



Workplace Law Update: 10 Essential Items on Your October To-Do List

Insights

10.02.23

It's hard to keep up with all the recent changes to labor and employment law, especially since the law always seems to evolve at a rapid pace. In order to ensure you stay on top of the latest changes and have an action plan for compliance, here is a quick review of the latest developments we tracked in September and a checklist of the essential items you should consider addressing in October and beyond.

_____ **Prepare for a possible government shutdown to impact your workplace.** Although the shutdown was averted when Congress struck a deal late in the evening on September 30, the stopgap funding bill only funds the government through November 17. Employers will want to stay alert given this fluid situation. [Click here for a look back at the most recent government shutdown, which provides lessons on what you can potentially expect.](#)

_____ **Get your EEO-1 ducks (or data) in a row.** Many businesses will soon need to submit workforce demographic data to the EEOC sorted by employee job category, as well as sex and race/ethnicity. [Here's what covered employers need to know about filing 2022 EEO-1 Component 1 data this year and the five steps you'll want to take ahead of the approaching deadline.](#)

_____ **Ensure compliance with new California background check requirements.** California employers will need to make changes to their background check and criminal history review process thanks to new Fair Chance Act regulations that took effect October 1. [Click here to review our list of seven things you need to know.](#)

_____ **Review the top seven Labor Board moves from the summer that could haunt you this fall.** The NLRB's recent flurry of activity is part of an ongoing effort by the current Board to make it easier on unions and their ability to organize employees. [You can avoid potentially grave consequences by reviewing these seven major NLRB changes and the actions you should consider taking now.](#)

_____ **Prepare for the avalanche of California employment bills the Governor is expected**

to sign into law. The state legislature just completed its work for 2023 in a frenzy of last-minute activity and deal-cutting, wrapping up a session for the record books. Governor Newsom now has until October 14 to sign or veto bills that sit on his desk, meaning we will soon know which ones will be enacted into law. [Learn more here about the top 10 bills you should track.](#)

Consider updating your employee appearance policy. This hot topic is especially timely given the news that the U.S. Senate has relaxed its traditional dress code. [Click here for a checklist of issues to consider and action steps to take as you review and revamp your appearance policy.](#)

Review California's new AI executive order, which lays groundwork for employers and businesses. Governor Newsom issued a groundbreaking executive order on September 6 charting a course for the business community, given the explosion of artificial intelligence use across all industry sectors. [Here's what you need to know about the executive order and the 10 steps you should consider taking as a result.](#)

Decide whether to comment on New York's proposed pay transparency regulations. The state labor department issued proposed rules aiming to clarify employers' wage disclosure obligations under a new pay transparency law. Though the regulations are not yet final, you should welcome this initial guidance and consider commenting on the proposed regulations by the November 12 deadline. [Here are the top 10 things you need to know about the proposed rules and their impact on your hiring process.](#)

Get ready for Delaware's new consumer privacy law. Governor Carney approved the Personal Data Privacy Act (PDPA) on September 11, making Delaware the twelfth state — and the seventh in just 2023 alone — to pass comprehensive consumer privacy legislation. [Click here for the answers to your top 10 questions about this new law.](#)

Prepare for automatic extensions to expire for certain employment authorization document renewals for foreign national workers. By the end of October, a temporary rule that has been allowing certain foreign nationals to receive an increased period of automatically extended authorization to work in the United States for the past year will expire – and could leave employers scrambling. [Learn more here about this upcoming deadline and how you can prepare.](#)

We will continue to monitor developments related to all aspects of workplace law. Make sure you are subscribed to [Fisher Phillips' Insight System](#) to get the most up-to-date information. If you have questions, contact your Fisher Phillips attorney.

Related People



Cheryl L. Behymer

Senior Counsel

803.255.0000

[Email](#)



Steven M. Bernstein

Regional Managing Partner and Labor Relations Group Co-Chair

813.769.7513

[Email](#)





Shannon N. Cahill

Associate

949.798.2104

Email



Melissa (Osipoff) Camire

Partner

212.899.9965

Email





Jeffrey M. Csercsevits

Partner

610.230.2159

Email



Benjamin M. Ebbink

Partner

916.210.0400

Email





Rick Grimaldi
Partner
610.230.2136
[Email](#)



Krista L. Hurst
Partner
248.540.7042
[Email](#)





Todd B. Logsdon

Partner

502.561.3971

Email



Todd A. Lyon

Partner

503.205.8095

Email





Richard R. Meneghello
Chief Content Officer
503.205.8044
[Email](#)



Joshua D. Nadreau
Regional Managing Partner and Vice Chair, Labor Relations Group
617.722.0044
[Email](#)





Jennifer B. Sandberg
Regional Managing Partner
[Email](#)



Shanon R. Stevenson
Partner
404.240.5842
[Email](#)





J. Hagood Tighe

Partner

803.255.0000

Email



Travis W. Vance

Regional Managing Partner

704.778.4164

Email





Spencer W. Waldron

Partner

949.798.2170

Email



Sheila M. Abron (Willis)

Partner

803.740.7676

Email

Service Focus

Affirmative Action and Federal Contract Compliance

AI, Data, and Analytics

Counseling and Advice

Privacy and Cyber

Employee Leaves and Accommodations

Employment Discrimination and Harassment

FCRA and Background Screening

Government Relations

Immigration

Labor Relations

Pay Equity

Reductions in Force (RIFs)

Litigation and Trials

Wage and Hour

Workplace Safety and Catastrophe Management