

Workplace Law Group

2008 ANNUAL SURVEY OF WORKPLACE PRIORITIES AND TRENDS

By
Steven J. Fishman
(248) 743-6070
sfishman@bodmanllp.com

1. **Wage/hour, overtime, and payroll issues**
(No. 1 in 2007 and 2006; No. 2 in 2005; No. 1 in 2004 and 2003; No. 2 in 2002; No. 3 in 2001; tied for No. 2 in 2000 and 1999; No. 1 in 1998; No. 2 in 1997)
2. **Creation and administration of employment policies, handbooks, and fringe benefits**
(No. 6 in 2007; No. 4 in 2006; No. 3 in 2005, 2004 and 2003; No. 1 in 2002; tied for No. 2 in 2001 and 2000; No. 3 in 1999; No. 4 in 1998; and No. 2 in 1997)
3. **Application of ADA, FMLA, and Workers' Compensation laws**
(No. 2 in 2007; No. 3 in 2006; No. 1 in 2005; No. 2 in 2004 and 2003; No. 3 in 2002; No. 1 in 2001, 2000 and 1999; No. 2 in 1998; No. 3 in 1997)
4. **Layoffs, closings, and unemployment**
(No. 5 in 2007; No. 6 in 2006; No. 4 in 2005; No. 6 in 2004; No. 4 in 2003; No. 6 in 2002; No. 4 in 2001; tied for No. 5 in 2000; No. 7 in 1999; not ranked in 1998 or 1997)
5. **Various concerns about discipline and termination**
(No. 3 in 2007; No. 2 in 2006; tied for No. 6 in 2005; No. 4 in 2004; No. 5 in 2003; No. 4 in 2002; No. 5 in 2001; tied for No. 3 in 2000; tied for No. 5 in 1999, 1998 and 1997)
- 6a. **Pre-employment screening, interviewing, and hiring**
(No. 4 in 2007; No. 7 in 2006; No. 5 in 2005 and 2004; tied for No. 7 in 2003 and 2002; No. 6 in 2001; tied for No. 3 in 2000; No. 4 in 1999; No. 3 in 1998; No. 4 in 1997)
- 6b. **Privacy, surveillance, right to review personnel file**
(No. 7 in 2007; No. 5 in 2006 and 2005; Tied for No. 6 in 2005; No. 8 in 2004; tied for No. 9 in 2003 and 2002; tied for No. 10 in 2001; tied for No. 5 in 2000; No. 9 in 1999; not ranked in 1998 and 1997)
- 6c. **Drugs, alcohol, and substance abuse testing**
(No. 7 in 2007; No. 8 in 2006 and 2005; No. 9 in 2004; tied for No. 9 in 2003; No. 8 in 2002; No. 9 in 2001; tied for No. 5 in 2000; not ranked in 1999; tied for No. 6 in 1998 and 1997)
7. **Discrimination and harassment**
(No. 8 in 2007; No. 10 in 2006; No. 9 in 2005; No. 10 in 2004; No. 8 in 2003; No. 5 in 2002; No. 7 in 2001; No. 4 in 2000; No. 6 in 1999; No. 8 in 1998; No. 7 in 1997)
- 8a. **Union organizing, labor contract negotiation and administration**
(Tied for No. 10 in 2007; not ranked in 2006; No. 10 in 2005; Not ranked in 2004; tied for No. 10 in 2003; tied for No. 9 in 2002; tied for No. 10 in 2001; No. 6 in 2000; No. 10 in 1999; not ranked before 1999)
- 8b. **Application of COBRA, HIPAA, and ERISA**
(Not ranked in 2007; tied for No. 9 in 2006; No. 7 in 2005 and 2004; No. 6 in 2003; tied for No. 9 in 2002; No. 8 in 2001; tied for No. 5 in 2000; No. 8 in 1999; No. 7 in 1998; No. 9 in 1997)