

# **Rutter Group Practice Guide: Federal Employment Litigation**

## **"What's New or Updated" 2025**

The 2025 Edition of *Federal Employment Litigation* is an up-to-date guide on employment issues under Federal Law. For this edition, the authors have added new material and/or updated existing material based on relevant case and statutory developments, including, but not limited to, the following subjects:

- **Judicial Deference:** The U.S. Supreme Court overruled the Chevron Deference doctrine, ending automatic judicial deference to federal agency interpretation of statutes;
- **Reverse Discrimination:** The U.S. Supreme Court held that majority-group plaintiffs in Title VII cases do not face a higher evidentiary burden than minority plaintiffs;
- **ADA & Retirees:** The U.S. Supreme court held that the ADA's protections do not extend to retirees facing post-employment discrimination;
- **Religious Exemptions:** Courts clarified the scope of religious organization and ministerial exceptions, including for-profit entities and non-traditional ministers;
- **Adverse Employment Actions, Pretext and Retaliation;**
- **EEOC Notices:** Courts remain split on when EEOC notices are considered received for filing deadlines;
- **Wage & Hour Law:** courts, not agencies, interpret wages laws; new DOL salary rules were blocked;
- **Collective Bargaining** – the NLRB made it more difficult for unions to waive bargaining rights;
- **Remedies, Practice and Procedure;**
- **Uncertainty** – Recent U.S. Supreme Court opinions and Executive Actions have created legal uncertainty, especially in the areas of administrative agency powers, DEI and LGBTQ+ rights.

Please refer to the “Update highlights and filing (PDF)” for a more comprehensive summary of the most significant developments in this edition.