



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

Insights

1.02.24

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 some critical developments we tracked in 2023 and a checklist of the essential items you should consider addressing in January and beyond.

_____ **Update your job descriptions.** This can be the cornerstone of an effective compliance program and help you minimize litigation risks. There's no better time to take a fresh look than the start of the new year. [Click here for our checklist of items to consider when updating your job descriptions.](#)

_____ **Review employee handbooks.** January is also a great time to look through your written policies – including employee handbooks – with an eye for compliance with new laws and regulations. Evolving NLRB rules, new pay transparency laws, [guidance on the use of artificial intelligence in the workplace](#), and host of state law changes will likely impact your policies and procedures for 2024. [Click here for some Taylor Swift-inspired New Year's resolutions for employers \(FP's version\).](#)

_____ **Account for wage and hour changes.** Speaking of state law changes, 22 states — including [New York](#), [New Jersey](#), and [California](#) — raised their minimum wage rates for the new year. Additionally, minimum wage changes in certain states, such as California, trigger updates to the salary threshold for exempt employees. You should also review local wage and hour laws, as well as any industry-specific mandates that might be coming down the pike.

_____ **Review new workplace laws in California.** Many laws finalized by the California Legislature in 2023 took effect on January 1. So, if you have employees located in the Golden State, you should be prepared to comply with new workplace requirements. You can review the top 10 new laws we were tracking [here](#) (some of which took effect on January 1), as well as our Insights on [paid sick leave changes](#) and [mandatory notice requirements](#), [changes to COVID-19 notification rules](#), [new cannabis laws](#), and [new](#)

rules for noncompete agreements.

Be sure your EEO-1 report is filed by January 9. Although EEO-1 reports were due on December 5, employers that have not submitted and certified their data to the Equal Employment Opportunity Commission (EEOC) still have a chance to comply. Covered employers must submit and certify their reports *as soon as possible*, and *no later than* January 9, which the EEOC has stated is the “Failure to File” deadline. [Here’s what you should do if you have not yet filed.](#)

Plan for changes to the H-1B process. Starting January 29, H-1B visa holders will be allowed to renew their expiring or about-to-expire visas without leaving the U.S. This significant development will provide welcome relief to many foreign nationals and could play a key strategic role in your workforce planning in the new year and beyond. [Follow these four key steps to get the most out of the new program.](#)

Develop a plan for responding to controversial opinions. Many people feel emboldened to publicly share their views on all sorts of controversial topics these days. But where can you draw the line? And should you? Particularly during a presidential election year, [you should consider setting these guardrails and reviewing this practical guidance for navigating the situation.](#)

Learn how you can avoid violations when employees request leave. A federal appeals court recently raised the bar for employees who want to bring retaliation claims after they request Family and Medical Leave Act leave – but this doesn’t mean that employers should let their guard down. [Read here for helpful tips and reminders to ensure you avoid even the appearance of retaliation against an employee who requests leave.](#)

Comply with changes to a Massachusetts leave law. Massachusetts lawmakers made major updates to the state’s Paid Family and Medical Leave Act, including changes allowing employees to “top off” PFML benefits with accrued paid time off and a sizeable increase in contribution rates. Changes to the “topping off” rules took effect on November 1, 2023, and the new contributions rates started on January 1. [Here’s what your company needs to know about these changes.](#)

Test your 2023 workplace law knowledge. Although we’ve left 2023 behind, many changes last year will impact your policies and procedures for the year ahead. [You can click here to take our quiz, test your knowledge, and see how you stack up.](#) But don’t worry if you get a failing grade – all the answers are included at the end of the quiz, including links to practical advice to make sure you’re caught up as we begin the new year

year.

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.

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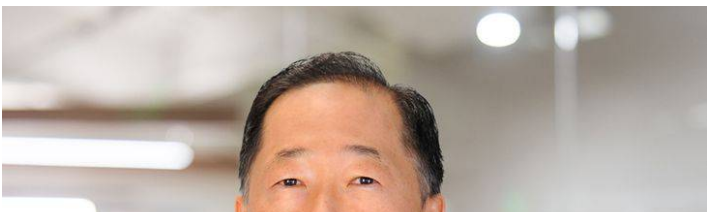


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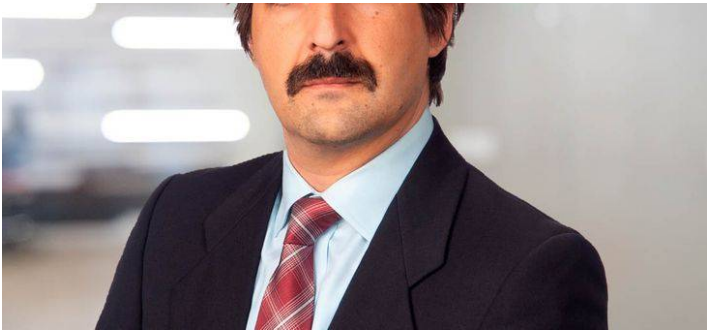


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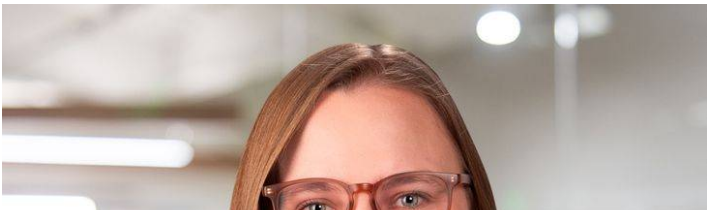




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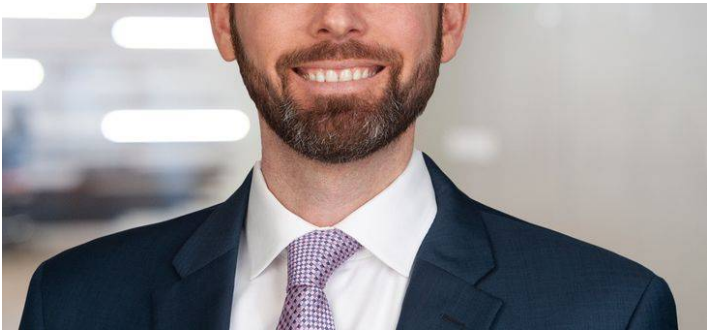


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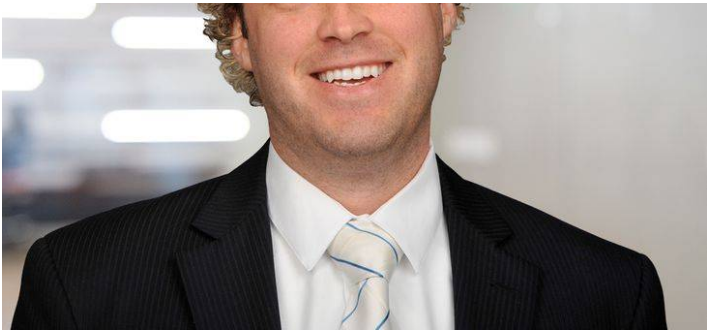


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