

# HR Brief

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## Supreme Court Rejects Same-sex Marriage Appeals Cases

On Oct. 6, 2014, the Supreme Court announced that it would not review lower court decisions that had struck down state laws prohibiting same-sex marriage in Virginia, Utah, Oklahoma, Indiana and Wisconsin. Same-sex marriages had been put on hold in these states while the cases were being appealed. However, the lower courts' rulings will now stand, and same-sex marriage may take place in these states, effective immediately.

Following the Supreme Court's June 2013 ruling that invalidated part of the federal Defense of Marriage Act (DOMA), a number of state and federal courts addressed same-sex marriage. Several courts ruled that state bans on same-sex marriage were unconstitutional, clearing the way for same-

sex marriages to be permitted in those states.

These rulings were stayed—or put on hold—pending future appeals. Several of these rulings were appealed to the U.S. Supreme Court, although some are still pending in lower courts. In addition to the five states whose appeals were denied by the Supreme Court, Arkansas, Florida, Idaho, Michigan and Texas also have same-sex marriage cases pending.

Because the rulings from the federal appellate courts stand, the U.S. Supreme Court's decision not to intervene will impact a number of other states located in the federal circuits overseen by those appellate courts. This includes the 4th Circuit (covering Maryland, Virginia, West Virginia, North Carolina and South Carolina), the 7th Circuit (covering Illinois, Indiana and Wisconsin) and the 10th Circuit (covering Colorado, Kansas, Oklahoma, Utah, Wyoming and New Mexico). Lower courts in these states must follow the ruling from their appeals court regarding same-sex marriage. Some of these states already specifically permit same-sex marriage.

## DID YOU KNOW

Effective Jan. 1, 2015, the Occupational Safety and Health Administration (OSHA) will require employers to report any work-related employee fatality within eight hours. An inpatient hospitalization, amputation or loss of an eye must be reported within 24 hours.

Employers will be required to submit these reports to OSHA either by calling the main number at 1-800-321-OSHA (6742), by calling or visiting the nearest area office during normal business hours or by visiting a designated website, which is currently under development.

## Fighting the Flu

Flu season can wreak havoc in a workplace, and the U.S. Centers for Disease Control and Prevention estimates that sick days and lost productivity lead to a \$7 billion loss each year for employers.

Adopting a few basic flu-prevention strategies can lessen the impact of the flu on your workplace. The following are a few practices to help prevent the spread of the flu:

- Educate your employees on how to stay healthy and avoid the flu. Also make sure PTO or sick leave policies are clear, encouraging contagious employees to stay home.
- Keep everything germ-free by frequently cleaning common areas and providing hand sanitizer in places such as the break room or cafeteria.
- Give employees the opportunity to get vaccinated. Providing on-site vaccinations or enabling employees to get the flu shot for free at a nearby clinic or pharmacy are two options for ensuring most employees get vaccinated.