

EMPLOYER RISK ALERT: March 2023 from the Desk of Rachel Demarest Gold

FEATURED ATTORNEY



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Partner

Let me begin by noting that I'm participating in 2 programs this month which offer some guidance on recent developments and Employer risks:

One with the Brooklyn Chamber of Commerce on March 14th:



BROOKLYN BAR ASSOCIATION

**The BBA Labor and Employment Committee
presents**

Updates to the Labor & Employment Laws 2023

Tuesday March 21, 2023 @ 6PM-8PM
2MCLE Credits



REGISTER FOR THIS EVENT

As for other goings-on that Employers should be aware of, take note of [Manhattan DA Alvin Bragg's press release](#) from February 16:

DA Bragg has announced the creation of a "Worker Protection Unit" in collaboration with the New York State Labor Department. They intend to go after Employers who deprive their workers of wages or other benefits which constitute crimes under provisions of the Labor and Workers Compensation Laws. The DA also announced, in collaboration with a group of State Legislators, the introduction of a bill to make wage theft a larceny offense.

What does this mean? It means that as they wrap up budget season and focus on substantive legislation, both the City and State are looking to target Employers who violate the Labor Law and their workers' rights. And the target is expanding. On the Federal front, last week an NLRB judge Upstate ruled that Starbucks violated Federal Law in its dealings with Employee union organizing. More and more industries are organizing, and workers are returning to unions. It is important to remember [their rights](#) (and your limitations as an Employer) when it comes to those efforts.

Now is the time to make sure that all of your record-keeping, policies, and procedures are in order; that you know your legal obligations to your workforce; and that you engage them so they know you hear their priorities and concerns. The investment can save you millions on the back end.

What each business and location needs must be individually assessed. Please let us know if we can be helpful. This is provided for informational purposes only and is not legal advice.