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Chapter 9 Guarding Trade Secrets

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Chapter 10 Whistleblowing and Other Retaliation Claims

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Introduction

Employment Law Yearbook 2019 provides a review of legal developments in the past year, including critical case decisions, legislative changes, government agency actions, and other events of interest to employers and employee advocates.

Wage-and-hour litigation remains a primary risk for employers, and the lead chapter addresses such hot topics as the continued rise of lawsuits brought by interns, cases addressing what time is compensable under the FLSA, and trends in exemption and meal and rest period cases. Chapter 2 covers increased action by independent contractors and the Office of Federal Contractors Compliance Programs reflecting the Obama administration's commitment to an expanded regulatory and civil rights agenda. Several chapters address different forms of discrimination and equal employment opportunity litigation, highlighting measures to extend rights to LGBT employees, restrictions on employee background checks, and new Equal Employment Opportunity Commission enforcement initiatives. Other chapters cover developments in privacy litigation, including the National Labor Relations Board's continued scrutiny of workplace social media policies, trade secrets litigation, whistleblowing and retaliation cases, cases under the Family Medical Leave Act, as well as new trends in arbitration of employment matters.

This year, Orrick is again honored to be joined by contributing authors from six additional law firms—Berger, Williams & Reynolds, LLP; Cozen O'Connor; Goldstein, Borgen, Dardarian & Ho; Littler Mendelson P.C.; Nichols Kaster, PLLP; and Schwabe, Williamson & Wyatt—to deliver a comprehensive overview of legal developments in employment law.

