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October 2016 Newsletter from Gignilliat, Savitz & Bettis, LLP

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October 2016 Newsletter

Fair Pay and Safe Workplaces Executive Order

As labor law attorneys in South Carolina, we've been following the progression of the Fair Pay and Safe Places Executive Order. The FAR (Federal Acquisition Regulation) Council and the Department of Labor (DOL) published final versions of the rule and guidance regarding an [executive order](#) (EO) that President Obama issued in 2014. The EO was designed to promote "economy and efficiency in procurement by contracting with responsible sources who comply with labor laws." This EO is sometimes referred to as the "Blacklisting" or "Bad Actors" EO because the new rules require companies to disclose all allegations of unfair labor practices, regardless of whether the claims were settled or convicted.

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Student Assistants are Statutory Employees Under the National Labor Relations Act

The National Labor Relations Board (NLRB) has made decisions affecting private, nonprofit universities for decades. The NLRB has applied the National Labor Relations Act (NLRA) to faculty in the university setting, which has been upheld by the Supreme Court. Furthermore, the NLRB has nearly exclusive authority to define the term "employee," so long as those defined as employees do not contradict language in the NLRA.

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