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Labor and Employment Alert: Labor and Employment Matters Front and Center in State of the Union

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President Obama delivered his sixth *State of the Union* address on Tuesday, and labor and employment matters took center stage. While the president's address does not have the force of law, it highlights for employers what issues the White House plans on pursuing in the coming year.

Paid sick leave was the first employment issue that the president addressed. The president indicated he will "be taking new action to help states adopt paid leave laws of their own." He also called on Congress to draft a federal paid leave law. While the odds of the Republican-dominated Congress drafting such a bill are long, employers should be on the lookout for just what form the president's "new action to help states adopt paid leave laws" takes.

For employers already familiar with wage and hour litigation, it does not look like that tide is likely to ebb anytime soon, as the president reaffirmed the White House's commitment "to make sure employees get the overtime they've earned." The president also made a general – if nonspecific – call for Congress to raise the minimum wage.

Union employers should also take note of the president's call for Congress to pass laws "that strengthen rather than weaken unions." While, again, such a law seems unlikely, employers should expect that the NLRB will *continue to take union-friendly action*, without necessarily feeling tied to NLRB precedent.

Similarly, the president called for "a law that makes sure a woman is paid the same as a man for doing the same work." With a Congress that is unlikely to pass any new employment discrimination laws, employers should expect the EEOC to remain highly motivated in light of the president's attention to this issue.

As employers keep a watchful eye on the shifting legal landscape, they should reach out to their Vorys labor and employment professional with any questions regarding how these potential new developments affect their practices and procedures.