

Weekly Digest

• December 9, 2025 •

Human Resources

The H-1B Holiday Rush Towards H-1B Enforcement

"The U.S. Department of Labor (DOL)'s new "Project Firewall" significantly intensifies H-1B enforcement, enabling expanded audits, interagency data sharing, stricter penalties (including debarment), and increased scrutiny of patterns like offsite placements, wage discrepancies, and inconsistent job information."

Full Article

Barnes & Thornburg, LLP

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Two Turtle Doves... and Their Office Romance

"Those turtle doves aren't the only ones snuggling close at night... romance in the workplace can be exciting—but tricky—territory. While love may blossom by the water cooler, employers must carefully navigate risks to workplace culture, productivity, and legal compliance. Without clear guidance, even consensual relationships can lead to perceptions of favoritism, claims of harassment, or conflicts of interest." **Full Article**

Verrill Dana, LLP

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Not Your Employee, Not Your Problem? Unpacking Sixth Circuit's Corporate Liability Ruling for Title VII Harassment Claims

"In *Bivens v. Zep*, 6th Cir., No. 24-2109 (August 8, 2025) the U.S. Court of Appeals for the Sixth Circuit addressed the question of when an employer may be legally responsible for harassment of its employees by a nonemployee. The court said if the accused is not an "agent" of the employer, it comes down to intent." [Full Article](#)

Duane Morris, LLP & Affiliates



Take Time to Update Your Handbook

"When did you last update your employee handbook? With the end of the year nearing, now is a good time. Your policies should provide clear guidelines to your workforce about what you expect of them. Policies should also be a guide to HR regarding complaint procedures, discharge procedures, and even investigations if those are a part of your policies or handbooks." [Full Article](#)

Bradley Arant Boult Cummings, LLP

Employment Law Update: EEOC Issues New Guidance on Discrimination Against American Workers

"The Equal Employment Opportunity Commission issued an advisory Guidance titled 'Discrimination Against American Workers is Against the Law.' The new Guidance emphasizes that Title VII of the Civil Rights Act of 1964, which protects employees or applicants from discrimination based upon national origin, includes and protects individuals who are natural-born or otherwise identify as 'Americans.'" [Full Article](#)

Whiteford, Taylor & Preston, LLP



Pregnancy Accommodation: Where Things Stand Now

"The Pregnant Workers Fairness Act took effect in June 2023, and the following year, the Biden-era EEOC issued regulations that were relatively burdensome for employers. Since that time, President Trump was elected, and he fired two Democratic members of the agency, depriving the agency of a quorum. Meanwhile, a number of states filed suit seeking to enjoin application of the PWFA regulations, and now the EEOC has a quorum again, with a Republican majority. Employers could be forgiven for being confused about what this means for their pregnancy accommodation obligations. The obligation still exists, of course, but its scope may be narrowing." [Full Article](#)

Constangy, Brooks, Smith & Prophete, LLP

STATE COMPLIANCE UPDATES

CALIFORNIA

California's 2025 Employment Law Changes



"California enacted several new employment laws in 2025, including enhanced penalties for wage and hour violations, expanded pay data reporting requirements, broadened sexual harassment protections, stronger pay equity and transparency measures, measures addressing tip theft, restriction of employee loan repayment, expanded time off and use of sick pay benefits, additional personnel records requirements, and expanded whistleblower protections." [Full Article](#)

Troutman Pepper Locke

NEW JERSEY

New Jersey Bans "Captive Audience" Meetings



"New Jersey enacted **New Jersey Bill No. 4429**, which took effect on December 2, 2025. The bill amends state law by expanding prohibitions on employers' requiring employees to attend or listen to communications concerning political or religious matters, including at mandatory meetings—often referred to as "captive audience" meetings—to cover the decision to join or support a labor organization or association." [Full Article](#)

Little Mendelson P.C.

NEW YORK

2026 Wage Updates for New York Employers



"The minimum wage and overtime exemption salary thresholds across New York State will increase. New York Governor Hochul signed legislation in 2023 adopting a three-year schedule of annual increases to the state's minimum wage rates, followed by a market-based approach to adjust minimum wage rates moving forward. The final scheduled increase will take effect on January 1, 2026." [Full Article](#)

Seyfarth Shaw, LLP

OREGON

Watch Out Oregon Employers—Anything Less Than a Full 30-Minute Lunch Break Could Lead to Significant Exposure



"The Oregon Court of Appeals recently issued a decision with significant implications for businesses with employees in Oregon. In *Athena v. Pelican Brewing Co.*, 345 Or App 172 (2025), the Court held that employees who receive "short" meal periods (anything less than a full 30 minutes) are entitled to recover unpaid wages for the entire 30-minute meal period, essentially creating a 30-minute penalty for short meal periods." [Full Article](#)

Buchalter

PENNSYLVANIA

Pennsylvania Prohibits Hairstyle Discrimination in New CROWN Act



"Pennsylvania Governor Josh Shapiro signed the Creating a Respectful and Open World for Natural Hair (CROWN) Act into law. The CROWN Act prohibits discrimination based on hairstyles and head coverings associated with race or religious creed." [Full Article](#)

Cozen O'Connor