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[Construction Site Stormwater: Turbidity Numeric Criteria Out, BMPs In](#)

On March 6, 2014, EPA published its final rule for construction activities which will require the use of best management practices (BMPs) in lieu of numeric criteria for turbidity.

[OSHA Cites Frozen Food Manufacturer for Anhydrous Ammonia PSM Violations](#)

On March 12, 2014, OSHA cited Schwan's Global Supply Chain Inc., for a number of alleged process safety management (PSM) violations at the company's Atlanta facility concerning the storage and use of the industrial refrigerant anhydrous ammonia. OSHA is seeking more than \$185,000 in penalties associated with the facility's PSM and related OSHA violations.

[Startup, Shutdown, and Malfunction Notifications - EPA Approves Missouri SIP Revision](#)

On March 5, 2014, EPA announced that it was approving SIP revisions to the Missouri SIP regarding start-up, shutdown, and malfunction ("SSM") conditions, effective April 4, 2014. 79 Fed. Reg. 12394 (Mar. 5, 2014).

[Time Spent Donning and Doffing Personal Protective Equipment Not Compensable, According to U.S. Supreme Court](#)

Under the Fair Labor Standards Act ("FLSA"), employers are required to compensate employees for time spent changing clothes before the workday has started and after the workday has ended if doing so is integral and indispensable to the employees' employment. But the FLSA also states that employers and unions may mutually agree that time spent changing clothes is not compensable. 29 U.S.C. § 203(o). These conflicting rules raise an important question. Can employers and unions mutually agree that employees will not be compensated for time spent putting on and taking off clothing that is necessary to perform their job? The Supreme Court of the United States recently announced that the answer to that question is yes. Unions and employers may mutually agree that employees will not be compensated for time spent changing clothes even if that clothing is necessary to safely perform their job. *Sandifer v. United States Steel Corp.*, No. 12-417, 2014 WL 273241 (U.S. Jan. 27, 2014).

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Authors



[Andrew Brought](#) (816) 292-8886
abrought@spencerfane.com



[Brian Peterson](#) (816) 292-8107
bpeterson@spencerfane.com

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