

Employment Litigation Drops Amid COVID-19

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Brian Murphy, partner in the Labor and Employment Practice Group, discusses the decline in employment litigation suits during the COVID-19 pandemic. Murphy thinks that the decrease may be due to the shift from on-site to remote work, noting, “when there’s less opportunity for person-to-person interaction ... claims like harassment or discrimination are expected to fall.” He also acknowledges that employees “may also be wary of ‘rocking the boat’ by filing claims against businesses that are struggling during the pandemic.” Looking ahead, Murphy anticipates an increase in wage and hour claims as telework has complicated employer’s ability to accurately track and fairly compensate workers, saying, “When someone is at home and they’re taking breaks to attend to personal tasks, walking the dog, et cetera, it gets a little bit squirrely.” To finish he adds that, “Workers who have to submit to COVID-19 exams as part of their jobs may also test whether they’re owed pay for time spent waiting in line or commuting to testing facilities.”

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