



Season 3, Episode 3: “Handbook Harmony: Mastering the 2024 Updates for an Effective Workplace”

Speakers: Lee Jacobs and Rosemary Enright, Barclay Damon

[Lee Jacobs]: Hello. Hello, and welcome to Barclay Damon’s third episode of our third season of our *Labor & Employment Podcast*. My name is Lee Jacobs, and I’m so happy to be joined by my partner, Rosemary Enright. Good afternoon, Rosemary. How are you doing?

[Rosemary Enright]: I’m doing great today, Lee. I like to say I’m broadcasting live from Studio B, B as in Buffalo, and people are probably wondering, you know, has she dug out from the snow? And the answer is yes. I’m actually looking at green grass right now. So hopefully it stays that way.

[Lee]: I couldn’t imagine when we were talking throughout, when you had the... feet of snow that fell. I grew up in South Florida. Disclaimer. And here in New York, we haven’t had much snow in many... in a couple of years now, an inch of snow. And I’m like, I’m going to slip and fall and kill myself. Remember, can’t ice skate? So you know, yeah, it’s always a danger for me, but happy to hear shoveled out and we’re here to talk today about new updates for 2024 handbooks and follow up to the prior conversation. But before we do that, and I think an ode to and honor and continuing Ari: fun facts. My fun fact for this this podcast of today is that I’ve been a professor for the last 16 years at Brooklyn Law School. Many things have changed in my life. Many things: jobs, relationships, family. Where I’ve lived, etc., etc.. But the one thing that’s been constant is being a professor. So I apologize if you’ve been listening for the last three episodes that sometimes I go off on my “professoralize,” sometimes too much. So Rosemary, please be sure to give me a whack if I, if I go on and editorialize too much. But what’s your fun fact for the day?

[Rosemary]: Well, you know, we were talking about the snow and being in Buffalo, so I’ll say my fun fact is I was at the Bills last game... so I’m a season ticket holder. So I was at both playoff games and we really thought this year was going to be the year we were going to get over that Kansas City hump. We did not, Lee. My fun fact is I was at the game and I’m still devastated. And I have to say I have one regret from, you know, I guess I’d say the past. I don’t want to say all of 2024 or 2023, but I’d say one of my regrets will be, I think, always that I didn’t go and shovel. So they had a call out for local people to come in and shovel out the stadium. So out there—my brother lives near the stadium. They had almost seven feet. And so thousands of people went and I don’t know why I didn’t go because it just looked like so much fun. They set up huge like I would almost call it like a slide from the upper decks all the way to the field. And people would shovel and throw the snow on the slide things, and it would all go down to the field. And then they had bucket trucks that were picking it up and taking the snow out. We had so much snow, the National Guard was taking snow both from the stadium and all over the city out in those huge trucks.

[Lee]: Well, I’m just curious, where were they dumping the snow? Do you know?

[Rosemary]: Yeah, you know, it’s a good question. I don’t know where they take it. I have no idea.

[Lee]: I know in here in the city when we had a blizzard back before Hurricane Sandy, so we’re talking the early ‘20 teens, that they would dump, they’d gather up all the snow and then dump it into the East River, like literally dump it into the water. And then that caused other problems. But yeah, snow, not my thing. God bless you on that, with snow, Rosemary. So to get us back to the agenda. So you know, the first... our the last

episode was about what is a handbook, why you should have a handbook. This episode is going to focus on updates for 2024. What you need to know as a New York and/or a New York City employer to have updates in your 2024 handbook. And stay tuned for episode four. Episode four is going to discuss some new effects from a National Labor Relations Board ruling, called Stericycle, as to what limitations and changes we should have to the finer points of some of the languages that we have in our handbook. So stay tuned for that conversation which will be happening in the near future. But turning to what we need to update in our handbook today. The first thing is a sexual harassment policy. So since I think it's been since 2016, I want to say, Rosemary, we've been required to have sexual harassment policy.

[Rosemary]: I think that's about right, Lee.

[Lee]: I think the state gives you a... New York State gives you a model policy. And that model policy as we've talked about on the prior podcasts has blanks that you can fill in where you can just put your employee, your company's name in, and the name of where the complaints are supposed to go. And that's sufficient. You can use that policy—or you can create your own policy inside of your handbook that adopts and meets the minimum requirements of what the state's policy says. What the policy was in 2016 is not the policy that is now in 2024. Here are some of the updates that you should be aware of. The very first thing is the New York State Division of Human Rights has created a 1-800 number, a hotline, for your employees to call. So your employees can report sexual harassment to you, they can report it to various state agencies, local agencies, to the federal government, to the EEOC. And now there is a 1-800 number, a hotline number and I'm going to... Google it and bring it up here, which you should include in your handbook as to what that hotline number should be. Rosemary, are you advising your clients to include the telephone number? I am, but I've heard different opinions from different attorneys.

[Rosemary]: Yeah. So I am. And in fact, what I thought you were going to ask me, Lee, was, are, you know, am I advising my clients to use the New York model policy?

[Lee]: I'll take that one as well. I'll take both of those questions.

[Rosemary]: Yeah. You know, so yes, I'm including the number. No harm, no foul. You know, actually when I say that, what I mean by that is it's... New York State has established this number and there are no employers out there who condone, you know, encourage harassment. All of our clients, all of our employers, everybody wants to provide a safe work environment for their employees and for their visitors and anybody who comes into their workplace. And so, you know what, putting that out there just is that extra step. That extra, yeah, we're going to do whatever it takes. If somebody is uncomfortable talking to us, let them make the call, you know? So I just don't see it as a problem. And then in terms of the policy, you know, I struggled with this, Lee, and, you know, I spoke to several that, you know, our partners here in the firm about it. And for those of you who haven't looked at the updated New York model policy, it is 11 pages long. And I mean, it is comprehensive to say the least. And so for me, what I've said to clients is 11 pages is a lot to put in your employee handbook. And so what I've started doing, Lee, is having my clients... we put in two or three paragraphs that references the fact that, you know, we prohibit harassment on the basis of sex and gender identity and gender expression standards, you know, a very typical introduction to a harassment policy, specifically a sexual harassment policy. And something about retaliation and reporting it, you know, so it'll be three or four paragraphs. And what we also say in there is that we have adopted the New York state model policy, and they then have it either in an appendix, Lee, which we spoke about in our last session. So they have it in the back of the handbook and/or they do it standalone, right? So every year when they do their annual training, they hand it to their employees that as part of the training, they talk through the policy and they have them sign off on it.

[Lee]: I love that. I actually like that idea of having the policy be brought out during the training and have them sign it either during or at the end of the training, because then there really is no question as to whether they received and understood the policy. The telephone number, by the way, is 1-800-HARASS-3 and there

should be a statement in the policy that says this is the telephone number that people can use. What I do with some of my clients, Rosemary, is I create an uber policy violation, like an anti-discrimination policy that encompasses everything, sexual, gender, disability, every... racial discrimination and harassment, and then create one uber form for everything where sexual harassment is an option. Because the law, if you read the law the way it's supposed to be, you have a standalone sexual harassment policy, 11 pages, and then you have a harassment policy, discrimination policy, why not collapse them all into one? Right. I think the message here is work with a professional. Let us help you create the policy that best fits you and your business and your staff. Some additional things that are new to the sexual harassment policy. There is a new paragraph, a new section that should be included for bystander intervention that informs your employees what they should do or not do if they are a witness to someone else being a victim of sexual harassment and witness intervention as well. And you mentioned yearly training, Rosemary, as a reminder to everyone, there are no excuses about training. People used to say, well, it costs money. I have to spend, I have to get a trainer and I have to buy a package from some training company. No, no, no. The state of New York has a free training module, a website where you can direct all of your employees to where they can go and receive the required training. You can also provide the training to your employees in person. The key thing about any training that you do, again, it's yearly. Every employee must be... receive training every year. I advise clients to do it every year so that way you catch your new employees that didn't get it before your annual renewal and you get everyone in the renewal cycle. Your training must hit all the requirements that the state has it be. But most importantly, it has to be interactive. You just can't sit your employees in front of a television and hit play and watch some '80s style sexual harassment vignette types of videos. There needs to be questions, answers, responses and most importantly, your employees need to have the ability to ask questions so they could literally type a question in and you will respond to it at a later time. It has to be interactive and training needs to happen for your staff. And then there's a separate training for your managers and supervisors. And while I know it's a little detour, Rosemary, please forgive me if this is becoming too much "professorializing," but the penalty, the failure of doing this, of having the sexual harassment is essentially you won't be able to raise all of the defenses that would be available to you in an investigation or by the state in the Division of Human Rights or the Commission of Human Rights here in New York City or in a private lawsuit. Essentially, you won't be able to say, I didn't know. You can't feign ignorance because the law requires you to give all of the information to your staff so they know how to tell you there is a problem. So if you don't tell them how to tell you there's a problem, you can't say, I didn't know.

[Rosemary]: That's right. Yeah. Exactly.

[Lee]: So it's not like there's going to be a \$500 fine or a \$50 per day penalty. What you are doing is you're cutting your legs off at the knees. You are preventing yourselves from giving the best full defense you can. Because if you're listening to this, odds are, as Rosemary said, you want to have a good workplace, you're not encouraging sexual harassment. So do the rules so you can protect yourself.

[Rosemary]: Okay. The other thing I'd add, Lee, also is, you know, with the training. I love everything Lee said, and in particular driving home the point about it being interactive that is so important. But the other thing is you need an acknowledgment that, yes, there has to be an acknowledgment that they completed the training. And you need to keep that acknowledgment because you need to show that, yes, I've you... I've properly trained my people. And here is that, you know, the documentation for that. So make sure you have an acknowledgment.

[Lee]: I suggest even going a step further, issuing a certificate, issuing your employees a certificate, because that certificate, believe it or not, is good for one year. That employee could take that certificate to another employer and say, hey, I've been trained already, here's my certificate.

[Rosemary]: You're right. That's exactly right, Lee, because if they if they leave you midstream, they go to the next employer. The next employer has an obligation to sure they are trained. Yeah.

[Lee]: And as a reminder, if you have your employees do these virtual trainings online at a time when they are not otherwise clocked in, you have to pay them for that training. The training is not free. Have to pay them for the training.

[Rosemary]: Yes, but the training is free. The time.

[Lee]: You're right. Their time is not free. And to bring it back to our conversation from two podcasts ago, it's either at \$16 or \$15 an hour. If they're minimum wage employees.

[Rosemary]: That's exactly right.

[Lee]: So another update, I think this one is an easy one and very simple: paid family leave. As we know, New York Paid Family Leave is a thing. Now we need to have statements in our handbooks that say what paid family leave is, what their rights are, how it's triggered, and how an employee can apply for it. The one update that you should be aware of is that your employees can now take paid family leave to take care of their siblings and that update should be included in your paid family leave policies.

[Rosemary]: Now you just got it. Yep. That's so easy. It's where you say, you know, spouse, parent, you're just going to put comma "siblings." Yeah.

[Lee]: That's an easy update. Another update for the year: lactation accommodation. So this has been something that's been down here in New York City for a while, but now it's been embraced by the entirety of the state. New York City. Sorry, Rosemary, but we sometimes we blazed the trail and then the rest of New York adopts the rules.

[Rosemary]: That's right.

[Lee]: I will say, though, as a Jets fan, I am a little jealous of the Bills recently as it is now. I just wish we got our act together like the Bills can, but neither here between upstate and downstate. But lactation accommodation is a thing in New York State. And we need to provide notices to our employees. We need to provide a lactation accommodation request form to our employees, and we need to have a poster up on the wall that describes what our lactation accommodation policy is and things of that nature. But to be very specific, what do you actually need to provide to your employees now throughout the entirety in the state of New York, you have an employee who is lactating, who's lactating breast milk. You can't tell them to go into the bathroom. You can't tell them to use a toilet stall. That is not appropriate. I don't think it was appropriate ever, in my opinion, you know, but it used to be the case, I'm sure, that people would do that. But now... and you need to provide a room, a private area that's close to an employee's work area, that provides good or natural or artificial light. It has to be private, shielded from view and from intrusion. I had an employee, an employer, rather, excuse me, that would have set their conference room up as the lactation room. But the conference room had windows and everyone could see into it. So I said, you need to put a curtain up so someone could close the curtain so that they could have privacy while they're expressing milk. And they needs to be... have accessible, clean running water nearby. There needs to be an electrical outlet with that is something that's actually working. That has electricity working in it, a chair and a table, a desk or a counter space or other flat surface in order to do it. That's what your lactation room requirements are. When someone who is lactating asks for it, you got to provide them those, provide them those things. Any thoughts on your end, Rosemary? I'm sure I missed some things in this.

[Rosemary]: No, no. And what I'd say is again, New York State has put out a lactation model policy. And so again, you could just download it if you wanted to and put it in your handbook. I've had some clients do that. I've had others who wanted to modify it slightly because they have a certain tone in their in their handbook and so they've modified it slightly and/or they've, you know, they want to reference certain things, policies or procedures in their business, but it's a pretty good policy. I think New York State did a good job with it. So

the question that comes up, Lee, and I'm going to pose it to you and this is totally unscripted, everyone. So we'll see what Lee says. But...he's unsuspecting. But I have had my client, many clients ask me, so new hires, you know, they've got it received. There's got to be this notice about lactation accommodation. So does that go to a man? An employee who self-identifies as male and would not generally be ever lactating or expressing breast milk?

[Lee]: I would say yes. No harm, no foul. If you note, I did not say "mother" expressing milk. I said, person or parent.

[Rosemary]: Exactly. That's exactly right. And that's the same answer I give. Everybody gets the notice. But I just wanted to make that point because I think there are some employers out there and I get it that think, well, I only have to give it to individuals who self-identify as female. And, you know, not necessarily.

[Lee]: It's setting aside the, you know, the whole conversation that we're both clearly avoiding and not meant to be germane to this topic.

[Rosemary]: But yes.

[Lee]: As it looks to you as the employer, literally no harm, no foul. Give it to everybody.

[Rosemary]: That's right.

[Lee]: Protecting yourself.

[Rosemary]: That's right. That's right.

[Lee]: And just very... and the lactation accommodations lasts for three years after the child is born. Three years. So just keep that in mind. If there any questions, please reach out to us. We are always here to help.

[Rosemary]: Yeah. And one other thing I'll say when you say if you have questions, the one that comes up is, as I said, do we have to give it to everybody or do we have to give it to individuals who self-identify as male? The other question that comes up a lot is I have an employee who is expressing breast milk and that employee is taking three or four breaks during the day. Do I need to accommodate that? All right. And that isn't necessarily I mean, Lee and I could do a whole podcast on just that because there would be many questions we would be asking you. But what my answer to that—and you can tell me if you agree, Lee—is it's going to depend on the length of the shift and a whole bunch of things, because we had one employee who had a medical condition and the result was that it was four or five times in a shift and we accommodated that.

[Lee]: Maybe without knowing. Rosemary, that was the scenario that I popped up into my head that this person could only express milk for 15 minutes at a time, and that's because of their condition and that's a disability. And we and that's a reasonable accommodation and...

[Rosemary]: Precisely.

[Lee]: And I think just, you know, pulling back even further from this again, if you're listening to this podcast, why would you not grant that accommodation, right like it's... there's a difference between abuse, right, and if someone's abusing something all of these rules and protections can be pierced. But, but it just makes sense. This is... it's 2024. It's New York. Come on. In my opinion, yeah. So in the one other topic here and we touched upon this very briefly in the last topic was marijuana. Marijuana is now legal in the state of New York. And as a consequence of that, it has now been explicitly ruled that you cannot test for marijuana in people's drug testing. In New York City specifically, it is illegal to test for marijuana. There is no need, no reason for it unless that job is you're a school bus driver. Things where you would want and society and laws would expect us to

test people. Essentially, as we talked about before, someone can light up a joint on their own free time, we have off duty laws. They're allowed to do it, but they cannot be stoned, they cannot be drunk. They cannot be high at work. As a reminder, and when you're disciplining someone, it is based upon their work performance, whether they're meeting the essential functions of the job, not whether they were drunk, stoned or high, it's whether they are doing the job well. when I gave a training, Rosemary, to some managers, I do an EEOC training called "How not to be an [mmmp].” And to the managers, and when I bring this up and I say, you know, your employees can't be stoned at work, I get a comment back. I've got a sous chef who is only works great when he's stoned. He's only good when he's stoned. And I said, okay, I don't want to know that. I don't want to hear that because it kind of violates your work, your zero tolerance of your workplace policy of drugs. But remember, everything applies to essential functions of the job, not whether or not someone was drunk, stoned or high. I also have on my list, Rosemary, electronic monitoring. Is... this is something that has been in changing from 2022 into 2023. What do you advising clients about electronic monitoring and notice of notices and notifications to give?

[Rosemary]: So, yeah, you know, Lee, the electronic monitoring. It's been a couple of years now and quite simply what... I've had clients say, I'm never going to look at my employees that like their email or any of their electronic communications or their voicemail messages. We don't do that here. And then my question to them is, well, let me ask you this: If we had to do an investigation, if there was some sort of complaint, would you then look at their email or listen to their voicemail? Well, yeah, of course I would...

[Lee]: What I said then we've been. Yeah.

[Rosemary]: Okay. So you got to give them notice. And so what I say is, as we've already said several times on this podcast, Lee, no harm, no foul, put it in your handbook. New York State requires you to give your employees notice if you engage in electronic monitoring. And I'm telling you, every one of my clients at some point in time has had to go in and check something in someone's email, would check something in their voicemail or any of their, you know, they're ...I can't remember the other words that are in...You probably have the policy in front of you, Lee. I don't have it in front of me, but there's it's images. It's anything electronic. And so New York has... notice, I think. Is it like a section 210 or something like that.

[Lee]: Yeah.

[Rosemary]: Boy, am I good that I read an excellent number and everything. But yeah, so, so literally we have drafted this for our clients and we just literally take the language pursuant to section 210 of the New York labor law. And we put in the I think it's just like one long sentence and it lists all the different...emails.

[Lee]: Emails, internet access, video conferencing platforms, phone calls, text messages, and any electronic device or system, including but not limited to computer or telephone, wire, radio or electronic magnetic photo, electronic or photo optical systems.

[Rosemary]: Exactly. So basically, gang, everything. So just put it in there and just, you know, pop it in there. I always put it in the section like where, you know, computer usage, internet, social media, it's just all part of that. And what's important to know is it goes in your handbook. But Lee and I along the way in these podcasts, have been giving you little reminders. Let me give you a reminder. You're required to give it to your new hires. All right? You don't have to... this notice if you're sitting there thinking, oh, my gosh, I didn't know there was such a thing, I better get it out to all of my employees. Oddly, there is no requirement for you to walk in and hand to Lee Jacobs the notice, when he's sitting at his desk and have a sign off on an acknowledgment. If he's a current employee. If it's in the handbook and you've got it posted, that's enough for your current employees. Your new hires, however, you actually have to give them the notice. It's part of the onboarding process. All right. And they acknowledge it. So electronic monitoring. As we said, I've had so many people say we don't need it, you need it. Put it in your handbook.

[Lee]: You'll be safe. Better be safe than sorry. It's one of those... that's what so many of these other things do. I have. I like ...a couple of podcasts ago I talked about bone marrow, blood leave. I don't think I've ever had a client ask me about it, but it won't be a problem until it becomes a problem, and then it will be a big problem. So just do it.

[Rosemary]: Yeah.

[Lee]: No harm, no foul. Any other New York State updates that you can think of, Rosemary, before I turn to New York City with the two that are down here that came to my mind down here.

[Rosemary]: Yeah, what I'd say is, you know, in New York, we're now required to provide all of the postings. So all of those postings, you know, that we put... I think, Lee was talking about them in another podcast, the poster, and then the big posters that you've got in the break room or the cafeteria listing everyone's rights and our obligations as employers and so forth. So all the federal wage and hour, state anti-discrimination, everything. So those all have to be provided electronically. What that means is that your employees have access to them on a company-provided computer or laptop. All right. So they have to have... be able to access it. And so what I've started having my clients do for 2024, Lee, is just include a short statement, again and it would be entitled "postings." So right, where the electronic monitoring and other policies are and it simply states that all of our postings are available electronically and it directs them to where they are available. So just kind of a boots-and-suspenders type of thing, Lee.

[Lee]: And what I and some of my clients in the hospitality industry don't have the computer networks, like the sophistication of staff members to be able to go log on and get it. So we give them the posters like we actually... I encourage them to print them out and give the big ones to them and then also to provide them in a PDF and send them to them via email. Just... it's all about belt-and-suspenders. I think that's another great way to put this. It's "protect yourself." It just is. And the reason for this is the virtual world. You've got employees who may never ever step foot in your shop and they will never, ever see the posters that are on your wall and therefore that's why this requirement of having to give them virtually exists now. OK. Turning to New York City, there are two developments that you should be aware of that should be updated in your handbook. The first is artificial intelligence in hiring decisions. So if you... one, you should have a statement in your handbook and plugging an alert that I had previously written. Go, please go on our website and you'll find an alert that I wrote that discusses this. But in New York City, employers are banned from using artificial intelligence to cull through job applications. So how that actually works and what artificial intelligence someone could use is still being fleshed out. But what the City Council here in New York City has said that we don't want a computer to make decisions based upon variables that are plugged in about someone. There should be some human interaction, human consideration, discretion as to evaluate someone. It shouldn't just be a computer automatically kicking a resume into the reject pile. So there should be a statement in your handbook that you comply with New York City's ban on artificial intelligence in hiring decisions. The other one...

[Rosemary]: I'm sorry, interrupt and ask you quickly. And again, I apologize, everybody, Lee and I run up head up against our self-imposed timeline. But I think it's important information. Let me ask you this, Lee. Should it—and maybe this doesn't maybe it's not relevant—but should a New York City employer, if they are posting... they've got job posts, you know, on Indeed, or Monster, wherever it happens to be, should they be including that statement on their job post that they you know?

[Lee]: There's no requirement, there's no requirement to do that. But it couldn't hurt.

[Rosemary]: I just wondered.

[Lee]: And again, you know, one of those things that that couldn't hurt and I have an... I take issue at some times where I foresee, you know, what the worst-case scenario you rely on. Indeed. And all those other job posting sites and you set a criteria that says they must meet these criteria and someone applies and they

get kicked because it didn't meet the criteria. Right. Does that fall under artificial intelligence right now? The answer is no, because it's not that smart. It's not going through and doing natural language queries into resumes and things to that nature. But who knows? You may backdoor yourself in a year's time from now or less, the way that this technology's growing, that you're using artificial intelligence and you don't even know about it. Right. So, include the statements again, one of those things couldn't hurt. It really, really couldn't hurt.

[Rosemary]: Yeah. It just came to me when you said it, I thought, you know, it's interesting. So. Good.

[Lee]: And then the other thing is that here in New York City, it is now illegal to discriminate against someone because of their height and or weight. Now, that doesn't mean like, you know, it means on its basis. Right. That, you know, think of Abercrombie & Fitch back in the '90s where they would only hire people that looked a certain way. Yes, it applies to that category. But really what its intent is it's saying that you can't discriminate against someone because of their height and weight, but if there is a particular job function that they can't do because of their height and/or weight, then you are... you can deny them that job. So say, for example, you can't see me because I'm sitting down I'm 6'3", 6'4", depending upon the shoes I'm wearing—probably 6'6" in ice skates. If I ever get my feet, if I can ever get my feet in them. But the ...so if I'm in a job where the ceiling is five feet tall and it's going to pose a risk of safety to me, then that is an appropriate way for a business to discriminate against me. Here it is, it's pretty self-explanatory. But if there are any questions or concerns again, please reach out. This is something that we can help and assist you on.

[Rosemary]: Lee, where would the employer put that prohibition in the handbook? Where does it go...

[Lee]: So it would go... so it's not its own standalone section or something to that nature. It would go in your EEOC statement that's at the beginning of your handbook, right after in my opinion. Employment at will first, and then equal employment next, whereas you have the basic categories that we all know race, gender, sex, etc., etc. and then as you get down to New York City, you include now height and weight and also other things that are different from New York City compared to New York State, not new, but just different—caregiver status, for example. That's a protected class here in New York City. It's not a protected class outside of the city. And I think this is a rule that is headed towards acceptance. And I'll tell a little story, Rosemary, and I know we're going over, but I think you will appreciate it and our listeners will appreciate it. I was... I took my grandmother. She's 102. I took her to see Neil Diamond's show in Broadway. And there was a dancer who did not fit the typical model of what you would think a dancer would look like. She did not look like a Rockette, and I'll just leave it at that. And she was there on the stage and I heard my grandmother...[who is] from a different time. She said... she made a comment about this dancer, but that in the row behind us, I heard a family saying how wonderful this is, how inclusive this is, that there is someone on this stage that represents everybody. So for me that put this law directly into effect, that there is no reason why someone who is a particular weight can't dance. If they can do the essential functions of the job right, they can do it, they can do it. And this immediately put this law right into effect for me, happening right in front of my eyes as I was watching the show with my most favorite person in the world, my 102-year-old grandmother.

[Rosemary]: Oh, that's... I love this story because it's your grandmother. And we both have talked about how much we adore our grandparents. She's 102, Neil Diamond, and now I'm going to use that example. That's a great example because somebody might say, what does this mean? What is it addressing? That's it. Exactly. It's perfectly that. Yep.

[Lee]: Yeah. So those are the biggies. That's really what you all need to know for 2024. And with that, we thank you for, for your attention and for listening. And as usual, we encourage you to go to Spotify where we have another question for you. And it is strangely similar to the question that we asked before, because presumably you listened to last episode, and now you're listening to this one. So the question is, have you now updated your handbook to be compliant with 2024. So the question again is, do you now have an updated handbook for 2024? Yes, no or updating now. Thank you again, everyone. Thank you, Rosemary. It's been a real pleasure. And we look forward to talking to you in our next episode where we're going to be discussing something called

the Stericycle decision. And in there as a very quick preview, it's about what language and chilling language that you can enforce and cannot enforce upon your employees. Rosemary, anything to add?

[Rosemary]: No, I think that's great. Thank you all for humoring us, listening to us, and...

[Lee]: I think our jokes will land. I hope they'll land.

[Rosemary]: They'll land. Exactly. So everybody, have a great rest of your day. And we'll talk with you soon.

[Lee]: Thanks again, everyone. Be well.

[Ari]: The *Labor & Employment* Podcast is available on [barclaydamon.com](https://www.barclaydamon.com), YouTube, LinkedIn, Apple Podcasts, Spotify, and Google Podcasts. Like, follow, share, and continue to listen. Thanks.

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