



November 2020 – Regulatory Updates

State Legislation

- Voters Approve the California Privacy Rights Act, Expanding California’s Data Privacy Law
- New Guidance Clarifies Protections For California Workers With Criminal Records
- Lexology Employment Guide: Mississippi
- Lexology Employment Guide: Alabama
- Charlotte housing advocates urge fair treatment for ex-incarcerated. Urge City Council to change local guidelines
- Council passes bill that limits background checks until conditional job offer
- Montgomery County, MD Amends Ban-the-Box Legislation

Federal Legislation

- Top 11 Workplace Law Developments To Expect Under President Biden
- Election 2020 Special Report
- Is the Federal Government Immune From Suit Under the Fair Credit Reporting Act? Another Court Says Yes

Data Privacy

- Voters Approve the California Privacy Rights Act, Expanding California’s Data Privacy Law

Background Checks

- Peopletrail® Ranked #2 Among The ‘Enterprise Breadth of Service Leaders’ By HRO Today
- Artificial Intelligence and Bias: Considerations to Prevent Bias and Mitigate Legal Risk of Employers
- Compliance News Flash - November 2020 #1
- Five Things You Should Know About Tenant Screening

Lawsuits

- Background Checks: The Advent of the New California Employment Class Action
- Mitigating FCRA Risks in the COVID-19 World
- 9th Cir. Holds Servicers Post-Discharge Credit Pulls Did Not Violate FCRA
- “Fully and Properly Investigate” – a Lesson in Adequately Pleading Under the Fair Credit Reporting Act
- Denied! Federal Court Allows FCRA Claims to Survive Motion to Dismiss
- Third Circuit Dismisses FCRA Complaint
- Background Checks: The Advent of the New California Employment Class Action
- Plaintiff lacks standing to sue over ex-employer’s background check
- Central District of California Rejects Class Claims, Finding That Disclosure of All Data Is Not Required Under FCRA Section 1681g(a)
- Plaintiff lacks standing to sue over ex-employer’s background check

Big Brands

- When Uber, Lyft triumphs with Californian voters, their opponents promise to continue fighting.

Drug Testing

- Marijuana Ballot Initiatives Approved in Five States: What This Budding Trend Means for Employers
- Guidelines For Employers As More States Legalize Marijuana
- The Week in Weed: Election 2020 Edition
- CBD Users May Test Positive for Marijuana on Urine Drug Screen
- Bill to remove cannabis from pre-employment test
- Pennsylvania Court Affirms Unemployment Benefits for Medical Marijuana User
- Cocaine overdose deaths climb in the US
- What Is CBD Oil and Will It Cause a Positive Drug Test?
- Top 5 tips to avoid the most common drug testing mistakes
- Proposed guidelines for hair drug testing

Credit Checks

- Do Employers Check Credit? How Do I Prepare?

Marijuana Legalization

- 5 states just voted on marijuana legalization. Here's everything you need to know.
- Legal weed won big in the election
- Clean Sweep For All Five Marijuana Reform Campaigns

- Marijuana Ballot Initiatives Approved in Five States: What This Budding Trend Means for Employers
- The Week in Weed: November 13, 2020
- Arizona Passes Initiative to Allow Recreational Marijuana Use
- What employers — and employees — need to know about legal marijuana in Arizona with Proposition 207
- CAN I BE FIRED FOR FAILING A DRUG TEST BECAUSE OF MEDICAL MARIJUANA?
- Detroit City Council passes recreational marijuana sales ordinance
- The Week in Weed: December 4, 2020