

## FP Editors' Picks for Best Written Insights of 2024

Insights

1.03.25

The three members of the FP Content team took some time to review the past year's writings from our firm's attorneys and pick out our favorites. Below you'll find a top 10 list from each of us. They include our firm's most popular pieces, our most creative insights, and our most significant and practical summaries of workplace law developments. It was hard for each of us to narrow it down to just 10, but below you'll find the results of our firm's hard work – the cream of the crop from Fisher Phillips in 2024. Cheers to all of our fantastic authors!



**Rich Meneghello, Chief Content Officer**

1. **Don't Fall in Love With Your Robot: 3 Steps Employers Can Take to Manage AI Attachments in the Workplace** – As an AI junkie, I was all-in when OpenAI released its advanced voice mode for ChatGPT, allowing me to have what seemed like a normal conversation with a robot. But it felt a little disconcerting, and I started reading about the potential dangers that these kinds of new

connections could create. That was the genesis of this Insight, which was my favorite of the past year.

2. **Comprehensive Checklist to Help Businesses Prepare for Soccer's 2026 World Cup** – Don't look now, but the U.S. will be co-hosting the World Cup next year! And we have an incredible team of forward-looking attorneys who are well underway planning to aid employers and businesses in all the many ways they will need support during the world's best sporting event. This checklist is incredible, and I am excited for you to use it.
3. **Labor Department Provides Employers with New 10-Step Roadmap to Avoid AI Hiring Discrimination** – I am proud of all of our teams at FP, but the AI team is my favorite. And this Insight they pulled together summarizing a detailed government report and making it accessible to employers is top-notch. One of the best things we published all year.
4. **Is the Post-Chevron Era All It's Cracked Up to Be? 4 Reasons Businesses Might Not Celebrate the New Normal** – I love when we take a different angle on a story that just about everyone else is already covering to make readers stop and think a little bit. The news this summer that the Supreme Court killed a decades-old legal standard that helped define the power dynamics between courts and federal regulators was hailed by most business outlets as a solid win for employers. But our authors took a step back and wondered whether there would be some unintended negative consequences. A great read.
5. **Feds File First Lawsuit Under Pregnant Workers Fairness Act: 8 Compliance Reminders for Employers** – Our readers can't get enough of our coverage of the new PWFA – every Insight we've published on the law or its regulations gets huge analytics numbers. So when one of our attorneys asked to write about the first lawsuit filed under the new law by the EEOC, we knew it would be a big hit. The Insight was great, summarizing the claims in an easy-to-follow manner and offering great practical advice.
6. **OSHA Inspectors to Use AI-Driven Smart Glasses to Inspect Workplaces: What Employers Should Do to Protect Privacy Rights** – It sounds like something out a science-fiction movie: A government inspector has wearable tech that allows them to scan the room and get immediate AI-powered feedback with augmented reality capabilities, all while communicating with someone back at the home office. But it's happening now! I loved reading this Insight about the implications on workplace safety as a federal agency deploys smart glasses in the field, especially the employment law implications.
7. **Employer Cheat Sheet for Workplace Laws Taking Effect January 1** – Sometimes the simplest ideas are the best. When my teammate Lauren Laing suggested we pull together a comprehensive list of all workplace laws that would take effect at the turn of the new year, I was fully on board – but I had no idea it would take off like it did. This is one of the most popular pieces we've published all year, and it's a great reminder for our team about the need for us to publish these kind of round-up insights every now and then.
8. **Is "Glossing" in Your Workplace Hurting Employee Engagement? 5 Ways to Curb Toxic Positivity** – We don't always publish Insight about the latest trends or corporate buzzwords,

especially if we feel like they have been played out and are appearing in multiple outlets. But when our authors suggested writing something that summarized this latest problem while also including a series of suggested best practices to help improve workplace culture, we knew this would be a hit. I really enjoyed this one.

9. **“Watch Me Get Fired” Videos Are Going Viral: 7 Tips for Employers to Navigate New Trend** – Speaking of trends, I really enjoyed reading this Insight about one of the latest developments that’s seen workers of all types posting social media videos as they are getting fired. It’s really an eye-opening glimpse into the way that the modern workplace has shifted over the past few years, and the Insight offers some sobering lessons for employers.
10. **AI Hiring Tools Under Attack: ACLU Files Claims with Feds Over Common Hiring Tools** – I had to include one final AI-themed Insight on this list! And this one is on a subject that I think will become fairly commonplace in the not-to-distant future. As employers embrace new technology (like video interviewing tools and personality assessment tests, both powered by AI), plaintiffs’ lawyers, government agencies, advocacy groups, and labor unions are lining up to test the legality of resulting workplace actions. This Insight does a great job sizing up the arguments being made and helping employers understand some best practices.

#### **Lisa Nagele-Piazza, Lead Content Counsel**

1. **Olympic Moms Are Changing the Game and So Can You: 5 Ways Employers Can Support the Olympic Feat of Balancing Work and Family** – The Olympics may be over, but moms continue to juggle myriad responsibilities every day. This insight was my favorite of the year because it revealed eye-opening statistics and realities that impact working parents, explored the improvements made this year for Olympic athletes with young children, and gave employers tips on how to create a better environment for employees who are struggling to balancing work and family.
2. **Landmark SCOTUS Ruling Strips Power From Federal Agencies: How Today’s Decision Will Impact Your Workplace** – This is one of the biggest workplace news stories of the year – and the new SCOTUS precedent overturning *Chevron* deference has already made its way into major rulings from lower courts, including decisions striking down the Labor Department’s overtime rule and the FTC’s proposed ban on non-competes. This SCOTUS decision will continue to affect workplace rules in 2025 and beyond, and our thought leaders did a great job in this article of breaking down what it means for various aspects of workplace law.
3. **In Defense of the PIP: 6 Steps to Develop Effective Performance Improvement Plans** – As an HR professional at heart, I love an insight like this one, which gives solid practical advice on how to handle the challenges of day-to-day work issues. While a recent Wall Street Journal article criticized the performance improvement plan, we think the PIP remains a useful tool when done properly. As Jim McDonald says in this insight, “it is difficult to imagine that issuing a PIP is worse than simply firing an unperforming employee out of the blue without any prior warning.” But PIPs “must be carefully crafted in order to provide value to both the employee and the employer. A PIP must be fair, specific in identifying shortcomings, and provide a reasonable

employer. A PIP must be fair, specific in identifying shortcomings, and provide a reasonable chance for the employee to improve.” The article provides six great tips on how to manage this difficult process.

4. **How to Conduct Terrible Employee Evaluations: Your 5-Step Plan on What Not to Do** – In addition to the PIP, the employee evaluation process often gets a bad rap. Why? Because employees don’t like receiving performance reviews and managers don’t like conducting them. But when done properly, the annual review process provides an opportunity to enhance employee performance and to help your company achieve its overall business objectives. This insight gives employers five mistakes to avoid, as well as some great practical tips to help develop a successful program.
5. **The Employer’s Playbook for Managing Remote and Hybrid Workforces** – Even if the pandemic is in the rear-view mirror, the impact is still very visible in the workplace today, particularly when it comes to remote work. From policy changes to empty office space to communication challenges, employers are trying to figure out how to move forward with remote and hybrid work arrangements that can last. This insight offers some excellent solutions.
6. **Can You Lay Off Remote Workers First? 4 Key Considerations for Employers Facing RIFs** – While some employers have embraced remote and hybrid work arrangements, others are seeking to return to an “office first” policy. So, when layoffs unfortunately loom, can you let go of remote employees first? I like this insight because it raises a real question that employers and employees alike are asking, explores key legal and practical considerations, and offers tips to help create a strategic plan for these difficult decisions.
7. **So You Think This COVID Thing Has Ended? Not So Fast! 5 Tips for Employers to Prepare for Cold, Flu, and COVID Season** – Here’s yet another continuing impact of the pandemic. In addition to cold and flu spikes in the winter, employers will have to deal with COVID surges, even if they aren’t as widespread as in prior years. It may not be a fun topic, but it’s an important one, and this insight serves as a good reminder for employers to review and update your cold, flu, and COVID-19 policies to ensure business continuity when employees are out sick.
8. **If a Cybersecurity Firm Can Fall For the Latest AI Workplace Scam, So Can You: 10 Steps to Protect Your Business** – This news story was really alarming. It shows just how good – and scary – scammers can be when they use AI to fool their victims. In this incident, a newly hired remote worker turned out to be a North Korean cybercriminal that used AI deepfake tools to fake his identity and infiltrate the organization. You’ll definitely want to read our 10 tips to ensure you don’t fall for the same scam.
9. **Look Out for LinkedIn: Top Questions for Employers on How the Platform Impacts Your Workplace** – It’s hard to believe I’ve been a LinkedIn member since the aughts, and while it has consistently been a valuable professional networking tool over the years, the platform has certainly evolved, and so has the way employers and employees use it. Can you require employees to be active on LinkedIn or share their private profiles with you? Can you pre-screen job applicants by checking out their online accounts? How could an ex-employee’s social networking impact your non-solicitation agreements or trade secrets? This insight covers the top questions on employers’ minds.

10. **Is My Employee's French Lavender Pumpkin Cinnamon Swirl Air Freshener a Workplace Safety Violation? 5 Steps to Avoid a Fragrance Fiasco** – I saved the best title for last. Nice work, Kevin! Not only is this a great headline, but the insight contains important information about how an office air freshener could actually lead to an OSHA citation against your organization. Read this piece to ensure you're in the know!

### **Lauren Laing, Legal Content Counsel**

1. **FP Workplace Law Forecast 2025** – Talk about *insightful*, our latest Workplace Law Forecast not only recaps a year's worth of Insights but also offers fresh takes on what employers can expect in 2025. All of this is rolled into one gorgeously designed flipping book that you can return to again and again. Absolutely packed with valuable information and practical advice, this is the Insight of all Insights for me.
2. **Taylor Swift's New Album Is Almost Here: What Would Her Songs Be About If She Worked in Human Resources?** – When the news broke that Taylor Swift would be releasing a brand new album on April 19 amid her record-breaking Eras Tour, your resident #FPSwifties were not *not* going to write about it. But how could songs from *The Tortured Poet Department* possibly be useful to employers? Easy – we imagined the global superstar transferred to your average HR department and wrote lyrics inspired by issues like final paycheck laws and office romance policies. If only we had known she'd be dropping a *double* album.
3. **Federal Judge Blocks \$44k and \$59k Overtime Rule Nationwide: The 6 Questions Employers Should Answer to Plan Immediate Next Steps** – Who will get paid overtime? This question was top of mind for employers in 2024, and our coverage of the DOL's April announcement of a new federal overtime rule became our most read Insight of the year – by a landslide. We stayed on top of the many developments impacting this rule, but my #3 pick must go to our breaking news Insight on the November court decision that expertly brought the coverage full circle.
4. **AI Programs in Japan are Forcing Workers to Smile More – Would That Work in the U.S.?** – The artificial intelligence technology covered here evokes disconcerting visions of grocery store employees walking around with wide, frozen smiles – much like a scene from a horror film or a movie like “The Truman Show.” But rather than sensationalize the topic, the authors offer measured advice on what employers should consider when looking into AI technology that mandates specific emotions from its workers. This Insight is a little bit frightening, very much fascinating, and totally forward-thinking.
5. **Top 10 Workplace Law Developments To Expect Under President Trump** – Whether the election results made you breathe into a paper bag or leap for joy, you're probably eager to know how your workplace will be impacted by a second Trump term. Some of our firm's key thought leaders teamed up to provide their top 10 predictions paired with actionable advice on what employers can do to prepare, and members of our Government Relations team weighed in upfront with an important reality check.

6. **Are Your Employees “Quiet Vacationing” This Summer? 8 Ways to Support Your Workers and Strengthen Your PTO Policies** – I love how the authors of this piece took a buzzword like “quiet vacation” and added so much depth to it. It would have been easy to write off this workplace trend as employees taking advantage of flexible working arrangements, but this Insight explores the wider cultural issues behind this phenomenon and gives employers an action plan for strengthening their PTO policies.
7. **Growing Attacks on Corporate DEI Programs: 5 Employer Takeaways to Help Support Your Diversity, Equity, and Inclusion Efforts** – Most employers have heard the hype about the increasing backlash over DEI programs. But this Insight takes a more nuanced approach by explaining how we got here, clearing the air on some common misconceptions about DEI efforts, and diving into how different courts are approaching workplace “reverse discrimination” cases. You’ll walk away with five takeaways for maintaining an effective and legal DEI program.
8. **Should Your Company Give Employees the Right to Disconnect? Pros and Cons of Do-Not-Disturb Policies** – Nearly five years ago, employers were scrambling once the pandemic hit to get employees the necessary technology to work from home, but rapidly evolving capabilities have since created a new issue: should employees have a right to unplug? The line between work and personal life has become so blurred that it’s led us right into a new “right-to-disconnect” era. This Insight perfectly captures this hot topic and offers thoughtful considerations if you decide to implement a do-not-disturb policy in your workplace.
9. **From Cannabis to Minimum Wage and Beyond: How Did Workplace Law Issues on State Ballots Fare This Election Day?** – In a tense presidential election year, it was easy to miss workplace law issues at the state level. But this Insight serves as an important reminder of the power of state laws to impact your workplace. It tracks some of the most significant state ballot measures voters approved or rejected on Election Day, and it definitely gets my vote.
10. **Medical Spa Loses \$300K After Botched Workplace Investigation: 5 Tips for Employers Investigating Potential Criminal Activity or Misconduct** – This Insight hooks you from the start – who could resist finding out how a case of missing Botox vials ended? It reads like a page-turner, retelling the facts of a Tennessee court case that stems from a medical spa accusing an employee of stealing inventory, and is a cautionary tale for employers on what *not* to do in workplace investigations. Come for the drama, stay for our attorneys’ practical advice.

## Conclusion

We will continue to monitor workplace law developments and provide updates when necessary, so make sure you are subscribed to [Fisher Phillips’ Insight System](#) to get the most up-to-date information.

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