



# POLICY MATTERS

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**Trump Taps Brett Kavanaugh for Supreme Court Vacancy.** On Monday evening, [President Trump nominated D.C. Circuit Judge Brett Kavanaugh](#) to replace retiring Justice Anthony Kennedy on the Supreme Court. Judge Kavanaugh is considered a [reliable member of the Republican legal establishment](#) with a solid record on issues from free speech, to religious liberty, to the Second Amendment. His [credentials include](#) clerking with Justice Anthony Kennedy, working for Kenneth Starr's Whitewater investigation, and spending six years in the George W. Bush White House as a lawyer and eventually staff secretary to the president.

In his 12 years on the D.C. Circuit, Kavanaugh has cast [dozens of votes to roll back rules and regulations](#). He has often concluded that agencies stretched their power too far and frequently found himself at odds with the Obama administration, including in dissents he wrote [opposing net-neutrality](#) rules and [greenhouse-gas restrictions](#).

**Senate Hearing Held on Paid Family Leave.** On Wednesday, the Subcommittee on Social Security, Pensions, and Family Policy of the Senate Committee on Finance held a [hearing to examine the importance of paid family leave](#). Sen. Marco Rubio (R-FL) is [expected to introduce a paid leave proposal](#) next week that Ivanka Trump and Senators Joni Ernst (R-IA) and Mike Lee (R-UT) have collaborated on. While the exact details of the bill have yet to be released, it is expected that [workers would be able to receive Social Security benefits](#) for a set period of time after the birth of a child. Workers that choose to utilize this benefit would then have to wait that same amount of time to start drawing on their Social Security benefits after becoming eligible. For example, a worker who takes 6 weeks of paid leave would then have to wait 6 weeks after turning age 62 to begin collecting Social Security benefits. Late last year, Rep. Mimi Walters (R-CA) also introduced a paid leave bill in the House. [Rep. Walters' bill](#) provides employers who offer paid leave and flexible work arrangements with an ERISA-like preemption of state and local laws as an incentive.

**D.C. Council Move to Overturn Ballot Measure Eliminating Tipped Wage Credit.** On Tuesday, a majority of the D.C. City Council [moved to repeal Initiative 77](#), a ballot measure which would eliminate the city's tipped wage credit for restaurant workers. [Approved by voters just last month](#), Initiative 77 scraps the city's tipped wage credit and will require employers to pay tipped workers the standard minimum wage of \$15 / hour by 2025. Several [Congressional Republicans are joining D.C. Council members](#) in opposition to the ballot initiative by proposing amendments that would block the city from spending money to implement the measure. (Because of D.C.'s status as a federal district, Congress has the power to overturn local laws and spending decisions.) The Council is planning to hold a hearing on the repeal of Initiative 77 when lawmakers return from summer recess.

State officials in Michigan and New York are also considering ending their tipped-wage system this year, as is already law in seven states—California, Oregon, Washington, Alaska, Nevada, Montana and Minnesota. Voters in Maine approved a ballot measure to eliminate the tipped wage in 2016, but the state legislature voided the results.

**ICYMI: EEOC Releases ADEA at 50 Report.** To commemorate the 50th anniversary of the Age Discrimination in Employment Act (ADEA) last month, Acting Chair of the Equal Employment Opportunity Commission (EEOC) Victoria A. Lipnic, issued a report entitled "[The State of Age Discrimination and Older Workers in the U.S. 50 Years After the Age Discrimination in Employment Act \(ADEA\)](#)." According to the report, today's labor force has doubled in size, and is older, more diverse, and more educated. However, the report concluded that "age discrimination persists based on outdated and unfounded assumptions about older workers, aging and discrimination." Solutions to avoid age discrimination in the workplace were offered, such as changing recruitment strategies and including age in diversity and inclusion programs.

#### **Midterm Election News:**

- With an eye towards the midterm elections, the most vulnerable Senate Democrats up for re-election in conservative-leaning states are already [facing enormous pressure from both sides](#) as to which way they should vote on Judge Kavanaugh. None have given any indication of which way they are leaning yet, but Minority Leader Chuck Schumer has said he will "[fight this nomination with everything \[he's\] got](#)." Several outlets have noted that Schumer's main tactic will likely be to try to [delay the vote beyond election day](#) to spare vulnerable Democrats from a lose-lose vote during campaign season.
- The GOP primary runoff for the 2nd District of Alabama will take place next Tuesday between Rep. Martha Roby and challenger Bobby Bright, an ex-Democrat and former member of the House. Roby, who made headlines when she announced that she would [not vote for then candidate Trump](#) in the 2016 election, has since mended fences with the President and received his [full endorsement](#) several weeks ago. The boost Roby received from Trump's endorsement continues a trend of Republican primary candidates vying for the President's backing and seeing an immediate return when it's received.

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