



WorkSmarts

Quarter 1 - The Big Game: Kickoff 2022 With Updates On Compliance In The Workplace

Don't Drop the Ball on FCRA Compliance

Kersten Holzhueter and Joe Hunt

1. Determine whether the FCRA applies to the hiring process / background check. It applies, if you obtain a consumer report (which covers non-credit information, not just 'credit reports') from a consumer reporting agency to be used as a factor establishing eligibility for employment purposes.
2. Before obtaining a consumer report, provide a standalone written disclosure to applicant / employee. The disclosure must be clear and conspicuous.
3. Before obtaining a consumer report, obtain a signed authorization from applicant / employee. The authorization should be separate from the disclosure.
4. Before obtaining a consumer report, certify compliance to the consumer reporting agency.
5. Before taking an adverse employment action, give written notice to applicant / employee, including copy of consumer report and CFPB summary of rights and wait at least five days before making any final decision.
6. After taking an adverse employment action, give written notice to applicant / employee, including contact information for consumer reporting agency and statement about right to dispute information with consumer reporting agency.

Tackling I-9 Compliance and Employment-Based Immigration: Employer Be Aware

Stacey Garrett Koju and Jay Ji

- Usually a way to employ someone legally here
- Be prepared for a wait
- Expect the unexpected
- Over-prepare and over-deliver
- Don't do it alone!

Religious Exemptions for COVID-19 Vaccines: Are you Providing a Reasonable Accommodation or Relying on a Hail Mary?

Casey Murray and Charlotte McEwen

- Identify what laws your organization may be subject to relating to vaccine and mask mandates and accommodations
 - Federal, state, and local levels
- Identify your risk tolerance and weigh the pros and cons of a vaccine mandate—keeping employees safe, lawsuits, employees quitting, etc.
- If you adopt a vaccine mandate:
 - Individually analyze each accommodation/exemption request
 - I.e. Is the request based on a sincerely held religious belief?
 - Analyze whether an exemption is reasonable or an undue burden
 - Can you keep employees reasonably safe?
- Document the process.

WorkSmarts Seminar Team

February 16 Seminar Team

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Save the Dates!

Be sure to mark your calendar for the next seminar in our 2022 **WorkSmarts** virtual conference series.

February 2022						
Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
		1	2	3	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28					

May 2022						
Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30	31				