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Expanding Your Firm: How to Hire Contract and Associate Lawyers

Katrina Grider

Author Contact Information:
Katrina Grider
Ogletree, Deakins, Nash,
Smoak & Stewart, P.C.
Houston, TX

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APPENDIX 1

FEDERAL EMPLOYMENT LAWS AND REGULATIONS				
	FEDERAL LAW	ENFORCEMENT AGENCY	COVERED EMPLOYERS	SUMMARY OF LAW
1	Age Discrimination in Employment Act (ADEA)	Equal Employment Opportunity Commission (EEOC)	20 or more employees	Prohibits discrimination in all terms, conditions and privileges of employment on the basis of age. Applies to individuals age 40 and older.
2	Americans with Disabilities Act of 1990 (ADA)	EEOC	15 or more employees	Prohibits discrimination in all terms, conditions and privileges of employment on the basis of an individual's physical or mental disability.
3	ADA Amendments Act of 2008 (ADAAA)	EEOC	15 or more employees	Liberalizes the interpretation of the ADA and instructs employers to adopt a broad standard when determining whether or not an individual is considered to be disabled.
4	Civil Rights Act of 1991	EEOC	15 or more employees	Amends Title VII and the ADA to give parties complaining of intentional discrimination the right to a jury trial. Also authorizes the award of punitive and compensatory damages.
5	Consolidated Omnibus Reconciliation Act (COBRA)	Internal Revenue Service	20 or more employees	Employers must extend the option of continued health insurance to employee, spouse and dependants who otherwise would lose such coverage as a consequence of the employee's termination or some other qualifying event.
6	Consumer Credit Protection Act, Title III	Department of Labor (DOL) (Wage and Hour Division)	All employers (regardless of size)	Protects employees from being discharged by their employers because their wages have been garnished for any one debt and limits the amount of employees' earnings which may be garnished in any one week. Restricts garnishment withholding to 25% of disposable income. Limits employer actions with respect to discharge.
7	Davis Bacon Act	DOL (Wage and Hour Division)	Employers with contracts in federally financed construction in excess of $2,000	Employer must pay specified minimum hourly rates.
8	Driver's Privacy Protection Act of 1994	Department of Justice (DOJ)	All employers	Regulates third-party access to individual driving record information.
9	Employee Polygraph Protection Act of 1988 (EPPA)	DOL (Wage and Hour Division)	All employers except those in security of pharmaceutical industries	Prohibits employers from using lie detector tests either for preemployment screening or during the course of employment. Testing is permitted only in extremely limited circumstances.
10	Employee Retirement Income Security Act of 1974 (ERISA)	DOL (Office of Labor-Management & Welfare Pension Reports)	All employers	Requires extensive pension and welfare plan information, plus disclosure of information to plan participants. Gives protection and guarantees to employees covered by private pension and welfare plans. Sets standards for employee participation, funding methods and establishes fiduciary responsibilities.
11	Equal Pay Act of 1963	EEOC	All employers subject to the FLSA	Prohibits pay differentials on the basis of sex. This means that employers must pay equal wages for work that requires equal skill, effort, and responsibility and is performed under similar working conditions.

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12	Executive Order 11246	DOL (Office of Federal Contract Compliance Programs)	Employers with governments contracts in excess of $50,000 and over 50 employees	Prohibits discrimination in all terms, conditions and privileges of employment against applicants and employees. Requires affirmative action to ensure equal employment opportunities without regard to race, sex, color, religion or national origin.
13	Fair Credit Reporting Act	Federal Trade Commission	All employers	Employer must comply with all of the notice, disclosure and consent requirements in order to obtain and use investigative consumer credit reports in making an employment decision.
14	Fair Labor Standards Act (FLSA)	DOL(Wage and Hour Division)	All employers	Employer must pay prevailing minimum wage and overtime
15	Family and Medical Leave Act (FMLA) PLUS: FMLA Military Leave Amendments of 2008	DOL (Wage and Hour Division)	50 or more employees	Eligible employees are entitled to take up to 12 weeks of unpaid leave. Employers must continue health benefits during the leave and restore employee to same or equivalent position upon return from leave. Eligible employees are entitled to take up to 12 weeks of leave for a "qualifying exigency"; and up to 26 weeks of leave for serious injury incurred during active military duty.
16	Federal Insurance Contributions Act (FICA)	Internal Revenue Service (IRS); Social Security Administration (SSA)	All employers	Requires that taxes be collected from both employers and employees to fund the Social Security program.
17	Federal Mine Safety and Health Act of 1977 (Mine Act)	DOL (Mine Safety and Health Administration (MSHA)	All employees who work on mine property	Holds mine operators responsible for the safety and health of miners; provides for the setting of mandatory safety and health standards, mandates miners' training requirements; prescribes penalties for violations; and enables inspectors to close dangerous mines. The safety and health standards address numerous hazards including roof falls, flammable and explosive gases, fire, electricity, equipment rollovers and maintenance, airborne contaminants, noise, and respirable dust.
18	Federal Protection of Juror's Employment Act	U.S. District Court	All employers	Prohibits employers from discharging employees from taking time off from work to serve on a jury.
19	Genetic Information Nondiscrimination Act of 2008	EEOC	15 or more employers, health insurers and group health plans	Restricts the collection, use or disclosure of genetic information.
20	Health Insurance Portability ad Accountability Act (HIPAA)	Health and Human Services (HHS) Office for Civil Rights	Most health plans, clearinghouses, and providers that conduct certain transactions electronically	Creates national standards to protect individuals' medical records and other personal health information and gives patients more control over their health information.

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