

Royal Newsletter

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Reminder

We can provide you with our diversity certifications to demonstrate that you do business with a certified woman-owned company.

Check Out Our Blog

[Women In Labor](#)

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Firm News



Amy Royal's Recent Accomplishments!

- Amy is now admitted in the State of New York
- Amy is now admitted to the United States District Court, Northern District of New York
- The Royal Law Firm Finalist for Best Law Firm in 2023 Daily Hampshire Gazette Best of The Valley Readers' Poll

In the Community

The Royal Law Firm was proud to sponsor the 2023 BusinessWest Difference Maker's Event. The event was held on Thursday, April 27, 2023 at The Log Cabin in Holyoke, MA

Employment Law Updates

- According to the Supreme Court, even a high-earning employee can be entitled to overtime if they are not paid on a salary basis.
- In accordance with the Americans with Disabilities Act (ADA), Long COVID can be considered a disability. The Job Accommodation Network (JAN) has offered guidance as to what on-the-job accommodations an employer can offer to workers affected by Long COVID.
- The 3rd Circuit Court of Appeals recently held that an employee failing to meet productivity quotas may see their paid time off (PTO) docked by their employer.

Medical Marijuana and the Workplace

The landscape surrounding the use of marijuana is ever changing as of late. Each state currently has different laws regarding the use of medical and recreational marijuana. Although your state may have legalized medical and/or recreational marijuana, it remains illegal at the Federal level. This poses a challenge for employers, especially those with locations and employees in separate states.

Today, employers are permitted to make rules prohibiting drug and alcohol use in the workplace. Employers do not have to tolerate on-site drug and alcohol use in general. When it comes to off-site use, there are limited accommodations that are required to be granted for alcohol and drug use in relation to disabilities. Off-site medical marijuana use is one of those exceptions. The court held that an employee who uses medicinal marijuana off site and in a manner that does not interfere with job responsibilities cannot be terminated.

The Barbuto decision does not apply to on or off-site use of recreational marijuana. The employee was able to prevail because they were using medical marijuana for an underlying disability: Crohn's disease.

Employers can still discipline/terminate employees who use recreational marijuana, whether on- or off-site. However, there are states that have prohibited employees being treated adversely for any marijuana use, including California and Washington D.C. You may start to see the laws in some New England states change to conform with these states. Be careful to stay abreast of any changes in the law.

Check out our blog to read about these recent topics!

If your business has any questions about any corporate or labor and employment law matters, please contact the attorneys at The Royal Law Firm at (413) 586-2288.

Royal

We know business matters.