

Sally A. Piefer, Esq., The Schroeder Group S.C., Attorneys at Law, sap@tsqlaw.com

Federal Contractors are Urged To Ban Text Messaging



On October 1, 2009, President Obama issued an Executive Order banning federal employees from text messaging while driving. Federal contractors and subcontractors that enter into government contracts after October 1st are also encouraged to adopt and enforce policies banning text messaging while driving.

Federal agencies are expected to encourage federal contractors, subcontractors, recipients, and subrecipients of government contracts, grants, and other agreements entered into after October 1st to adopt and enforce policies banning text messaging while driving company-owned or company-rented vehicles.

At present, Wisconsin does not regulate the use of cellular telephones, Blackberries or other wireless communications devices while driving. However, Illinois and Minnesota do have restrictions in place – and effective January 1, 2010, text messaging will be banned while driving in Illinois.

You are encouraged to review your driving policies to determine whether modifications are necessary.

Deadline for Filing VETS-100/100A Form Extended



September 30, 2009 was the official deadline for federal contractors to file VETS-100 and VETS-100A forms. However, that deadline has been extended to October 31, 2009. The extension was announced due to a high volume of telephone calls and e-mails to the *Department of Labor's Veterans' Employment and Training Service's VETS-100 Help Desk*.

If you are a federal contractor and cannot file by October 31, 2009, VETS will consider requests for additional time to file on a case-by-case basis. These requests should be submitted to rkaiser@vets100.com. Under the federal Veterans Employment Opportunities Act, federal agencies are barred from entering into contracts or subcontracts with employers that fail to file these reports.



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Award (Attorney Stuart
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Bravo! Entrepreneur Award
(Attorney Stuart Schroeder)
by *BizTimes Milwaukee*

Sally A. Piefer
The Schroeder Group, S.C.
Attorneys at Law
Crossroads Corporate Center
20800 Swenson Drive
Suite 475
Waukesha, WI 53186
Main Phone
(262) 798-8220
(800) 372-3020
Direct Dial
(262) 754-1325
Facsimile
(262) 798-8232
www.tsqglaw.com
sap@tsqglaw.com

New Developments: Federal Employment Non-Discrimination Act

The Employment Non-Discrimination Act (ENDA) appears to be gathering steam in the Senate. ENDA proposes to prohibit employers, employment agencies, labor organizations, and joint labor-management committees with more than 15 employees from firing, refusing to hire, or discriminating against employees or applicants on the basis of perceived or actual sexual orientation or gender identity.

The bill has been endorsed by civil rights groups such as the Human Rights Campaign, the Leadership Conference on Civil Rights, and the American Civil Liberties Union. It also has been endorsed by labor organizations and more than 50 Fortune 500 companies. Hearings on the Senate bill were conducted last week.

During the Bush administration, the House passed a prior version of the bill in 2007, but the Senate never voted on the measure. Due to bipartisan support in the Senate, lawmakers are expected to garner the 60 votes necessary to begin debate on the bill.

While Wisconsin and 28 other states already prohibit discrimination on the basis of perceived or actual sexual orientation, employers would face potential claims in federal court, rather than at the administrative agency level. Further developments will be provided as details are available.

*This edition of the **Employment Law Update** has been authored by Attorney Sally Piefer. We welcome any questions regarding the topics covered or on any employment-related issue. Sally can be reached by telephone at (262) 754-1325, or by e-mail at sap@tsqglaw.com.*

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