Burr & Forman's Intellectual Property practice, bringing more than 15 years of experience in representing clients in patent and trade secret litigation, IP risk management and portfolio licensing.

Read Harvey's bio [here](#), or contact him at (813) 367-5755 or hkauget@burr.com.



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