

# Construction Industry Workplace Law Update – Summer 2024

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## OFCCP's Proposal Requiring Construction Companies to Submit Monthly Employment Utilization Report

The Office of Federal Contract Compliance Programs (OFCCP) has proposed reinstating a monthly reporting requirement for federal construction contractors nearly 30 years after discontinuing it. The proposal requires covered construction contractors to file Form CC-257, a monthly submission reporting data on contractors' construction trade employees' hours worked by race and gender. OFCCP said the data can help it determine whether there are potential issues to investigate during a compliance evaluation. [Read full article ...](#)

## EEOC Issues Guidance for Construction Industry on Preventing Harassment

The Equal Employment Opportunity Commission (EEOC) issued guidance on preventing harassment in the construction industry on June 18, 2024. The EEOC states in Promising Practices for Preventing Harassment in the Construction Industry that specific guidance was necessary because workplace harassment remains prevalent in the construction industry and some of the most egregious incidents of harassment it has investigated have occurred in the industry. [Read full article ...](#)

## Will Construction Employees Enjoy the 'Right to Disconnect'?

Cell phone communications, emails, and texts have been around for decades. According to JB Knowledge's 2020 Construction Technology Report, 93 percent of construction industry workers use smartphones for work purposes. Notwithstanding the incredible benefits of immediate contact and

transfer of information to personal and business communication, these capabilities inevitably affect many construction workers personally in how well they can separate work life from personal life and, thus, their overall quality of life. [Read full article ...](#)

## How Construction Employers Can Avoid Common Wage & Hour Claims

Employer wage and hour violations of the Fair Labor Standards Act (FLSA) and other applicable state laws are some of the most frequent in the construction industry. They are often the costliest an employer can make. However, common mistakes can be avoided with a careful review of wage and hour practices for compliance. Below are five common bases seen in federal wage and hour claims. Keep in mind that state laws can impose additional compliance requirements. [Read full article ...](#)

*Nathaniel J. Higgins also contributed to this article.*

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