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June 15, 2022

Welcome

Welcome to our second edition of *SuperVision* for 2022.

We would first like to congratulate the firm and several of our attorneys, including a number of members of our Labor & Employment Group, who were recognized in the 2022 edition of *Chambers USA*, an annual directory of leading law firms and attorneys as determined by the interviews of lawyers and their clients. You can learn more about the Chambers recognition [here](#).

In this edition, we cover a variety of topics of interest to employers, including:

- The limits of workers' compensation coverage for employees who work from home by [Charity K. Lawrence](#) and [H. Dill Battle III](#)
- Efforts by the Biden administration to limit employer speech related to union organizing by [Mitchell J. Rhein](#), [Peter R. Rich](#) and [Kevin L. Carr](#)
- The CROWN Act, which bans discrimination based on hairstyle as a form of racial discrimination, by [Kelsie A. Wiltse](#)
- The EEOC's Equity Action Plan and its potential impact on employers by [Ellen J. Vance](#)
- Issues of compensation for remote workers by [Heather M. Garrison](#)
- How employers can learn from Title IX when responding to workplace violence by [Erin Jones Adams](#)

In addition to writing an article for this second edition of *SuperVision* and serving as a member of Spilman's Labor and Employment Group, Erin Jones Adams serves as the co-chair of our Education Practice Group. If you are in educational instruction, local government, with an entity that performs education-focused work, or if you would like to learn more about the Education Practice Group, please [email us](#) to sign up for our firm's newest publication, *The Academic Advisor*, which launches on June 21.

We hope you find these articles informative. If you have any questions about these topics or suggestions for future articles, please [let us know](#).

[Eric W. Iskra](#), Chair, Labor & Employment Practice Group
[Carrie H. Grundmann](#), Executive Editor, *SuperVision*

Where Does Employer Liability for Workplace Injuries in a Post-COVID Work End? Liable at Work, but Not Off-Site?

By: Charity K. Lawrence and H. Dill Battle III

The COVID-19 pandemic and post-pandemic era saw an increase in the number of employees working from home. For employers, this raises questions of liability for injuries that occur while employees are working from home. Specifically, when does workers' compensation coverage or deliberate intent coverage apply?

Click [here](#) to read the entire article.

Biden Administration Seeks to Limit Employer Speech to Aid in Union Organizing

By: Mitchell J. Rhein, Peter R. Rich and Kevin L. Carr

Recently, leading officials in the Biden administration have taken steps to prevent employers from sharing their lawful views on collective bargaining in order to aid union efforts to organize more employees. These actions range from encouraging employers to refrain from discussing unions with employees, to seeking to prohibit any discussion about unions with employees while they are working. If the National Labor Relations Board implements the administration's actions, it would make it significantly harder for employers to oppose union organizing campaigns and make it easier for employees to organize.

Click [here](#) to read the entire article.

What Employers Should Know about the CROWN Act

By: Kelsie A. Wiltse

On March 18, 2022, the House of Representatives passed the Creating a Respectful and Open World for Natural Hair Act ("CROWN Act") of 2022. The purpose of this bill is to address the routine deprivation of educational and employment opportunities that people of color face for wearing their natural hair. This legislation also prohibits discrimination based on an individual's hair texture or hairstyle so long as that texture or style is "commonly associated with a particular race or national origin."

Click [here](#) to read the entire article.

The Potential Impact of the EEOC's Equity Action Plan

By: Ellen J. Vance

Shortly after his administration began, President Biden signed Executive Order 13985, "Advancing Racial Equity and Support for Underserved Communities Through The Federal Government." In April 2022, in accordance with this Executive Order, the Equal Employment Opportunity Commission released its "Equity Action Plan," which contains several items that may impact employers.

Click [here](#) to read the entire article.

Compensation Structure in the Post-COVID Remote-Work Era

By: Heather M. Garrison

The pandemic generated a migration of employees from metro-based offices to smaller, more affordable communities where they could work from home. New complexities – mostly centered around pay scale – have arisen with this shift to remote work. Many companies have struggled to find equitable ways to compensate employees, and some employers have decided to pay them less.

Click [here](#) to read the entire article.

How Title IX Can Inform Private Employers' Response to Relationship Violence

By: [Erin Jones Adams](#)

How should an employer respond if an employee is experiencing relationship violence? What if the partner has threatened the employee at work?

Employers must consider these situations because relationship violence in the workplace is more prevalent than it may seem. According to statistics cited by the National Domestic Violence Hotline, 44 percent of adults employed on a full-time basis in the United States have reported domestic violence in their workplace, and 96 percent of employed domestic violence victims have faced problems at work due to the abuse. Relationship violence poses a threat to any employee experiencing abuse, as well as to co-workers and others who intervene to help.

Educational institutions across the country -- and their designated Title IX Coordinators -- routinely handle these types of situations. Examining safety measures employed in the Title IX context can inform all employers' actions to support employees and to prevent workplace violence.

Click [here](#) to read the entire article.



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Responsible Attorney: Eric W. Iskra, 800-967-8251