



YOUTH @ WORK INITIATIVE

The EEOC's most recent effort is an outreach program called the Youth @ Work Initiative which began in September of 2004. This is a national initiative designed to educate young/teenage employees and employers who hire teenagers. The EEOC hopes to educate young employees about the illegality of discrimination and harassment based on sex, race, religion, national origin, or disability. The EEOC's initiative includes a website, www.youth.eeoc.gov, which provides information regarding employment rights as well as procedures for bringing EEOC charges and complaints. Along with the education aspect of the initiative, the EEOC has also brought a number of recent suits against fast food restaurants in Arizona, New Mexico, Florida and Missouri. These suits include allegations of sexual harassment, same sex harassment, and retaliation against young female and male employees. The EEOC has settled some of the suits for amounts in the \$400,000 to \$500,000 range. The EEOC also makes part of the settlements an obligation by the employer to engage in remedial measures and an agreement to monitoring by the EEOC. The EEOC has also engaged in significant publicity campaigns regarding the suits and the settlements of the suits. The publicity is designed to make employers aware of the EEOC's initiative on behalf of young workers.

What the cases show is that often young workers are supervised by young managers who are not well informed or trained, and the managers either engage in the harassment themselves or overlook it. Also, as in other harassment cases, it is noted that the employers did not properly inform their employees of their anti-harassment policies and the procedures for reporting complaints. Once again, it is important to review not only your discrimination and harassment policies but also to assure that managers are trained and vigilant in addressing improper behavior which they observe, as well as promptly responding, investigating, and taking remedial action when complaints are received. Policies must be given to all employees and procedures for complaints made clear to all employees. Promulgating, training, responding, enforcing and taking remedial action are key words to remember, not just with regard to young and teenage employees, but to all employees, as the EEOC's most recent initiative and the cases growing out of it are again made clear.

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SCHOOL AND DAY CARE CONFERENCE LEAVE

Memorial Day marks the end of school and the un-official start of summer. Although school is out for the summer, employees may want to take note of a Louisiana law regarding employee leave for school conferences and activities. In 1993, the Louisiana Legislature enacted the "Louisiana School and Day Care Conference and Activities Leave Act." La. R.S. 23:1015, et seq. Under the Act, an employer may grant an employee unpaid leave from work for up to a total of sixteen (16) hours during any twelve (12) month period to attend, observe, or participate in conferences or classroom activities for the employees' child. The leave is for cases when the conference or activity cannot be scheduled during the employee's non-working time. Employees who wish to take advantage of this type of leave are required to provide their employer with reasonable advance notice prior to the leave and to make a reasonable effort to schedule the leave so as not to unduly disrupt the employer's operations. Although this

leave is unpaid, employers are required to permit employees to substitute any accrued vacation or other appropriate paid leave for unpaid school and day care conference leave. The Act is tucked away in the revised statutes and there does not appear to be any case law on the Act to provide employers or employees with guidance.

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