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DENTONS

Global Employment Lawyer

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Welcome to the latest edition of our quarterly global employment and labour law newsletter, where we bring you the latest insights and updates in employment and labour law from around the world. Our global team of specialist lawyers have endeavoured to provide you with a comprehensive overview of significant developments in employment and labour laws worldwide.

In this issue, we cover a myriad of legal changes and emerging trends. Our coverage spans a wide spectrum, from the intricacies of amendments to Mainland China's regulations on personal information exports to new measures promoting diversity and equality in South Africa's workplaces.

We also take a look at the new four-day working week in Mauritius, an important ruling on gig economy workers in Hong Kong, recent changes to sexual harassment laws in Taiwan and significant amendments to labour legislation and codes in jurisdictions ranging from Spain to Oman, plus much more!

We hope you enjoy this edition. Thank you for choosing Dentons as your trusted source for employment and labour law insights.

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Legal updates Africa

Mauritius

Four-day working week – Subject to the consent of the employee and provided that at least 48 hours' notice is given, an employer can require an employee to work in any week on a four-day week basis. The employee can make a request to work on a four-day week basis and the employer must grant the request, subject to operational requirements. The employee will be required to work 45 hours a week or as stipulated in the agreement between the parties. This applies only to workers earning a yearly basic salary not exceeding MUR 600,000.

Childcare facilities – Employers with more than 250 employees must provide childcare facilities at the workplace premises (or within 1 km) for employees' children aged up to three years.

Overtime – The law has been amended to clarify that authorised leave will be deemed to constitute attendance at work for the purpose of calculating the number of extra hours worked per week.

Payment by bank transfer – The law has also been amended to clarify that, subject to written agreement between the parties, the employer must pay remuneration into the employee's individual bank account as opposed to any bank account.

Other changes – For workers earning a basic yearly salary not exceeding MUR 600,000:

- insurance policy: it is now mandatory for employers to provide an insurance policy covering injury, disease or death arising out of and in the course of employment in specific circumstances (e.g. during extreme

weather conditions). The policy should provide compensation or a monthly pension to the legal heirs of the deceased employee;

- accumulation of annual leave: in addition to the law providing for the refund of untaken annual leave at the end of the period of 12 consecutive months, the law has now been amended so that the employee can choose to accumulate this annual leave instead of being refunded. The employee must inform the employer of this option in writing. The accumulated untaken annual leave must be refunded upon termination of employment, irrespective of the reason; and
- leave to care for parents and grandparents: employees now have the option to take paid leave (capped at 10 days) to care for parents or grandparents that are having healthcare related issues.

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South Africa

New measures have been signed into law aimed at promoting diversity and equality in the workplace. The effective date has yet to be announced.

Key provisions include:

- revision of the definition of a “designated employer”: only employers with 50 or more employees will be considered designated employers for the purposes of affirmative action provisions. Total annual turnover will no longer be a consideration. Considering this revised definition, smaller businesses with fewer than 50 employees will no longer be required to adhere to the same obligations and reporting requirements as larger organisations (organisations with 50 or more employees). However, it would be prudent for employers of all sizes to review the current employment equity status and ensure compliance in accordance with the revised criteria;
- sector-specific targets: the Minister of Employment and Labour has been granted the power to identify national economic sectors and establish numerical targets for each respective sector. The Minister has already proceeded to consult with the education, agriculture, finance and insurance industries. Industries yet to be consulted include (but are not limited to) mining and quarrying, public administration and defence, manufacturing, information and communication, construction and real estate. Ultimately, this development means businesses operating in these sectors will be subject

to specific employment equity goals and transformation objectives (as directed by the Minister); and

- introduction of Certificate of Compliance: businesses that enter into agreements with organs of state will have to obtain a compliance certificate. This certificate signifies adherence to employment equity obligations, including compliance with sectorial numerical targets, submission of annual employment equity reports, absence of findings of unfair discrimination and no outstanding Commission for Conciliation, Mediation and Arbitration (CCMA) awards for non-payment of the national minimum wage.

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Mainland China

Personal information export – Signing the Cyberspace Administration of China (**CAC**) Standard Contract is one of the compliance methods outlined in law for the export of personal information. The CAC has recently issued Guidelines on the Record-filing of Standard Contract for the Export of Personal Information (the **Guidelines**) and Measures on the Standard Contract for Exports of Personal Information (the **Measures**).

The Measures set out certain requirements which, if met, mean that the PI processor should apply the compliance approach of signing the CAC Standard Contract.

The Guidelines aim to guide and assist PI processors to fulfil the record-filing procedure for the Standard Contract under the Measures. For example, the Guidelines clarify timelines for impact assessments, signing and record-filing, and provide templates (among other things).

Due to the substantial workload under the standard contract mechanism for personal information export, these PI processors should pay close attention to the time constraints of record-filing and where necessary seek external assistance from lawyers in conducting the PIA report and signing the CAC Standard Contract.

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India

Maharashtra government exempts female employees earning up to INR 25,000 from depositing professional tax

The state of Maharashtra has recently amended the law governing taxation of professions, trades, callings and employment in the state of Maharashtra. Among other things, the amendment provides an exemption to women professionals working in the state of Maharashtra earning salaries of up to INR 25,000 (approximately US\$302) from depositing professional tax. Previously, employers in the state of Maharashtra were required to deposit professional tax for all employees earning salaries above INR 10,000 (approximately US\$121).

Establishments in Telangana permitted to remain open for 365 days

The state government of Telangana has permitted shops and establishments in the state to remain open on all 365 days of the year, for a period of three years commencing on 16 June 2022. This exemption is subject to compliance by employers with certain conditions, including, among other things:

- employees to work for eight hours per day and 48 hours per week and any overtime payment made to the employees to be maintained in the wage register;
- providing weekly holidays to employees on a rotation basis;
- working hours of the establishment must be from 9am to 11pm;

- providing transport arrangements to women employees who are required to work after 8.30pm;
- providing appointment letters to all the employees;
- maintaining a visit book displaying a copy of the exemption; and
- complying with the welfare provision under various labour statutes and implementing social security deductions.

Increase in tax exemption limit on leave encashment for private sector employees

The Central Board of Direct Taxes, under the Ministry of Finance, Government of India, has increased the limit for tax exemption on earned leave encashment for non-government (private sector) salaried employees. The limit of INR 3,00,000 (approximately US\$3,635), which was set in 2002, has been retrospectively raised to INR 25,00,000 (approximately US\$30,292) with effect from 1 April 2023. Under Indian labour laws, leave encashment requires the employer to compensate employees for their accumulated unutilised paid leave balance on their superannuation.

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Hong Kong

Gig workers may qualify as employees and be entitled to statutory benefits – The Hong Kong Labour Tribunal recently ruled in a high-profile claim brought by six food courier drivers who worked for a food and parcel delivery e-platform company. The Labour Tribunal determined that they were employees, rather than independent contractors, and were therefore entitled to the benefits and protections offered to employees under Hong Kong law, and it allowed their claims against the company for outstanding wages, payment in lieu of notice, paid annual leave and paid statutory holidays.

In reaching the decision, the Labour Tribunal applied an 11-factor test, considering, among other things, the:

- dominant control exercised by the company over the driver (e.g. risk of job termination for drivers who refused orders);
- fixed amount of payment for each completed task;
- absence of other sources of income for the drivers; and
- inability of the drivers to profit from sound management in the performance of their tasks.

The case has been widely reported in the media and, according to some sources, the company engaged hundreds of workers, and the six claimants were only a tiny fraction of the employees seeking compensation from the company, which is rumoured to have gone into liquidation.

This is an important decision by the Hong Kong Labour Tribunal, which has exclusive jurisdiction to deal with labour disputes, on the status of gig workers. The rise of the gig economy has opened the door for more disputes in which the status of a worker will need to be clarified by the Tribunal to determine whether such workers are entitled to the benefits and protections offered to employees under the law.

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South Korea

Minimum wage for 2024 – The Ministry of Employment and Labor has announced that the minimum wage that will apply in 2024 will be KRW 9,860 (approximately US\$7.4), as determined by the Minimum Wage Commission. This marks a 2.5% increase from the previous year.

Extent of liability for damages stemming from unlawful labour dispute – The Supreme Court recently delivered a decision in a case where the employer sought to recover damages from the labour union and its constituent members for unlawful labour dispute activities. The Supreme Court’s decision highlighted that *“the scope of liability as to individual union members and the like shall be ascertained through a comprehensive analysis, taking into account their respective status and function within the labor union, the particular circumstances and degree of their involvement in the dispute action, as well as their corresponding contributions to the resultant damages”*.

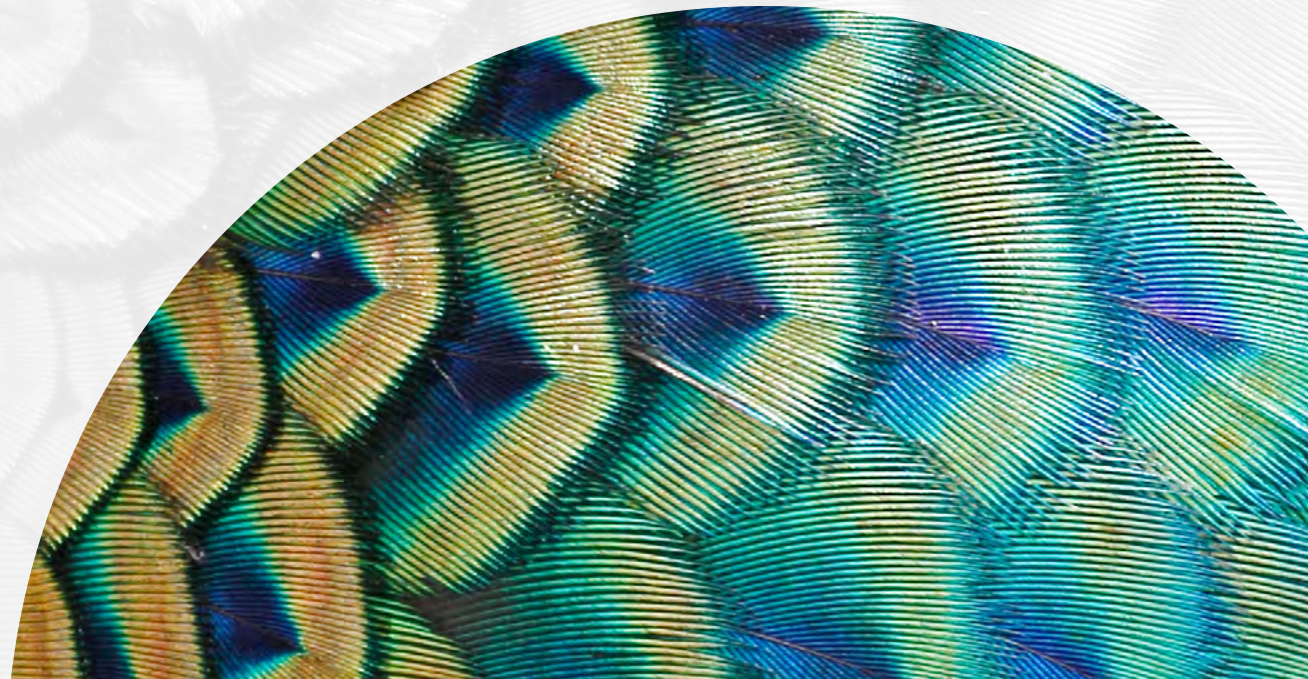
This decision follows a broader trend to confine the ambit of liability for damages of union members participating in unlawful dispute actions, and is in line with the modifications presently under consideration in the National Assembly to the Trade Union and Labor Relations Adjustment Act.

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Amendment to the Gender Equality Employment Act

Act – On 31 July 2023, an amendment to the Gender Equality Employment Act was passed, which stipulates penalties for cases where government authorities identify company executives or employers engaged in sexual harassment:

- offenders will be subject to fines ranging from NT\$10,000 to NT\$1,000,000;
- in severe cases, the employer may temporarily suspend or reassign the accused individual's position;
- employers must take appropriate measures to prevent the occurrence of sexual harassment; and
- companies with 10 to 30 employees must establish a complaint channel and publicly display it in the workplace. Employers with more than 30 employees must also establish measures for preventing sexual harassment, as well as guidelines for lodging complaints and administering penalties, all of which should be made publicly available in the workplace. The content of the sexual harassment prevention measures should include patterns of harassment, prevention principles, education and training, complaint channels, investigation procedures, criteria and composition of complaint handling units, disciplinary measures and other relevant actions.

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New Labour Code – A new version of the Labor Code came into force on 30 April 2023. The new code provides for a number of provisions to protect the rights of employees, including:

- minimum annual leave increases from 15 working days to 21 calendar days;
- if a day off coincides with a public holiday, the day off is transferred to the working day following the public holiday;
- termination of the employment contract of a retired person has been excluded in the new version of the code;
- for every five years of work in the same enterprise or industry, an employee is to be granted two calendar days of additional annual leave;
- for each day of delay in payment, the employee shall be paid a penalty of 10% of the Central Bank's base rate;
- the new version of the code also approves certain principles of legal regulation of labour relations; and

- the amount of severance pay will depend on length of service, ranging from 50% to 200% of the average monthly salary.

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Statutory pay increase – The official announcement of the statutory pay rate increase is a matter of great concern to many people, especially officials, civil servants and public employees.

The Government has issued a decree increasing the statutory pay rate for officials, civil servants and public employees to VND 1.8 million from 1 July 2023. This is an increase of 20.8%.

The decree states that the statutory pay rate is to be used as the basis for determining the levels of salaries for payrolls, allowances and other benefits.

State agencies have also stipulated that the new statutory pay rate will serve as the basis for payment of social insurance, health insurance, unemployment insurance, and insurance for occupational accidents and disease. Accordingly, employees will have 12 social insurance benefits increased according to the statutory pay rate from 1 July 2023, such as salary, pensions and social insurance allowance. These amounts will be adjusted incrementally by an appropriate rate.

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Australia

Unintentional discrimination and unconscious bias – In a recent case, the Supreme Court of Victoria held that “unconscious bias” (resulting in women being paid less than their male counterparts can (if proven) result in a finding of unintentional discrimination.

In this case, a female manager complained of discrimination in relation to her remuneration over a period of seven years. She alleged a male colleague was paid far more than her and he had not been required to meet specific revenue targets, unlike her. It was also alleged that several other men within the same department had been paid more, and that some other women were unsuccessful in negotiating similar outcomes. The Supreme Court of Victoria held that, taking all of these matters together, it was open to find the female manager’s sex was a substantial reason why her employer failed to pay her higher rates. The employer appealed the decision. The Court of Appeal found that the employer’s failure to engage in negotiations about salary with the female manager, where six male colleagues were paid above-agreement rates when she was not, constituted direct discrimination.

This decision (which will not be appealed to the High Court) means there may be an increase in unconscious bias cases in the future in areas relating to protected attributes under anti-discrimination legislation, including sex, disability, age, sexual orientation and other areas where systemic discrimination is often assumed but cannot be proven.

Minimum wage increases – The Fair Work Commission Minimum Wage Panel has determined that, from the first full pay period after 1 July 2023:

- minimum rates of pay for adult full-time employees covered by modern awards increased by 5.75%;
- the national minimum wage for an award-free adult employee increased to AU\$882.80 per week, or AU\$23.23 per hour; and
- the decision also impacts allowance and expense amounts referred to in modern awards.

Casual loadings – The casual loading in modern awards remains at 25%. It is important that employers carefully consider their obligations under the relevant legislation that defines “casual employees”.

Enterprise agreements – Employers that have an enterprise agreement in operation (even if it has passed its nominal expiry date) must ensure that the base rate of pay in the agreement does not result in any employee being paid less than the relevant modern award pay rate or, if no award applies, the national minimum wage.

Increase in the high-income threshold and compensation limit

– In addition to increases in minimum wages, from 1 July 2023 two other important monetary figures increased:

- the high-income threshold increased from AU\$162,000 to AU\$167,500 (excluding statutory superannuation). This amount affects how a modern award applies to an employee and affects an employee's access to the unfair dismissal jurisdiction of the Fair Work Commission; and
- the compensation limit under unfair dismissal laws increased from AU\$81,000 to AU\$83,750. The compensation limit is the maximum compensation available to an employee who is successful in an unfair dismissal claim.

Superannuation guarantee contributions – The superannuation guarantee (which is the percentage of ordinary earnings paid into a super fund by employers) increased from 10.5% to 11% on 1 July 2023. Employers will need to consider how this will impact the remuneration arrangements of their employees.

Paid parental leave – Couples can now claim a combined 20 weeks' paid parental leave and single parents can access the full 20 weeks. This replaces the previous entitlement of 18 weeks plus a further two weeks for working dads and partners.

Unpaid parental leave – Employees can now take up to 100 days of their 12-month leave entitlement across the 24 months following the birth or placement of their child. This is an increase from the previous entitlement of 30 days.

Migrant workers – Amendments have been made so that if a migrant worker breaches the Migration Act 1958 (Cth), the validity of their employment contract or contract for services is not affected for the purposes of the Fair Work Act.

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New Zealand

Employment Court decides six former Gloriavale residents were employees – Gloriavale is an isolated Christian community located in New Zealand's South Island. The community lives strictly in accordance with the Bible's teachings, has a patriarchal hierarchy and has limited contact with the outside world. The issue before the Court was whether six women who lived there and performed a range of work without pay were volunteers or, alternatively, as they claimed after leaving the community, employees. The Court held that they were employees as they performed their tasks with expectation of rewards in the form of food, clothing, shelter and religious guidance. The lack of any written agreement, intention to form an employment relationship, financial remuneration and the motivation to work for the benefit of the community were not enough to persuade the Court otherwise. This decision is a continuation of the ongoing re-examination of employee status by the Employment Court and another example of the broadening legal definition of employment.

Tikanga sits comfortably within employment law – Tikanga is the set of traditional practices, knowledge and processes which constitute the right way of doing things within Maori culture. In a recent case, the Chief Judge of the Employment Court held that when an employer has undertaken to incorporate principles of tikanga into an employment relationship, whether they have complied with tikanga will then be relevant to assessments of fairness and reasonableness connected to formal employment processes.

New legislation passed to reduce migrant exploitation – New legislation has introduced a fines regime to allow employers to be penalised without the need for a formal prosecution, should they employ a person who is not entitled to work under the Immigration Act or in a manner inconsistent with that person's visa, or if they fail to provide employment documents when requested by an Immigration Officer. The fine can amount to NZ\$1,000 for individual employees and NZ\$3,000 for companies, per relevant employee. Immigration New Zealand may also publicise relevant information regarding offending employers.

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Central and South America

Argentina

New interest calculation for labour proceedings challenged – Due to high inflation, the National Appellate Courts introduced an annual capitalisation method applicable in labour lawsuits. It starts when the defendant is served notice of the claim and applies to all ongoing disputes where final judgment is pending. This method has led to negative results and excessive increases, causing concerns. Businesses, together with the Bar Association of the City of Buenos Aires, have filed a formal claim requesting a review, citing unpredictability and unfairness, excessive credit increases, confusion among judges and lawyers, and very substantial risks to small companies and the economy.

Discussion about changes to labour laws – In August 2023, the primary elections for president took place, prior to the definitive elections to be held in October. The opposition candidates who are running against the current government have shown interest in making changes to Argentina's labour laws, especially in matters related to compensation owed for dismissals without fair cause. One of the main proposals has been to replace the current compensation system with a form of unemployment insurance. Opposition candidates have also indicated their willingness to explore reducing employer and employee contributions to the social security system.

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Changes to maternity leave – From 10 July 2023, mothers are entitled to use all of their maternity leave postpartum. Previously, the future mother could only access maternity leave for 45 days prepartum and 45 days postpartum. To access this benefit, the Health Funds must provide the mother with a certificate for temporary disability, indicating the dates of the maternity leave.

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Cayman Islands

The Cayman Islands Government is currently in the process of reviewing minimum wage legislation. A Minimum Wage Advisory Committee comprised of 16 members representing employers, employees and members of the community was set up to make recommendations to the Cayman Islands Cabinet. The Minimum Advisory Committee is currently at the consultation stage and is receiving feedback from the Public.

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Work leave for parents of children with autism

– With the publication of the Autism Spectrum Disorder Law, a new work permit was created for employees who are fathers, mothers or legal guardians of minors diagnosed with autism to attend medical emergency services when their integrity is affected in educational establishments. The time employees spend attending to these emergencies will be considered as work for all legal purposes.

Employees in natural catastrophe zones

– On 27 June 2023, the Labor Bureau issued an official ruling for cases of natural catastrophes, stating that, in such cases, the parties to the labour relationship must seek a reasonable solution to satisfactorily deal with the harmful consequences of the catastrophe. In other words, the Labor Bureau makes an express call to employers to avoid sanctions, discounts and dismissals. In addition, it authorises the employer to pay employees who were absent due to the catastrophe, and the employees may subsequently recover the working hours they were unable to work.

Economic offenses – On 17 August 2023, legislation was enacted establishing the category of Economic Offenses. Regarding labour matters, it is relevant to mention that the following is sanctioned as an economic offense:

- the misappropriation of employee social security contributions by the employer who withholds and declares them;
- the employer who, without the employee's consent: (i) omits to withhold or pay the social security contributions of an employee; or (ii) declares to the social security institutions that he/she pays a lower taxable or gross income than the real one, reducing the amount of the contributions that he/she must deduct and pay;
- any person with serious abuse of a situation of need, of the inexperience or of the inability to discern of another person, pays him/her a manifestly disproportionate remuneration and lower than the minimum monthly income provided by law, or leases him/her a property as a residence in return for a manifestly disproportionate payment; and
- anyone who exploits another's

situation of need, inexperience, or inability to make informed decisions, by providing them with manifestly disproportionate remuneration that falls below the minimum monthly income provided by law, or leases them a residence for a manifestly disproportionate payment.

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Colombia

Maternity and early childhood protection law –

The national government has issued a law which recognises and protects the right of women to breastfeed their children in public spaces, without discrimination or restriction, establishing parameters for the adaptation of friendly public spaces for breastfeeding mothers:

- during the first six months after birth, employers must grant two breaks of 30 minutes each within the working day to breastfeed. After that, a 30-minute break is granted on the same terms until the child is two years old, as long as breastfeeding is maintained continuously;
- additional leave is granted if the worker presents a medical certificate justifying a greater number of breaks;
- employers must also provide a breastfeeding room or an appropriate place near to where the mother works.

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Costa Rica

Bill to regulate 4x3 work shifts – On 15 August 2023, the Costa Rican Legislative Assembly approved in first debate a bill that will regulate 4x3 work shifts. If enacted, this additional special work shift will provide employees with three consecutive days off for each four days of work, working 12 hours a day during those working days, for a total of 48 worked hours per week (daytime work shift). It will also apply to night shifts, with four consecutive days off for each three days of work, working 12 hours a day during those working days, for a total of 36 worked hours per week.

It is aimed at companies that, due to the nature of their business, require 24/7 production cycles. Current employees will not be compelled to adhere to this new work shift and, therefore, an agreement between the parties will be required to change the employee's work shift. The bill provides that the 4x3 work shift will not apply in cases of heavy, dangerous, or unhealthy work and when environmental exposure times are harmful to employees. This shift will not apply to the public sector either.

Amendment to Labor Code – In a decision of the Constitutional Chamber of the Supreme Court of Justice, a paragraph of the Labor Code, which previously permitted the immediate reinstatement of employees without affording employers an opportunity for due process, was declared unconstitutional. Additionally, an amendment was made to the Labor Code to include the ability to appeal decisions that grant reinstatement as a precautionary measure.

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Preventing harassment and violence in the workplace – Ecuadorian companies learn about the Business Guide to Prevent Harassment and Violence in the Workplace, developed by the Ecuadorian-British Chamber and UN Women. The document aims to:

- guide companies in the implementation of affirmative actions on gender and human mobility; and
- ensure the existence of an inclusive and respectful work environment.

The guide sets out a four-step roadmap: Zero Tolerance to Workplace Harassment and Violence, Preventing Violence, Addressing Violence and Consolidating Commitment.

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Honduras

Minimum wage changes – The textile-maquila sector achieved a significant minimum wage adjustment for the remainder of 2023. Last week, employers, workers, and the Minister of the Ministry of Labor and Social Security (STSS), Sarahí Cerna, signed the agreement. From June to December 2023, the monthly minimum wage in the maquila sector will be US\$422.94. Maquila workers will earn US\$14.07 for each regular eight-hour workday, which is equivalent to US\$1.74 per hour.

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Mexico

Telework health and safety conditions – On 8 June 2023, new rules were enacted which will come into force from 5 December 2023. The objective is to establish health and safety conditions in workplaces where teleworking employees perform their activities. With the aim of preventing accidents and illnesses, as well as promoting safe and healthy environments.

The most significant provisions include:

- employer obligations;
- employee obligations (teleworking modality);
- health and safety conditions in the workplace;
- training, with the participation of the Productivity and Training Mixed Committee;
- verification lists to inspect health and safety conditions;
- process for reversing the telework modality;
- provision of the necessary equipment for telework, including ergonomic chairs, etc.;
- right of disconnection as a fundamental element of the teleworking modality; and
- special protections for people who may suffer domestic violence.

New guidelines impacting the way employers must treat PTU (profit sharing) and bonuses –

PTU is the employee profit share for employees who have worked at least 60 days for a company. Broadly, employers must divide 10% of their profit equally among all employees. There are exceptions to the 10% rule. One exception is, if the PTU is higher than three months' worth of salary on the date of payment, then the PTU is capped at three months. On 7 July 2023, guidance was provided for employers on exclusions with regards to payments that exceed the maximum amount of PTU or payments of productivity bonuses or of any other nature. The guidance states that these payments must be integrated into the employee's base contribution salary.

The guidance considers the following to be unlawful tax practice on social security matters:

- excluding, from the base contribution salary, payments that exceed the maximum amount of PTU;
- paying PTU without considering legal time periods; and
- excluding from the base contribution salary any payments made for productivity bonuses or any other type of bonus.

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Peru

Limits imposed on labour outsourcing are confirmed as bureaucratic barrier – INDECOPI has declared that the Ministry of Labor and Employment imposed illegal bureaucratic barriers by prohibiting the outsourcing of activities that are part of the core business. The following dispositions were declared to be bureaucratic barriers:

- the prohibition of outsourcing activities that are part of a company's core business; and
- the requirement to consider that outsourcing has been denaturalised when the displacement of employees that are part of the outsourcing company is carried out for the development of activities that constitute the core of the business.

As a result, the aforementioned measures are inapplicable and companies can continue outsourcing their main activities without incurring any infraction.

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Venezuela

Non-contributive collective benefits may be recoverable – On 2 August 2023, a decision of the Social Cassation Chamber of the Supreme Tribunal of Justice (STJ) denied workers' request for an amount of money equivalent to the current cost or value of certain labour instruments and equipment agreed upon in a collective agreement, when such equipment and instruments were not provided accordingly (i.e., uniforms, waterproof boots, high tops, etc.). The Court determined that they were granted for furthering the working relationship and assuring security while at work. The case distinguished these benefits from other unpaid benefits that are recoverable, such as, Christmas-basket products, special birthday gifts and conventional food bonuses, if requested after termination of employment.

Jurisdiction over employment disputes with foreign embassies – In a claim against the Embassy of Saudi Arabia in Venezuela, alleging unpaid labour benefits and moral damages arising from an employment relationship, the first instance court ruled that Venezuela lacked jurisdiction for both claims. The Social Cassation Chamber of the STJ upheld this ruling, citing the parties' voluntary agreement to resolve employment disputes in a foreign court and the immunity principle for embassies. This decision marked a departure from previous precedent.

National collective bargaining agreement in the private construction industry – On 6 July 2023, the National Labor Authority sanctioned a collective agreement entered between private construction entities and trade unions. Collective agreements are a source of laws, that apply as minimum standards for employment benefits in the industry.

The most noteworthy benefits are minimal wages, food benefits, transportation, marriage and school supplies allowances, scholarships and education grants, medical insurance, and the like. Also, the agreement heavily regulates health and safety obligations by requiring employers to provide proper equipment, filtered water supply, showers, dressing rooms and other items to reduce work-related sickness or disability. The collective agreement will be in force for 24 months.

Applicability of pharmaceutical industry national collective agreement extended – On 13 July 2023, the applicability of the collective agreement to all companies within the pharmaceutical industry was extended until 31 December 2023. The conventional benefits approved and increased were minimal wages, food benefits, transportation allowance, contributions to the saving fund, toys benefits, school supplies allowance, medical insurance.

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Europe

Czech Republic

Competitive aspects of labour market agreements

– The Czech Office for the Protection of Competition has issued an information sheet on the competitive aspects of labour market agreements. According to the Office, there are certain types of agreements between employers that may have negative effects on their competition for qualified employees. These include, in particular, agreements not to recruit or hire employees from each other. The Office also sees any coordination between employers on remuneration or other terms and conditions of employment as problematic.

The Office identified several types of problematic agreements between employers in its information sheet:

- no-hire agreements: In such cases, two or more employers de facto divide the labour market for selected occupations. Not only will they not actively compete for employees, but they will also agree not to hire a worker from another employer, even if such a jobseeker approaches them on his or her own;
- non-solicitation agreements: Unilateral or reciprocal non-solicitation agreements are often part of complex arrangements in various joint commercial projects. Typically, this may include, for example, joint development of IT technologies, joint development projects, acquisitions of companies, research and development in the automotive industry, etc. and
- wage-fixing agreements: The Office views such agreements as classic price-fixing agreements, which may be considered to be hardcore cartel agreements.

The above-mentioned limitations do not apply to agreements within a single business group. Here, the classic intra-group exemption from the prohibition of anti-competitive agreements applies. In addition, as the Office points out, agreements by which companies undertake not to poach each other's employees can typically be legitimised in the context of a merger between competitors, provided that their duration, geographical area and subject matter do not exceed what is actually necessary to achieve the objective of the transaction in question.

The Office also provides guidance that competitors/employers should follow to avoid possible breaches of competition rules. In brief, employers should:

- compete for employees and eliminate coordination on employment policies;
- not exchange commercially strategic HR information with each other; and
- not participate in meetings where similar topics are discussed (except for social dialogues and collective agreements).

The Office intends to focus more on these types of agreements as part of its priorities in the future. It is therefore advisable to ensure that corporate compliance programmes are appropriate to help reduce the risk of anti-competitive agreements.

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Presumption of resignation – A new form of termination of a permanent employment contract has been introduced: the presumption of resignation when the employee voluntarily abandons his/her post in the context of an unjustified absence. Prior to this law, abandonment of post was punishable by disciplinary dismissal for gross misconduct.

The employer must give formal notice to the employee to justify his/her absence and return to his/her post within a specified period, which may not be less than 15 calendar days. The formal notice must also state that, after this period, if the employee fails to return to his/her post, he/she will be presumed to have resigned and the notice period will start.

To overcome the presumption of resignation, the employee must have a legitimate reason, which he/she must then indicate to his/her employer. The provisions include a non-exhaustive list of legitimate reasons, including medical reasons, exercise of the right of withdrawal, exercise of the right to strike, refusal by an employee to carry out an instruction contrary to regulations and modification of the employment contract at the employer's initiative. If the employee responds to the formal notice by justifying his/her absence with a legitimate reason, the procedure for presumption of resignation must be terminated.

The aim of this scheme is to prevent people from abandonment of post by removing their entitlement to unemployment benefit. In addition, it will simplify the procedure for the employers faced with his situation.

The only remaining question is whether the presumption of resignation makes dismissal for disciplinary reasons impossible, or whether the employer will have the choice between disciplinary dismissal and the presumption of resignation. If you need any assistance with this new area of law please do not hesitate to get in touch.

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Adult vocational training – On 1 August 2023, new rules came into effect to encourage adult participation in vocational training. These changes address specific scenarios in vocational education. In cases where individuals are already employed in the relevant profession's sector and are pursuing vocational education, they have the option to complete their training with their current employer. The involved parties can either choose to conclude a vocational training employment contract, if the workplace is also a dual training institution, or modify their existing employment agreement.

It's important to note that even with these modifications, the employment contract will not be considered a vocational training employment contract. Consequently, regulations regarding school holidays, instructional hours, rest periods, vacation time, liability, wages, and compensation will not apply to these individuals. Similar rules apply to employees with an employment contract with a different employer than that overseeing their vocational training.

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Significant labour discipline amendments – Parliament has extended the list of people who may obtain entry visas and residence permits for subordinate work outside of the quotas established by the Flow Decrees.

In the extended list of persons who may obtain entry visas and residence permits for subordinate work (which until now included special profiles such as university professors, dancers, musicians, company managers and translators) the law has also introduced workers who have been employed for at least 12 months in the four years preceding the request, by companies based in Italy, or by subsidiary companies, operating in non-EU States, provided that they are assigned to an Italian office of the relevant company/subsidiary.

The admission of these employees will be subject to a simplified procedure: they have been included in the category for which the authorisation (“nulla osta”) is replaced by communication by the employer of the proposed residence contract for subordinate work.

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Further update on independent contractors – renewal of agreements with self-employed persons might be required before 1 January 2024.

In the previous edition of this newsletter we discussed the Deliveroo ruling of the Dutch Supreme Court in the Netherlands, in which the riders were determined to be employees despite having entered into contracts as independent contractors. The fact that the riders were permitted to get someone to replace them, which points towards independent contracting, did not stand in the way of qualifying the relationship with the contractor as an employment agreement.

The Dutch tax authorities have provided model agreements to help contractors and their clients make sure their business relationships are not seen as false self-employment. Some of the model agreements are based on free replacement. As a consequence of the Deliveroo ruling, the Dutch tax authorities have communicated that they will withdraw the approval of these model agreements as per 1 January 2024.

To maintain a clear legal relationship and to prevent a paid employment relationship, we advise you to review the agreements concluded between your company and self-employed persons and renew, if necessary, before 1 January 2024. This is especially important for companies that have obtained approval from the Dutch tax authorities for a specific case.

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Amendment of Whistleblowers Protection

Act – Effective from 1 July 2023 (certain provisions being effective from 1 September 2023) the Whistleblowers Protection Act has gone through some significant changes, including:

- more people will enjoy protection under the Act, and the scope of “anti-social activity” has been expanded plus a new term “retaliation measure” has been introduced;
- the authority of external persons handling notifications for employers has been restricted. Their role is now limited to receiving and confirming notifications. They can also verify notifications if the employer has fewer than 250 employees. The requirement for a designated responsible person to oversee the verification of notices and the notification system within the employer’s structure still applies;
- timeframes for notifying whistleblowers of the results of investigations into their notifications. The new limit is a single 90-day period, with a potential 10-day extension (compared to the previous maximum of 130 days); and
- new administrative offences have been introduced, including fines of up to €100,000 for employers who take adverse employment actions against whistleblowers without Whistleblower Protection Office approval. Employers failing to address compliance

deficiencies found during inspections may face fines of €30,000. Employers with over 250 employees could be fined up to €100,000 for violations of internal whistleblowing systems. Additionally, penalties for retaliating against whistleblowers have increased from €2,000 to €6,000.

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Trade Unions cannot indefinitely block the implementation of the Equality Plan – Recent legislation has brought substantial changes to labour-related matters:

Royal Decree 5/2023:

- strengthens personal and work-life balance rights, enabling potential discrimination cases if conciliation requests are denied. Expands employees' ability to adjust daily working hours for legal guardianship. Shortens the conciliation request process from 30 to 15 days. Introduces the right to revert to the previous situation after exercising this right;
- introduces the possibility of an unpaid suspension of employment for up to eight weeks for childcare up to a child's eighth birthday;
- extends certain paid leave: (i) two days for death of spouse, partner or certain other relatives (extended by two days when travel is necessary); (ii) five days (formerly two days) for serious accident or illness, hospitalisation or surgery without intervention; and (iii) four days for absence from work due to force majeure when necessary for urgent and unforeseeable family reasons;

- civil partners (unmarried) are included in the scope of: (i) the right to 15 calendar days in case of registration of partners; (ii) leave due to serious accident or illness; (iii) death leave; and (iv) right to a reduction of working time; and
- introduces new causes for nullity of dismissal (redundancy and disciplinary) linked with the cases highlighted above.

Royal Decree 608/2023 includes changes to collective dismissal procedures. If a company decides to stop its activities in Spain, it must notify the Labor Authority of that decision six months before the collective dismissal procedure starts. This does not affect the existing obligation to consult with employees prior to implementing dismissals (which starts at the end of the six-month period). In our view, this raises concerns:

- depending on the circumstances, urgent closures to avoid bankruptcy may be hindered;
- early notification may cause unnecessary alarm among employees if the decision is later reversed; and
- failure to inform employee representatives or employees about the information delivered to the Labour Authorities may nullify the collective dismissal. Companies must strike a balance between compliance and operational disruptions, which may be difficult in practice.

Transfer of undertakings (TUPE) and collective dismissals

– In a recent Supreme Court ruling, it was determined that resignations and immediate rehiring by the new employer, aimed at avoiding collective dismissal procedures after a TUPE transfer, are considered unlawful. Any employees who resigned from the former employer must be counted when determining the threshold for collective dismissal proceedings.

Digital tools for employee representatives

– The Superior Court of Galicia has ruled that regardless of the remote workforce's size, employee representatives have the right to communicate employment-related issues to all employees. Previously, when remote work was not as common in Spain, employee representatives used physical chalkboards provided by the company. Now, with the increase in remote work, the company can provide telematic tools (e.g., virtual chalkboards or bulletin boards) to help employee representatives fulfil their information duties, regardless of whether employees work remotely or not.

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Changes to strike laws – The summer has seen a couple of significant changes in this area:

- regulations from 2022, which permitted employers to use agency workers during strikes, have been quashed by the High Court due to insufficient consultation. This means that the previous position has been re-instated and it is once more unlawful for employment businesses to supply temporary workers to replace employees taking part in official industrial action;
- in the meantime, a new law which mandates minimum service levels during strikes has been enacted. Under this law, specific services, such as emergency services, border security, education, rail, and the nuclear sector, must maintain minimum service levels during strikes. Employers are required to provide a “work notice” after consulting with relevant unions to determine the necessary workforce for maintaining safe service levels. The future of this law is uncertain, with opposition from the Trade Union Congress and a promise from the Labor Party to repeal it if they come to power.

Parental and carer protections – Three separate pieces of legislation have been enacted which offer new rights and protections for parents with children in neonatal care, carers with dependants requiring long-term care, and those on pregnancy or family leave facing redundancy:

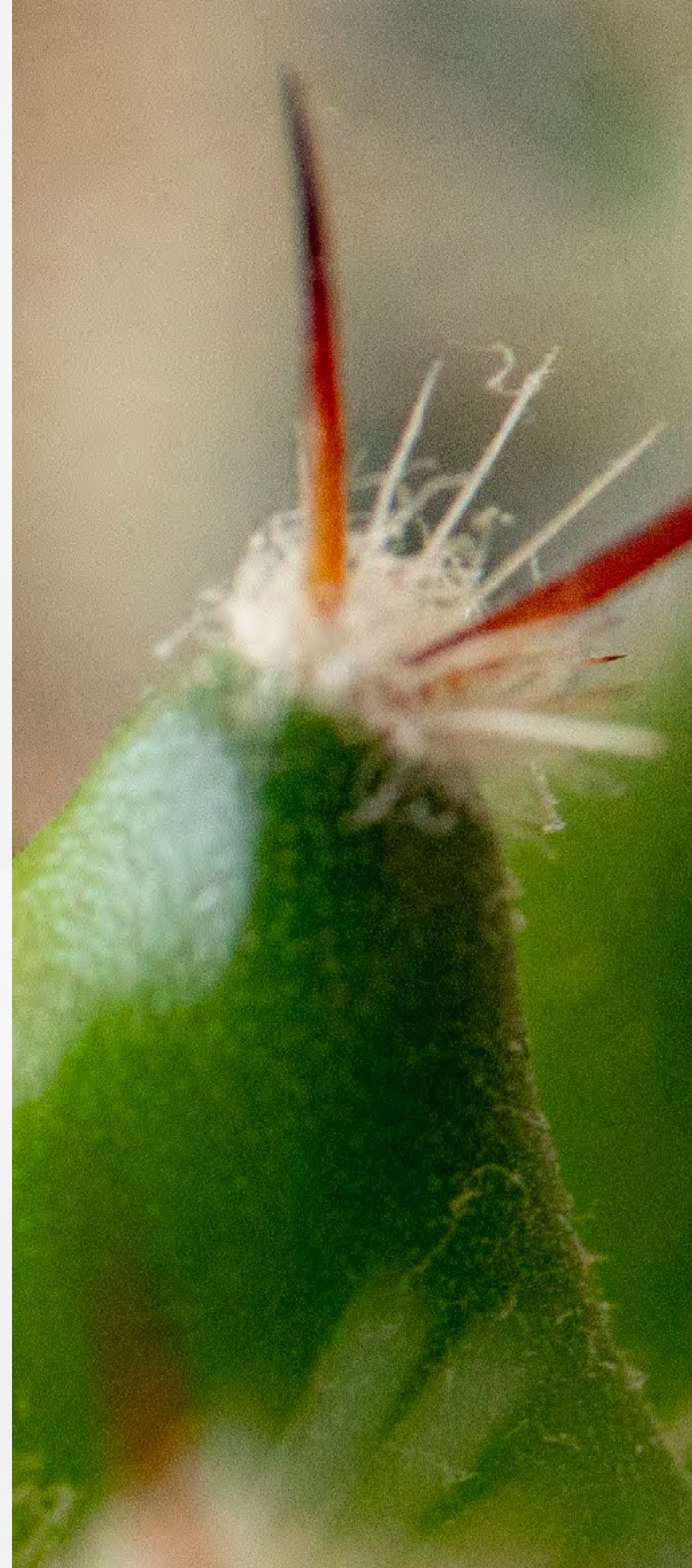
- the Neonatal Care (Leave and Pay) Act 2023 introduces paid neonatal care leave of up to 12 weeks for parents of babies receiving such care;
- the Carer’s Leave Act 2023 creates a statutory entitlement for employees to take unpaid leave to arrange or provide care for a dependent with a long-term care need; and
- the Protection from Redundancy (Pregnancy and Family Leave) Act 2023 offers protections against redundancy during or after protected periods of pregnancy, adoption or shared parental leave.

For each of these Acts, many of the rights and protections have not yet come into force and/or require further legislation to flesh them out before they come into full effect. This means that the rights and obligations may differ slightly by the time the Acts are fully implemented.

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Long-awaited new labour law – The long-awaited new Oman Labour Decree Law was issued on 24 July 2023 by Royal Decree and comes into force the day after publication in the Official Gazette. The related implementing regulations are expected to be issued within the coming months. Key changes include:

- termination for poor performance: an employer has the right to terminate an employee for poor performance, provided that the employee has failed to improve their performance within six months of a warning;
- redundancy now recognised: employers are now expressly permitted to terminate employment contracts for economic reasons. A committee with representatives from various government departments, industry organisations (business and union) will review requests for redundancy and either approve or suggest alternatives to avoid terminations;
- sick leave: paid sick leave increases from 10 weeks for up to 182 days;
- fixed contracts: these no longer automatically become unlimited upon renewal. However, if the employment continues for more than five years, then the contract term becomes unlimited;
- parental leave: maternity leave is increased to 98 days and paternity leave of seven days is introduced;
- cap on compensation for unfair termination: this is now capped at 12 months' pay;

- reduction of working hours: daily working hours are reduced from 8.5 to 8;
- expat gratuity: the new Social Securities Law states that a "savings fund" shall be established. The Social Securities Law, which was also issued this week provides that a Ministerial Decision will be issued regarding the effective date of this fund within no more than three years. This is linked to the new gratuity/end of service benefit provisions in the new labour law. Under the previous law, expat employees were entitled to 15 days' salary for each of the first three years of service and then 30 days' salary for each following year when calculating end of service benefit. Now expats are entitled to a full month's salary for each year;
- non-compete clauses: a non-compete clause may be agreed if the employee has access to confidential information or the employer's clients. The new labour law provides that the clause shall only be valid for two years and in the area where the employer's activities are conducted; and
- carry forward of leave: employees are allowed to carry up to 30 days of leave into the next year.

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MHRSD Qiwa platform updates – The Ministry of Human Resources and Social Development (MHRSD) Qiwa platform which provides the Contract Documentation Service (which enables employers to view and update employee contracts) has undergone recent updates. The platform's objective is to ensure the protection of rights, promote stability and productivity in the workplace, ensure compliance with labour laws and regulations and lower the total number of labour disputes.

Among other things, all companies in Saudi Arabia must effectively document 80% of employee contracts on the MHRSD Qiwa platform by the end of September 2023. This is an increase on the previous percentage of contracts required to be documented. MHRSD has stated that companies which do not comply with the required documentation percentages may be subject to penalties.

Training requirement for medium to large establishments – Companies within the private sector with 50 or more employees must now conduct yearly reports on their training programmes. The reports must be submitted on the MHRSD Qiwa platform and include the type of training, number of training hours, number of trainees, details of the training programmes and outcome. The purpose of this initiative is to improve the quality of training programmes in the private sector, improve employee performance, and record employee progress and development data at a national level.

Hiring expats without a work permit – The MHRSD has restated that non-Saudi workers must obtain a work permit to work in Saudi Arabia (and notify the MHRSD). Hiring a foreign employee without a work permit exposes the employer to a SAR5,000 fine.

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Interim increase in minimum wage – In view of ongoing hyperinflation and challenging conditions in the economic environment in Turkey, to compensate income loss suffered by employees, the Minimum Wage Determination Commission announced an interim increase in the minimum wage on 1 July 2023. The minimum wage was increased to gross TRY13,414.50 (approx. EUR454) and net TRY11,402.32 (approx. EUR386) per month. These amounts will apply between 1 July 2023 and 31 December 2023.

Increase in statutory severance compensation ceiling – Subject to certain conditions, employees are entitled to a statutory severance compensation payment upon termination of their employment. The calculation is based on 30 days' salary for each year of service (subject to an upper limit). This statutory ceiling changes every six months. The statutory ceiling was recently increased to TRY23,489.83 (approx. EUR796), which will be effective for the period between 1 July 2023 and 31 December 2023.

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Expansion of Emiratization – The previously announced and implemented Emiratization scheme (which applied to entities hiring 50 employees or more), will be extended from 2024 to apply to entities hiring between 20 - 49 employees. These entities will be required to hire one Emirati in 2024 and another one in 2025, otherwise a fine of AED96,000 and AED108,000 will apply, respectively.

According to the official announcement, this extension will only apply to entities practicing specific economical activities; however, the announced list of activities is quite broad. The ministry will be identifying the targeted entities and will communicate to them the applicable Emiratization obligations.

Unemployment insurance scheme registration

deadline – After introducing the UAE unemployment insurance scheme, the registration deadline was initially 30 June 2023. However, the Ministry of Human Resources and Emiratisation has extended this deadline to 1 October 2023. Failing to register incurs an AED400 fine for employees, and delays in contributions can result in an additional AED200 fine. It's important to note that these fines apply to employees, not employers, as the responsibility for registering with the insurance scheme rests with the employees. Employers are only responsible for reminding their employees about this obligation.

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Canada

Working age for children – The province of Quebec has implemented a minimum employment age for children, barring employers from hiring individuals under the age of 14 as of 1 June 2023. The main goals of this new legislation are to ensure greater success at school and protect the health and safety of children.

This said, the law provides for eight specific exceptions. These exceptions include circumstances where individuals under the age of 14 can engage in employment, such as participating as creators/performers in artistic productions, delivering newspapers, providing babysitting services, offering tutoring or homework assistance, contributing to family businesses with fewer than 10 employees if the child is a child of the employer, a director or a partner, or of the spouse of one of these persons, assisting as counsellors in day camps or social/community organisations, serving as scorers in non-profit sports organisations, and engaging in light manual labour in agricultural businesses with under 10 employees for tasks like animal care, soil preparation, or fruit/vegetable harvesting, provided the individual is aged 12 or above. For the last three exceptions, children must be supervised by an adult at all times. The consent of parents or guardians is also a prerequisite and must be acquired and retained by the employer. This consent will have to be obtained via a specific form in which the main tasks, the maximum number of working hours per week and the periods when the child is available must be detailed. Any change to any of these elements requires a new written consent. In addition,

this form must be kept by employers for a period of three years.

In addition, the law establishes that individuals aged 14 to 16 may not work more than 17 hours a week, including 10 hours between Monday and Friday, during the school year. However, this prohibition will not be applicable outside school periods, such as summer vacations or spring break. Also, those restrictions relating to the number of hours worked will come into effect on 1 September 2023.

Employers who violate the law will be liable to a fine of C\$600 to C\$6,000 for a first offence. In the case of a repeat offence, they could be liable to pay a fine of up to C\$12,000.

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United States of America

Federal protections for pregnant and nursing parents – Two pieces of recent federal legislation, the Pregnant Workers Fairness Act (**PWFA**), and the Providing Urgent Maternal Protections for Nursing Mothers Act (**PUMP Act**), expand rights for pregnant and breastfeeding employees in the United States.

The PWFA, which requires certain reasonable accommodations for pregnant workers, went into effect in June. Under this law, employers must accommodate qualified employees for known limitations related to pregnancy, childbirth, or related conditions. Some common examples of pregnancy accommodations will include the ability to sit during a shift, drink water, park closer to the building, adjust schedules, or take time off. However, regulations proposed by the Equal Employment Opportunity Commission suggest that covered conditions will extend beyond pregnancy and childbirth, and may also include limitations related to fertility, termination of pregnancy and birth control. Employers should engage in the interactive process with employees to promptly identify reasonable accommodations and avoid requiring employees to accept a certain accommodation when other options are available.

The PUMP Act provides for additional rest breaks for nursing mothers. Under the PUMP Act, employers must allow a reasonable time for nursing mothers to express breast milk, and must provide private, designated space to do so. Previously, these requirements extended only to non-exempt employees; this was extended so that all employees, whether or not they are exempt from minimum

wage and overtime requirements under Fair Labor Standards Act, must be granted break time for this purpose.

Supreme Court ruling on race-conscious college admissions programmes could affect human resources decisions – In June 2023, the U.S. Supreme Court held that race-conscious college admissions programmes violated the Equal Protection Clause. In invalidating the universities' programmes, the Court explained that the universities' goals and racial classifications utilised were too imprecise, and it found that admitted students fell within a generally recurring range based on race, which prior Court decisions have found to be an unconstitutional form of racial balancing. Despite this, the Court explained that universities could consider an applicant's discussion of how race has impacted their life specifically, so long as they do not grant a benefit to all applicants based solely on race generally. Ultimately, the Court severely limited – if not effectively ended – higher education affirmative action initiatives.

The case may have repercussions for employers. Some politicians and government attorneys have cautioned private employers that DEI programmes may now be unlawful. Employers should consider whether modifications may help sustain their race-conscious DEI initiatives as well as DEI programmes related to other protected categories (gender, sexual orientation, etc.). Further, employers who are federal contractors should consider whether federally

mandated affirmative action plans, EEO-1 s and other diversity hiring practices can be sustained.

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In conversation with...

In this edition we talk to **Meaghen Russell**, a partner in our Canadian Employment and Labor group. Meaghen's practice involves advising and representing employers on a wide range of employment and labour matters, including complicated human rights issues, workplace accommodation, wrongful dismissal litigation, and employment contracts and policies. She has represented clients in numerous trials, mediations and hearings before various tribunals.

Meaghen provides training to clients on a variety of topics, including workplace accommodation, and workplace violence and harassment. She has also participated in a number of comparative law seminars and presentations that focus on the differences between Canadian and US employment law.



Prior to practicing in Ontario, Meaghen practiced with a full-service law firm in Chicago. Her practice in Chicago involved representing both private and public sector employers in the areas of employment, labour, education law and civil rights defence.

What motivated you to join Dentons?

I saw an opportunity to better service my clients that had operations outside of Ontario and/or Canada. The ability to seamlessly connect clients with colleagues across our 205+ offices and across a number of practice areas was very appealing. I also saw a great opportunity to be part of a growing team, to develop as a leader and to mentor up-and-coming associates.

Can you tell us a bit about the Canadian team and practice?

Our national team consists of over 50 lawyers who practice management-side employment and labour law, pension and benefits, health and safety and immigration law. Under the leadership of Andy Pushalik, we are a true national team in that we meet regularly, share insights and strategies and work together to provide high-quality service to all of our clients.

What emerging trends or legal developments do you see shaping the future of employment and labour law? How can clients prepare to navigate these changes proactively?

Clients have been asking about the utility of ChatGPT and whether it could or should replace the need for employment and labour lawyers in the future. My colleagues and I have seen that the results can be far from accurate. Further, given the nature of our work, we are often speaking to clients on the fly, who are dealing with complex issues in the workplace. Some of these disputes deal with delicate employee matters and various personalities. Understanding the client's business, their approach to conflict resolution, and being able to provide strategic advice taking into account a multitude of factors, is not something that ChatGPT can provide. So, clients should be wary of relying on ChatGPT as their primary source of employment and labour counsel.

Throughout your career, what achievements have you been particularly proud of?

Transitioning from practicing employment law in Chicago (i.e. an at-will employment State) to practicing law in Ontario was more challenging than I anticipated. Our employment and labour laws and entitlements are very different. It was a steep learning curve, but I was able to ramp up quickly.

What do you enjoy doing outside of work?

Spending time outdoors gardening, paddleboarding, biking and most of all travelling. My travel bucket list is long and currently Antarctica is being discussed with my husband.



Dentons news and events

Using employers of record in Poland

Employers of record (**EORs**) are increasingly popular for global talent access. They offer international expansion without the need for new branches or subsidiaries, and advertise benefits such as cost savings, reduced operational involvement, and administrative ease. In Poland, EOR relationships rely primarily on contracts as no specific legislation exists. Such contracts often favour providers over clients, not assuming liability for employee claims or damage. Costs can surprise clients, especially for protected employee dismissals. Other aspects such as IP rights and data protection can also be overlooked. Therefore, when engaging an EOR in Poland, it is important to assess the advantages and disadvantages carefully.

Dentons' Poland discusses this important topic in more detail in a recent article, [Employers of Record – Polish perspective](#), and can guide you in safeguarding your organisation's interests when using an EOR. Please don't hesitate to get in touch to discuss your options.

Distinguished appointments for members of the team in South Korea

We are delighted to announce two significant appointments that further exemplify our commitment to excellence in labour relations. [Kim Yong Moon](#), Esq., whose extensive expertise in labour law has earned him recognition among his peers, has been appointed as an Advisory Committee member of the National Labor Relations Commission.

Additionally, we are pleased to share the appointment of [Shim Yo Sub](#), Esq. as a Public Interest Commissioner of the Seoul National Labor Relations Commission. Yo Sub's dedication to promoting the public interest in labour matters makes him an ideal fit for this vital role.

These distinguished appointments underscore the Dentons Lee Labor Team's steadfast commitment to actively participate in the mediation and resolution of disputes in the field of labour relations. By fostering collaboration between employers and employees, we continually strive to contribute to an equitable and harmonious workplace environment that resonates with the principles of justice and fairness.

Australian webinars

Our Australian team has a number of upcoming webinars:

- IR Insights webinar series: this monthly webinar series offers tips, tricks and insights on a range of current topics; and
- Critical Legal Risks in Schools 2023: in this essential complimentary webinar for education industry leaders, Dentons Partner, [Paul O'Halloran](#) joined by other key Dentons colleagues, along with special guests Simon Davies, Director, Safeguarding Services will provide recommendations covering the most complex and critical issues faced by leaders in contemporary school settings.

If you would like to join the invitation list for any of these events, please get in touch.

New counsel joins Dentons US in Kansas City

We are pleased to welcome [Anne Baggott](#) as counsel in our Kansas City office. Anne joins from Halbrosk Wood Law where she served as partner. She focuses her employment and labour practice on navigating the complexities of employment-related legal matters and creating equal-opportunity workplaces. Having represented both employers and employees, Anne helps clients comply with federal and state employment laws in the areas of discrimination, harassment, whistleblowing and retaliation, FMLA, drug-free workplaces, wage and hour, and the National Labor Relations Act. Anne has wide-ranging experience with day-to-day human resources and employment counselling. She develops policies and handbooks, and trains employees and managers regarding their employment rights and responsibilities.

New associate joins Slovakian team

[Nikola Salvová](#) rejoins Dentons as a new associate and will strengthen our employment team in Slovakia.

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