

Safety Seminar - 2026



COMPREHENSIVE
RISK MANAGEMENT

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BWC Updates

- **BWC Dividend**

- Approved by BWC Board 8/31/2026
- 90% of 2022 premium
 - Checks mailed by end of October
 - Dividend will be applied to any open balance
- Ineligibility
 - No 2022 true up filed
 - Lapsed policy
- Snapshot date = 8/28/2026

BWC Updates

- Premium Size Factor
 - First \$6,000 = 100%
 - \$6,001 to \$120,000 = 9% reduction
 - Was 13%
 - \$120,001 to \$600,000 = 13% reduction
 - Was 18%
 - Above \$600,000 = 18% reduction
 - Was 23%

BWC Updates

- Change to Max Group Rating Discount
 - Down to 50% from 53%
 - All other tiers are also reduced
- Safety Grants
 - BWC reopened safety grants 8/17/2026
 - \$41M will be available for 2027

CRM Update

- Safety Services
 - Irwin Caraballo – Safety Director
 - 15 years of experience
 - Safety consulting
 - Program development
 - On site inspections
 - Employee training

Topics

- OSHA Penalties
- OSHA Top 10 Violations
- OSHA Updates and Standards
- Safety Services

Sources:

<https://safetyregulatory.com/guides/osha-updates-2026/>

<https://safetyregulatory.com/guides/most-cited-osha-violations/>

<https://www.soloprotect.com/blog/the-future-of-workplace-safety-inside-oshas-2026-worker-protection-standards>
osha.gov

OSHA Penalties

● OSHA Penalty Amounts (Effective January 15, 2025)

- Maximum penalties currently in force per the 2025 annual inflation adjustment (2.6% increase over 2024 amounts):

Violation Type	Maximum (2025 OSHA penalty schedule)
Serious	\$16,550 (effective Jan 15, 2025)
Other-Than-Serious	\$16,550 (effective Jan 15, 2025)
Posting Requirements	\$16,550 (effective Jan 15, 2025)
Failure to Abate	\$16,550 per day (effective Jan 15, 2025)
Willful	\$165,514 (effective Jan 15, 2025)
Repeat	\$165,514 (effective Jan 15, 2025)

OSHA Top 10 Violations

- **OSHA's Top 10 Most Cited Violations (2026 Updated)**

- **The Complete Top 10 List**

Rank	Violation	OSHA Standard	Citations
1	Fall Protection (General Requirements)	1926.501	5,914
2	Hazard Communication	1910.1200	2,546
3	Ladders	1926.1053	2,405
4	Lockout/Tagout (Control of Hazardous Energy)	1910.147	2,177
5	Respiratory Protection	1910.134	1,953
6	Fall Protection (Training Requirements)	1926.503	1,907
7	Scaffolding	1926.451	1,905
8	Powered Industrial Trucks (Forklifts)	1910.178	1,857
9	Eye and Face Protection	1926.102	1,665
10	Machine Guarding	1910.212	1,239

OSHA Top 10 Violations

● **1. Fall Protection. General Requirements (1926.501)**

- 5,914 citations. This standard requires employers to protect workers from falls on walking/working surfaces at heights of 6 feet or more in construction. Employers must provide guardrails, safety nets, or personal fall arrest systems.
- Falls are the leading cause of death in construction. They account for roughly 1 in 3 construction fatalities (BLS Census of Fatal Occupational Injuries). The standard is straightforward, but compliance requires active effort on every elevated surface at every job site.

OSHA Top 10 Violations

● **2. Hazard Communication (1910.1200)**

- 2,546 citations. This standard requires employers to inform workers about chemical hazards in the workplace. That means maintaining Safety Data Sheets (SDS), labeling all containers, and training workers on the chemicals they work with.
- Common violations include missing or outdated Safety Data Sheets, unlabeled chemical containers, no written hazard communication program, and failure to train workers on chemical hazards.

OSHA Top 10 Violations

● **3. Ladders (1926.1053)**

- 2,405 citations. This construction standard covers safe use, inspection, and maintenance of portable and fixed ladders. Violations include improper setup angles, damaged ladders still in service, and missing safety features.
- Common violations include ladders not extending 3 feet above landing surfaces, using damaged ladders, improper angle (should be 4:1 ratio), and workers carrying loads that prevent safe gripping.

OSHA Top 10 Violations

●4. Lockout/Tagout. Control of Hazardous Energy (1910.147)

- 2,177 citations. This standard requires employers to establish procedures for isolating energy sources during equipment maintenance and servicing. Workers must lock out and tag out machines to prevent unexpected startup.
- OSHA estimates that failure to control hazardous energy causes approximately 120 fatalities and 50,000 injuries per year (OSHA lockout/tagout fact sheet). Workers get caught in machines that start up unexpectedly during maintenance.

OSHA Top 10 Violations

●5. Respiratory Protection (1910.134)

- 1,953 citations. Employers must provide respiratory protection when workers are exposed to harmful dusts, fogs, fumes, mists, gases, smokes, sprays, or vapors. This includes fit testing, medical evaluations, and a written respiratory protection program.
- Common violations include no fit testing, using the wrong type of respirator, no medical evaluation before assigning respirators, and no written program.

OSHA Top 10 Violations

● **6. Fall Protection. Training Requirements (1926.503)**

- 1,907 citations. This is the training companion to violation number one. It requires employers to train all construction workers exposed to fall hazards. Workers must understand how to recognize fall hazards and use fall protection systems.
- The key requirement is that a competent person must conduct the training. Workers must demonstrate understanding before working at heights.

OSHA Top 10 Violations

● **7. Scaffolding (1926.451)**

- 1,905 citations. This construction standard covers the design, construction, and use of scaffolding. It addresses guardrails, platform width, access, and competent person inspections.
- Common violations include missing guardrails, platforms not fully planked, no access ladder, damaged components, and no competent person inspection before each shift.

OSHA Top 10 Violations

● **8. Powered Industrial Trucks. Forklifts (1910.178)**

- 1,857 citations. Employers must train and certify all forklift operators. Training must include formal instruction, practical training, and a workplace evaluation. Certification must be renewed every 3 years.
- Common violations include operators not trained, no documentation of training, no practical evaluation, and no 3-year re-evaluation.

OSHA Top 10 Violations

●9. Eye and Face Protection (1926.102)

- 1,665 citations. Employers must make sure workers use appropriate eye and face protection when exposed to flying particles, molten metal, liquid chemicals, acids, caustic liquids, chemical gases, vapors, or light radiation.
- Common violations include workers not wearing safety glasses or goggles, wrong type of eye protection for the hazard, and damaged or inadequate equipment.

OSHA Top 10 Violations

● **10. Machine Guarding (1910.212)**

- 1,239 citations. Machines with moving parts that could cause injury must have guards to protect workers. This includes point-of-operation guards, nip point guards, and other protective devices.
- Common violations include missing guards, guards removed and not replaced, inadequate guarding for the type of hazard, and bypassed safety interlocks.

OSHA Updates and Standards

- OSHA's 2026 updates focus on enhanced enforcement, new safety standards, proactive compliance programs, and improved documentation requirements across high-risk industries.
 - Key OSHA 2026 Priorities
 - Expanded Inspections and Enforcement: OSHA is increasing oversight in high-risk sectors such as construction, manufacturing, energy, and utilities. Employers should anticipate more frequent inspections, stricter compliance checks, and deeper scrutiny of hazard controls, PPE programs, and employee training records

OSHA Updates and Standards

- **Hazard Communication Standard: GHS Rev 7 Deadlines**

- The updated Hazard Communication Standard (29 CFR 1910.1200) aligns U.S. requirements with GHS Revision 7. OSHA finalized this rule in May 2024, then extended all deadlines by four months on January 15, 2026 because guidance documents weren't ready.
- **May 19, 2026:** Chemical manufacturers, importers, and distributors must classify substances under the new criteria and update Safety Data Sheets (SDSs) and labels. If you make or import chemicals, this is your deadline.
- **November 20, 2026:** Employers must update workplace labels, revise written hazard communication programs, and retrain workers based on the updated SDSs and labels. If you use chemicals at your workplace, this is your deadline.

OSHA Updates and Standards

● **Hazard Communication Standard: GHS Rev 7 Deadlines**

- What changed in the standard:
 - New hazard classes added (desensitized explosives, pyrophoric gases, chemicals under pressure)
 - Updated classification criteria for several existing hazard classes
 - New label elements and SDS format requirements
 - Concentration cut-off values and ranges revised for health hazards
 - Small container labeling provisions updated

OSHA Updates and Standards

- If your company's written HazCom program hasn't been touched since 2012, it needs updating before November 2026. The classification criteria are different enough that some chemicals will change hazard categories. That means new labels, new SDS sections, and new training for your workers.
 - **Hazard classification:** Provides specific criteria for classification of health and physical hazards, as well as classification of mixtures.
 - **Labels:** Chemical manufacturers and importers will be required to provide a label that includes a harmonized signal word, pictogram, and hazard statement for each hazard class and category. Precautionary statements must also be provided.
 - **Safety Data Sheets:** Will now have a specified 16-section format.
 - **Information and training:** Employers are required to train workers on the new labels elements and safety data sheets format to facilitate recognition and understanding.

OSHA Updates and Standards

- **Heat Illness Prevention Standard: Where It Stands**

- The proposed heat standard (29 CFR 1910.148) is the most closely watched rule in OSHA's pipeline. It would be the first federal workplace heat standard in OSHA's history.
- Timeline so far:
 - August 30, 2024: OSHA published the proposed rule in the Federal Register
 - January 14, 2025: Comment period closed with over 43,000 public comments
 - January 20, 2025: Trump administration issued a "Regulatory Freeze Pending Review" memorandum, pausing progression
 - June 16 to July 2, 2025: Public hearings proceeded despite the freeze
 - October 30, 2025: Post-hearing comment period ended

OSHA Updates and Standards

- **Heat Illness Prevention Standard: Where It Stands**

- The rule is now in post-hearing agency review. No final rule has been issued. Given the current administration's deregulatory direction, finalization is unlikely in 2026.
- What the proposed rule would require if finalized:
 - At a heat index of 80 degrees F: drinking water access, break areas with cooling, indoor temperature controls, acclimatization plans for new and returning workers, paid rest breaks, two-way communication systems.
 - At a heat index of 90 degrees F: mandatory 15-minute rest breaks at least every two hours.
 - Even without a final standard, OSHA's Heat National Emphasis Program (NEP) remains active again as of April 10, 2026. Under the NEP, OSHA conducted roughly 7,000 heat-related inspections between April 2022 and December 2024, issued 60 heat citations, and sent 1,392 Hazard Alert Letters to employers. OSHA can still cite employers for heat hazards under the General Duty Clause (Section 5(a)(1) of the OSH Act) without a specific standard.
 - Bottom line: the heat standard isn't final, but heat enforcement is real.

OSHA Updates and Standards

- **The July 2025 Deregulatory Push: 25 Proposed Rules**

- On July 1, 2025, OSHA published 25 proposed rules and 1 final rule aimed at reducing regulatory burden. This was the largest single deregulatory action in OSHA's history.
- The final rule removed the requirement for OSHA to consult with the Advisory Committee on Construction Safety and Health (ACCSH) before changing construction standards. It took effect immediately.
- The 25 proposed rules cover a wide range. The most significant ones:
 - **General Duty Clause narrowing.** OSHA proposed exempting hazards that are “inherent and inseparable from the core nature of a professional activity.” If finalized, this would limit OSHA's ability to cite employers for hazards not covered by a specific standard. Comment period closed November 1, 2025.

OSHA Updates and Standards

- **Respiratory protection changes.** OSHA proposed removing medical evaluation requirements for filtering facepiece respirators (like N95s) and loose-fitting powered air-purifying respirators. Also proposed revising substance-specific respirator requirements for 15 regulated chemicals, including lead, asbestos, benzene, cadmium, and formaldehyde.
- **Recordkeeping changes.** OSHA proposed withdrawing the previously proposed musculoskeletal disorders (MSD) column for the OSHA 300 Log. This column was part of the electronic reporting expansion and would have required employers to flag MSD injuries separately.
- **Removed standards.** Proposals to remove the Safety Color Code and Marking Standards and certain Marine Terminal standards (House Falls and Open Fires).

OSHA Updates and Standards

- **Walkaround Representative Rule: Still in Effect**

- The walkaround rule (29 CFR 1903.8(c)) took effect May 31, 2024. It clarifies that employees can designate a non-employee third party to accompany OSHA compliance officers during workplace inspections, as long as that person is “reasonably necessary” based on their knowledge, skills, or experience.
- The U.S. Chamber of Commerce and other business groups challenged the rule in federal court. No injunction has been issued. The rule remains in effect as of February 2026, though OSHA has reportedly made limited use of it.
- The current administration could settle the lawsuit by withdrawing the rule, but hasn’t done so.
- What this means for employers: a union representative, safety consultant, industrial hygienist, or other third party could potentially accompany an OSHA inspector during a walkaround inspection if an employee designates them. Review your inspection response procedures and be prepared for this possibility.

OSHA Updates and Standards

- **Emergency Response Standard: Frozen**

- The proposed Emergency Response Standard (replacing the 1980 Fire Brigades standard, 29 CFR 1910.156) was published February 5, 2024. It would expand coverage beyond firefighters to include EMS workers, technical search and rescue teams, and all workers who respond to emergencies as part of their regular duties.
- Public hearings ran from November to December 2024. The post-hearing comment deadline was January 17, 2025, three days before the regulatory freeze.
- The rule is frozen. Given its scope and the current administration's deregulatory posture, finalization isn't expected in 2026.

OSHA Updates and Standards

- Fixed Ladders Proposal
 - A second important proposal involves fixed ladders. On April 6, 2026, OSHA proposed removing the 2036 retrofit deadline that would have required all existing fixed ladders over 24 feet to be equipped with a personal fall arrest system or ladder safety system. OSHA is also seeking comment on whether ladder cages or wells should continue to be allowed for those existing ladders. At the same time, OSHA made clear that the rule for new fixed ladders would stay the same, meaning new ladders over 24 feet would still need a personal fall arrest system or ladder safety system. Comments on this proposal were due **June 5, 2026** (OSHA, 2026d, 2026f).

OSHA Updates and Standards

- Electronic Injury and Illness Reporting (ITA)
 - OSHA also sharpened its approach to electronic injury and illness reporting in 2026. In a March 23, 2026 memo, the agency laid out a non-responder enforcement program for the Injury Tracking Application, or ITA. Covered establishments had to submit calendar year 2025 injury and illness data by **March 2, 2026**. OSHA said it would run weekly matches between open inspections and employers that may have failed to submit required data, which creates a more direct path to citations. The memo also states that **September 2, 2026** is the six-month deadline for issuing a citation for non-compliance with the reporting rule (OSHA, 2026c).

OSHA Cares Initiative

Home > OSHA Customer Assistance, Resources & Engagements

OSHA CARES Customer Assistance, Resources & Engagements



At OSHA, we want to help businesses not only meet federal requirements, but also build stronger, more successful safety and health programs that benefit both employers and workers. That's why we are strengthening our customer service and expanding compliance assistance, including during enforcement visits.

OSHA CARES is an agency-wide effort to offer our support and guidance to all workplaces. Because we want everyone to go home safe.

<https://www.osha.gov/osha-cares>



[Worksite Assistance](#)



[Safety Champions](#)



[Small Business Resources](#)



[Cooperative Programs](#)



[Safe + Sound](#)



[Worker Rights and Resources](#)



[Training](#)



[Employer Resources](#)

Safety Champions Program

- The Safety Champions Program is a new program for employers to develop and implement an effective safety and health program. The main goal of safety and health programs is to prevent workplace injuries, illnesses, and deaths. The Program incorporates the seven core elements of Recommended Practices for Safety and Health Programs.
- The Safety Champion Program is a voluntary program that implements OSHA's recommended practices and is designed along three phases—Introductory, Intermediate, and Advanced. Each phase provides a framework for leadership to formulate a comprehensive plan to benefit operational efficiency and worker well-being. Government employees can offer further support throughout the planning process by addressing concerns, reviewing current documentation, and sharing feedback as needed.
- <https://www.osha.gov/safety-champions>

The Lone Worker Factor: Federal Laws & OSHA Guidance

- An often-overlooked dimension of worker safety under the “OSHA new standards 2026 for worker safety” is how lone workers are protected. While OSHA does not yet have a standalone federal standard exclusively for lone workers, several laws and regulatory principles apply.

The Lone Worker Factor

- **What is a lone worker?**

- The National Institute for Occupational Safety and Health (NIOSH) and OSHA define a lone worker as someone who:
 - Works without direct supervision or company-provided visual/aural contact with others; and
 - Is not readily able to obtain assistance from co-workers in case of emergency.
- The guidance notes that an estimated 53 million workers in North America and Europe work alone, highlighting the significance of this population.

The Lone Worker Factor

- **Federal laws and OSHA standards that apply to lone workers**

- The Occupational Safety and Health Act of 1970 (OSH Act) Section 5(a)(1) — the **General Duty Clause**. This requires each employer to furnish work environments free from recognized hazards likely to cause death or serious physical harm.
- Standard 29 CFR 1915.84 (“Working alone”) for shipyard employment: If an employee is working alone in a confined space or isolated location, the employer must account for the employee at regular intervals during the shift and at the end of the job or shift.
- Specific OSHA standards that prohibit leaving workers alone when performing inherently dangerous tasks. For example,
 - 29 CFR 1910.146 (Confined Spaces),
 - 29 CFR 1910.134 (Respiratory Protection), which applies in situations where workers may be exposed to airborne hazards. Employers should also review any state-specific legislation or guidance, as several states impose additional requirements or enhanced protections beyond federal OSHA standards.

The Lone Worker Factor

- **Why this matters under OSHA new standards 2026 for worker safety**
 - As OSHA moves to regulate hazards such as heat, violence and chemical exposures, lone workers will often be among the most vulnerable. Without oversight and a buddy system, they may face delayed emergency response, communications gaps or heightened risk of injury.
 - Employers should explicitly include lone-worker scenarios in risk assessments, ensure protocols (check-in systems, monitoring devices) and document how lone workers will be protected. Even though there is no blanket federal “lone worker standard”, failure to protect a worker who is alone may still trigger violation of the General Duty Clause or applicable OSHA rule.

The Lone Worker Factor

- **3 Practical Steps to Align with the OSHA New Standards 2026 for Worker Safety**

- 1. Update your safety program framework**

- Review your site-specific hazard assessments and include emerging risks: heat stress, chemicals, lone work, and workplace violence.
 - Revise your training modules and policies to reflect upcoming numbers (for example, check-in requirements for lone workers, heat illness prevention protocols).
 - Ensure documentation is ready: incident logs, near-miss tracking, chemical communication, recordkeeping systems.

The Lone Worker Factor

2. **Build monitoring and accountability mechanisms**

- For lone workers: implement scheduled check-ins, remote monitoring or wearable devices where appropriate.
- For heat illness: create a heat-hazard monitoring system, assign roles for hydration/rest/shade protocols, train supervisors.
- For chemical hazards: ensure SDSs are updated to GHS Rev 7, labeled products match criteria, and employees understand the changes.

The Lone Worker Factor

3. **Conduct a compliance gap analysis and mock inspection**

- Use your internal audit team or an external consultant to simulate enforcement scenarios.
- Identify gaps in employee exposure controls (e.g., silica, falls, heat), recordkeeping, training documentation, and lone-worker safeguards.
- Set timelines now — it's easier to change ahead of full enforcement than react once the regulation is in force.

Safety Services

Safety Consulting & Program Development

We help organizations build and maintain effective safety management systems by providing:

- OSHA compliance training
- Development of safety programs, policies, and procedures
- Site-Specific Safety Plan (SSSP) development and implementation
- Employee training on current OSHA standards and company policies
- Confidential assistance with major accidents and incident investigations
- Equipment-specific Lockout/Tagout (LOTO) program reviews
- Safety program evaluations and continuous improvement recommendations

Safety Services

Onsite Safety

- Visual safety inspections (Mock OSHA Inspection)
- Safety documentation reviews
- Safety Data Sheet (SDS) verification
- Chemical inventory verification
- Lockout/Tagout program verification
- Program component verification
- Training deficiency reviews with supervisors
- Fire extinguisher inspection verification
- Self-audit integrity evaluations
- Competent Person Training

Safety Services

OSHA Compliance

- Stay prepared and compliant with confidence. Our OSHA compliance services
- include:
- OSHA regulatory compliance assistance
- Recordkeeping and recordable case verification (OSHA 300 review)
- Posting requirement assistance
- U.S. Bureau of Labor Statistics (BLS) Survey Assistance

Safety Services

Employee Safety Training

- We offer instruction-led safety training in a wide variety of topics, including:

- Aerial Lifts & Elevated Work
- Platforms
- Benzene Awareness
- Beryllium Awareness
- Bloodborne Pathogens
- Cadmium Awareness
- Confined Space Entry
- Electrical Arc Flash
- Ergonomics
- Excavation & Trenching
- Fall Protection
- Fire Protection
- Fire Watch
- Flagger Training
- Forklift Operator Training
- H2S Awareness
- Hand & Power Tools Safety
- Hazard Assessment
- Hazard Communication (HazCom)
- Hazardous Materials HazMat)
- Hearing Protection
- Incident Investigation
- Lead Awareness
- Lockout/Tagout (LOTO)
- Machine Guarding
- Material Handling
- Overhead Crane Safety
- Personal Protective Equipment (PPE)
- Radiation Safety
- Respiratory Protection
- Road Construction Worker Safety
- Scaffolding Safety
- Silica Standard Overview
- Steel Erection Safety
- Temporary Traffic Control Zones

Questions and Contact

Irwin J. Caraballo

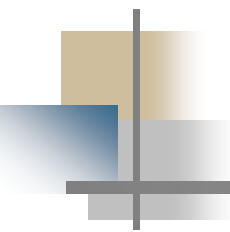
Safety Director

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Employment Laws To Monitor in 2026

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Presented by:
Lynn Schonberg
Ross, Brittain & Schonberg
September 16, 2026

Introduction

- 2026 has shaped up to be a critical year for employers
 - New Ohio and local employment laws
 - New federal regulatory actions
 - Additional obligations imposed on employers
- Essential that all employers stay up to date on these evolving legal issues

Cleveland's Pay Transparency Act

- What is it?
 - A municipal law that took effect on Oct. 27, 2025
 - Requires covered employers to include salary ranges in job postings
 - Bans questions about a job applicant's salary history

Cleveland's Pay Transparency Act

- Covered Employers
 - Private-sector businesses and employment agencies with 15+ employees working within the geographic boundaries of Cleveland
 - Includes for profit and not for profit employers
 - Does not include any unit of local, state or federal government outside of Cleveland

Cleveland's Pay Transparency Act

■ Covered Positions

- Any job opening where the work will be performed in Cleveland *or* where the application is solicited, received, considered in Cleveland
- Includes temporary and seasonal work, part-time work, contingent work, work on commission and work thru a staffing agency
- Does not include independent contractors

Cleveland's Pay Transparency Act

- Unlawful for an Employer to:
 - Inquire about an applicant's salary history
 - Screen an applicant based on their current or prior salary history
 - Rely solely on the salary history of an applicant in deciding whether to offer employment or in determining salary
 - Refuse to hire or otherwise disfavor, injure or retaliate for not disclosing salary history

Cleveland's Pay Transparency Act

- What does “inquire” mean?
 - In addition to communicating, it also includes searching public databases
- What is “Salary History”?
 - An applicant’s current or prior salary, including wages, commissions, benefits
 - “Salary History” does not include any objective measure of an applicant’s productivity such as revenue, sales, or other production reports

Cleveland's Pay Transparency Act

- Employers may:
 - Engage in discussions about the applicant's expectations with respect to salary, including but not limited to unvested equity or deferred compensation that an applicant would forfeit by resigning from their current Employer
 - However, the employer must not inquire about the applicant's salary history

Cleveland's Pay Transparency Act

- Employers may:
 - Discuss salary range with internal applicants applying for transfer or promotions
 - Verify all non-salary related info/conduct background check – if salary history revealed, must not be relied upon

Cleveland's Pay Transparency Act

- Law does not apply to:
 - Voluntary and unprompted disclosures of salary history info so long as not relied upon in determining salary
 - Re-hired former employees' salary history may be relied upon *provided that* Employer already knows the salary history
 - Collective Bargaining Agreement positions in which salary already determined

Cleveland's Pay Transparency Act

- Enforcement
 - Fair Employment Wage Board established to enforce Act
 - Will engage in attempts to resolve complaints and allow corrections to deficient processes
 - Civil penalties between \$1000 and \$5000

Cleveland's Pay Transparency Act

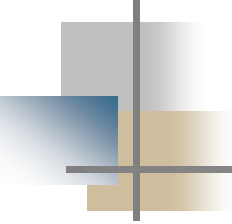
- Best Practices
 - Ensure all job postings include an appropriate salary range or pay scale
 - To determine, review current ranges of pay for current employees
 - Train hiring managers and HR on new Act
 - Review all current job postings to ensure no questions related to salary history

Columbus Pay Transparency Act

- Effective January 1, 2027
- Applies to employers with 15+ employees in Columbus
- Requires the inclusion of a reasonable salary range or scale in all job postings based on anticipated range of experience, potential variation in responsibilities, cost of living and opportunities for growth

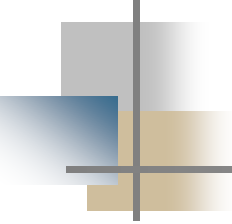
Cuyahoga County's CROWN Act

- What does CROWN mean?
 - Creating a Respectful and Open Work for Natural Hair (“CROWN”)
- What does it prohibit?
 - Bans discrimination based on hair style and texture that is “commonly associated with a particular race or national origin”
 - Includes hair that is tightly coiled or tightly curled, braids, locs, twists, cornrows, Bantu knots or Afros



Cuyahoga County's CROWN Act

- Classifies hair-based discrimination as a form of race or national origin discrimination
- Applies Countywide and enforced by the Cuyahoga County Human Rights Commission
- Health and safety policies may still be enforced so long as they do not discriminate



Cuyahoga County's CROWN Act

- Best Practices
 - Review and revise policies related to hair or appearance
 - Train staff and HR on recognition and preventative measures regarding hair-based discrimination in hiring, promotion and workplace conduct
 - Ensure proper reporting channels

Ohio's Mini-WARN Act

- Workers Adjustment and Retraining Notification ("WARN") Act
- Requires covered employers to provide at least 60-days advance written notice before a qualifying layoff or closure
 - Exceptions include unforeseeable business circumstances, faltering businesses and natural disaster

Ohio's Mini-WARN Act

- Applies to Employers who
 - Employ 100+ employees who collectively work a minimum 4000 hours/week and
 - Conduct plant closing or layoff of 50+ employees at a single site of employment within a 30-day period

Ohio's Mini-WARN Act

- Caution as to the 30-day Period:
 - Under Federal WARN Act, there is a 90-day aggregation window for determining whether multiple mass layoffs may trigger the notice requirements
 - Ohio's Mini-WARN does not provide for the same aggregation window but the statute states that its requirements "do not establish a different standard than that established" by the federal WARN Act

Ohio's Mini-WARN Act

- Contents of the Notice to Employees
 - Detailed statement explaining reasons
 - Procedures for exercising bumping rights (if exist)
 - Information on accessing ODJFS benefits
 - Information on job placement assistance, retraining programs or counselling services

Ohio's Mini-WARN Act

- Contents of the Notice to ODJFS/County
 - Detailed statement explaining reasons
 - Description of mitigation actions to reduce impact of the layoffs, i.e. efforts to secure alternative employment or training for affected employees;
 - Total number of employees affected, their job titles or positions and impacted department/division
 - Copy of the notice to employees

Ohio's Mini-WARN Act

- Penalties
 - Employee wages and benefits for each day of violation
 - Penalties of up to \$500 for each day of violation
 - Note - same remedies as in Federal WARN Act

Ohio's Mini-WARN Act

- Best Practices
 - Covered employers must keep in mind both Ohio and Federal WARN Act requirements
 - Maintain clear documentation outlining economic or operational reasons for layoff
 - Understand the exceptions to determine whether they may apply

End of the EEO-1 Reports?

- EEO-1 Reports have been an annual requirement for employers with 100+ employees and for federal employers with 50+ employees
 - EEO-1 Report requires submission of workforce demographic data from the prior year broken out by job category, sex and race/ethnicity
 - EEOC estimates covered employers spend \$278 million in compliance costs

End of the EEO-1 Reports?

- EEOC published Notice of Proposed Rulemaking on 7/23/26
 - Proposed rule to eliminate the EEO-1 Reports, data recordkeeping obligations and penalties and enforcement proceedings
- Public hearing held on 8/11/26
 - Majority of attendees opposed the proposed elimination of the EEO-1 Reports

End of the EEO-1 Reports?

- Rationale of the EEOC
 - EEO-1 Report inconsistent with Title VII because they are neither narrowly tailored nor necessary to enforce anti-discrimination laws
 - Nowhere in Title VII did Congress impose such any reporting obligations and they are therefore inconsistent with the actual law

End of the EEO-1 Reports?

- Current Status
 - EEO-1 Reports typically due every Fall
 - EEOC has not yet opened the portal for the 2025 reporting cycle
- Best Practices
 - Continue to maintain records until EEOC issues final rule
 - Expect litigation to be filed once final rule issued

Pregnancy-Related Laws

- 2023 Pregnant Worker Fairness Act
 - Requires employers with 15+ employees to reasonably accommodate employees and applicants related to, affected by, or arising out of pregnancy, childbirth, or related medical conditions, unless the accommodation would impose an undue hardship.
 - Applies even if an individual has a healthy pregnancy

Pregnancy-Related Laws

- Definition of Pregnancy, Childbirth or Related Medical Conditions
 - Current, past, and potential pregnancy
 - Infertility and fertility treatment
 - Use of contraception
 - Termination of pregnancy
 - Including via miscarriage, stillbirth, or abortion

Pregnancy-Related Laws

- PWFA Requires Covered Employers to
 - *Immediately* engage in interactive process when employee requests accommodation
 - Excuse performance of essential duties during pregnancy or related medical condition
 - Leave is accommodation of last resort
 - Cannot impose leave of absence if other accommodation exists

Pregnancy-Related Laws

- PWFA Reasonable Accommodations in “Virtually All Cases” – Predictable Accommodations
 - Allowing the carrying of water and drink, as needed, in the employee’s work area
 - Allowing additional restroom breaks
 - Allowing standing or sitting as needed and
 - Allowing breaks, as needed, to eat and drink

Pregnancy-Related Laws

- Other Examples of PWFA Reasonable Accommodations
 - Temporary suspension of essential function(s)
 - Assigning essential function to others
 - Temporary assignment to different job
 - Light duty even if only provided to workers' compensation claimants
 - Remote work during pregnancy

Pregnancy-Related Laws

- Requesting Medical Information
 - PWFA permits *only* when “reasonable concerns” exist
 - Is employee’s condition or limitation is related to, affected by or arising out of pregnancy, childbirth or related medical conditions
 - Limited to “reasonable” request for documentation
 - Cannot seek more information than required to make a proper determination

Pregnancy-Related Laws

- June 4, 2026 EEOC National Enforcement Plan
 - Applicable for 2025 through 2029
 - Prioritizes cases involving the PWFA to allow it to develop and define scope of employer liability under PWFA
 - EEOC also prioritizing PWFA lawsuits against employers not complying with law

Pregnancy-Related Laws

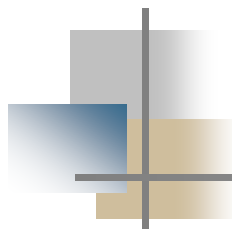
- EEOC Sued Step2 Company July 2026
 - Allegations:
 - Step2 disciplined assembly employee under the attendance policy for absences related to pregnancy-associated medical conditions and chronic mental health conditions
 - Step2 denied employee's requests to sit briefly between assemblies, take more frequent breaks and avoid strenuous assembly tasks
 - Step 2 retaliated against employee for requesting accommodations and termed her

Pregnancy-Related Laws

- Best Practices
 - Train supervision to prohibit/limit pregnancy-related comments/jokes and avoid assumptions about pregnancy
 - Address performance concerns timely without allowing pregnancy to alter the standards
 - Ensure all requests for accommodations are immediately handled thru the interactive process

Pregnancy-Related Laws

- Best Practices
 - Ensure lactation policy is updated and current
 - Educate supervision on the 4 Predictable Accommodations and always allow:
 - Carrying of water and drink, as needed, in the employee's work area
 - Additional restroom breaks
 - Standing or sitting as needed and
 - Breaks, as needed, to eat and drink

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SHRM Activity Code

26-YVZPX

The End

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