



Hamilton County LAW LIBRARY NEWS

Professional legal information, services, and education

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What Will a President Trump Mean to the Employment World?

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Trying to predict the future is a foolhardy enterprise. Ask any weatherman or stock broker. However, sometimes we want to know what kinds of changes are likely to occur when there is a major shakeup, like the election that we have all recently witnessed. While the employment landscape was not a topic that received a lot of air time in the debates, or even in the media in general over the last several months, we certainly can get a flavor of some of the changes coming by reviewing the President-Elect's "Contract with the American Voter," better known as his 100-day plan.

Change in Guard at the National Labor Relations Board

No doubt, one of the most political administrative agencies in government is the National Labor Relations Board (NLRB). President Obama certainly built and encouraged an aggressive NLRB, instituting such things as "speedy elections" and new franchise rules making it easier

for fast food employees to organize. Keep in mind that there are currently two vacancies on the 5-person board, and Trump will likely fill them with employer-friendly Republicans. That new board is likely to revisit these changes and alter the future course of the NLRB.

Child Care

President Trump has offered a few ideas of programs he believes will assist with childcare. Those that affect the workplace are that he wants to build incentives for employers to provide childcare in the workplace. Perhaps of bigger concern to employers is the promise of six weeks of paid leave for new mothers before returning to work. There was no indication of how this program would be funded. Further, this last concept does not provide any such benefit for fathers.

Immigration

Perhaps no other topic received as much attention in the months

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leading up to the election as immigration. A President Trump will almost certainly have a significant impact on those employing foreign nationals in the workplace.

Mr. Trump has indicated that he will press for all employers to use E Verify, a system that checks on the legal employment status of applicants. This system has been voluntary up to this point and only required for government contractors. There is no current charge for using the system, and employers may welcome this as a replacement to I-9s. Further, Mr. Trump called for increased scrutiny on immigrants coming from “regions that export terrorism.” This may impact employment immigration by restricting the countries from which employers can seek applicants.

Mr. Trump has also called for a tripling of ICE agents (Immigration and Customs Enforcement), which will almost certainly mean greater scrutiny of foreign national workers.

Finally, Mr. Trump has called for vetting foreign nationals to ensure that they support American values. It is difficult to know what this will look like, but it will most assuredly affect employment immigration for those employers who utilize this as a recruitment tool.

Equal Employment Opportunity Commission

A President Trump will be naming replacements for the top positions in the Equal Employment Opportunity Commission (EEOC). This will likely change the attitude of the EEOC, especially given the emphasis of the last few years on sexual orientation and gender identity issues in the workplace. Fur-

ther, Donald Trump promised in his 100-day plan to drastically cut the size of the federal government, and the EEOC will likely be one of his targets.

Supreme Court

There is perhaps no other single aspect of a Trump presidency that will have as much impact and long term change as his appointment of at least one Supreme Court Justice. This was one of the key issues in the election, and many voters stated that the number one reason that they voted for Donald Trump was to secure a conservative nominee to file the vacancy left by the passing of Justice Scalia. This could likely have significant impact in the employment world, though what impact only time will tell.

Affordable Care Act

The President-Elect’s mantra was to repeal and replace the Affordable Care Act (ACA), otherwise known as Obamacare, as quickly as possible. However, since the election, Mr. Trump has already begun to talk about the aspects of the ACA that he wants to keep. His challenge will be that it will not be easy to dismantle this complex piece of legislation and keep only part of it. All of the parts are interdependent, and he may find a huge game of Jenga on his hands. It is doubtful that there will be any significant change in the next two years.

Changes to OSHA

Imagine if you were a businessman who had built countless buildings and projects around the United States, and you were now given the reins to the Occupational Safety and Health Administration (OSHA). Imagine how many times he has paid fines and dealt with the challenges all employers face in dealing

with government regulation. It is almost a surety that OSHA will be forced to scale back enforcement and, like the EEOC, will likely face significant downsizing. That being said, no one wants to see us return to unsafe workplaces. We will see what balance will be struck.

Wage and Hour

Trump has commented that we need to see minimum wages rise. The question is whether or not he believes that should be done on a federal level or a state level. In his campaign, he discussed that states such as New York and California need to have a higher minimum wage than say a Midwestern state. However, whatever the modality, it appears he wants to see wages going up. Another major question that remains to be seen is whether or not he will revisit the recent over-time laws — specifically, the change to the salary basis which was to take affect December 1, 2016, but has been temporarily placed on hold via a federal judge in Texas. Stay tuned.

Summary

This is a summary, and not a conclusion, because we really have no idea what is coming down the pike. However, the above at least provides a glimpse of what has been discussed on significant issues to employers across the country. Whether the above is accurate or not, we are clearly in for significant changes in the next few years. This is a time to stay tuned to the news and your employment lawyers, because odds are that changes will be coming fast and furious.

Please feel free to contact us with your employment questions. For more information, contact [Thomas H. May](#), [Terri Imbarlina Patak](#) or [James W. Southworth](#). *

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Upcoming CLE

Free to subscribers; \$50 for non-subscribers
Registration is required.

To register, call 513.946.5300, email reference@cms.hamilton-co.org, or register via the website <http://lawlibrary.hamiltoncountyohio.gov/classes/calendar/>

Online Legal Research: Getting the Most Out of Your Law Library Subscription

Presenter: Laura Dixon-Caldwell

Wednesday, February 15

Noon-1pm

Approved for 1.0 hour of general credit in Ohio and Kentucky

Join us as Reference Librarian Laura Dixon-Caldwell shares tips and tricks for online legal research. She will showcase Hamilton Law Library's remote access databases such as Fastcase, HeinOnline, EBSCO, CCH IntelliConnect and Lexis Digital Library. The program will focus on how to search each database, and what approaches work best for different legal topics.

CLE Speaker and Topic Ideas

What topics do you hope we'll address with CLEs in 2017? Do you have a suggestion for a speaker? Be in touch with reference librarian and CLE coordinator [Laura Dixon-Caldwell](#) with your recommendations. And, sure, you can volunteer to speak!

2017 Law Library Subscriptions

Thanks very much to the many subscribers who have paid for 2017 law library services. The staff and board appreciate your decision to continue as a library user. We will send statements in January as a reminder to people who haven't yet renewed. A timely payment ensures your continued access to legal information resources and services including research support, document delivery, newsletters and practice area updates, borrowing privileges, CLE programs, and more. We won't revoke privileges until March 1 so there is time. Please contact [Vanessa](#) or [Lauren](#) with any questions about your invoice or library services.

Credit Card Payments

New this year: We are excited to announce that you are now able to pay your subscriber fee by credit card. For information on how to pay via credit card, contact us at 513.946.5300 or reference@cms.hamilton-co.org. You can also feel free to stop in, and we'll walk you through the process.

Change in Plans: Lexis and Westlaw

Beginning in January 2017, the library will consolidate legal information service providers. We will now provide much more comprehensive access to legal materials via Westlaw and will be eliminating Lexis access on site. This will not affect our Lexis for Solo Attorneys service, which provides off site access to the attorneys who are enrolled in this add-on service. Our Westlaw

plan previously provided wonderful access to Ohio laws, forms, and treatises such as the Baldwin's series online. We've now expanded the Westlaw plan to include laws, cases, forms and treatises from all 50 states and federal, as well as the materials we had before. We plan to offer additional Westlaw training in the coming year. Please let us know if you're interested in taking advantage of this training, and see a librarian if you have any questions about using the database.

Lexis for Solo Attorneys

While we are replacing our Lexis access with an expanded Westlaw subscription on site, we will still offer our Lexis for Solo Attorneys program. Solo attorneys tell us this is the best-kept secret, and we want to change that. The Law Library offers Lexis Advance for attorneys in solo practice at a very attractive price. If you need access to proven, trusted online legal research tools at your home or office, ask us about Lexis Advance. It's only for solo practitioners who are subscribers to the Hamilton County Law Library. You'll find [more information and the application form online](#) or you can contact library assistant [Vanessa Reams](#) with questions.

Free Library Services for New Bar Admits

Imagine the benefit of getting all of the services of the Hamilton County Law Library at no cost for one year! Lawyers in their first year of practice after passing the bar exam may join the Law Library for free, thanks to a recent change in the fee schedule. Just send in the [application form](#) and we'll get you set up. Current subscribers, please tell a new attorney about this offer.

You and the Legal System: Bankruptcy

Attorney Norman Slutsky will be our first speaker in the *You and the Legal System* 2017 series for the public. Mr. Slutsky will discuss Bankruptcy on Friday, February 10 at noon in the Law Library. The program is free and open to the public. To register, call 513.946.5300 or register via our website . <http://lawlibrary.hamiltoncountyohio.gov/event-registration/?ee=104>

Please note that this is not a CLE event; it is intended for the general public. However, attorneys are welcome to attend and may want to pass along the program announcement to clients, staff and community organizations. If you would like more information, please contact [Laura Dixon-Caldwell](#).

You and the Legal System is brought to you as a public service by the Hamilton County Law Library, in conjunction with the Cincinnati Bar Association's Lawyer Referral Service. Save the date for the next event in our *You and Legal System* series. The next program will be Friday, March 17, topic and speaker TBA.



New CLE Books

Some of the Law Library's most popular resources are our NBI and OSBA CLE material. Here is a list of our newer acquisitions. If you have any questions, contact our [reference staff](#) .

The 2016 Medicaid/Medicare forum
KFO341.5.P65 M32 2016

Advanced Employment Law Update and EEOC Initiatives
KFO331 .A934 2016

Appellate practice
KFO555 .A75 2016

Booze, bullets, and bingo
KFO375 .B66 2016

Cell tower zoning and placement : navigating recent FCC changes
KF2765.1 2016

E-Discovery: from 50,000 feet to ground level : what every attorney needs to know in order to practice law in this century
KF8902.E42 E44 2016

Immigration law : what every Ohio lawyer needs to know
KF4819.3 .I445 2016

Military and veterans law
KF7209 .M55 2016

This year's best in law firm technology, software, and tools : everything you need to overhaul your firm or start a new one.
KF320.A2 T45

Upcoming Events:

February 10: You and the Legal System: Bankruptcy

February 15: CLE: Online Legal Research: Getting the Most Out of Your Law Library Subscription

Law Library Holidays

The Law Library will be closed the following days:

Monday, January 2 in honor of New Year's Day and Monday, January 16 in honor of Martin Luther King Jr. Day.



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- You and the Legal System: Bankruptcy
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