

WORKPLACE LAW UPDATE: 10 ESSENTIAL ITEMS ON YOUR OCTOBER TO-DO LIST

Insights

Oct 2, 2023

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, Congress struck a deal late in the evening on September 29, but the stopgap funding bill only funds the government until November 17. Employers will want to stay alert given the 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 by race/ethnicity. [Here's what covered employers need to know about filing 2022 EEO-1 Component 1 data this year and five steps you'll want to take ahead of the approach 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 latest guidance.](#)

Related People



Cheryl L. Behymer

Senior Counsel

[803.255.0000](tel:803.255.0000)



Steven M. Bernstein

Regional Managing Partner
and Labor Relations Group
Co-Chair

[813.769.7513](tel:813.769.7513)

[seven things you need to know.](#)

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

Prepare for the avalanche of California employer the Governor is expected to sign into law. The stat legislature just completed its work for 2023 in a fren last-minute activity and deal-cutting, wrapping up a for the record books. Governor Newsom now has u October 14 to sign or veto bills that sit on his desk, r we will soon know which ones will be enacted into l [more here about the top 10 bills you should track.](#)

Consider updating your employee appearance pol hot topic is especially timely given the news that the Senate has relaxed its traditional dress code. [Click I checklist of issues to consider and action steps to t you review and revamp your appearance policy.](#)

Review California's new AI executive order, which groundwork for employers and businesses. Govern Newsom issued a groundbreaking executive order (September 6 charting a course for the business cor given the explosion of artificial intelligence use acro industry sectors. [Here's what you need to know abc executive order and the 10 steps you should consid as a result.](#)

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

Get ready for Delaware's new consumer privacy la Governor Carney approved the Personal Data Privat



Shannon N. French

Associate

[949.208.8295](#)



Melissa Camire

Partner

[212.899.9965](#)



Jeffrey M. Csercsevits

Partner

[610.230.2159](#)

(PDPA) on September 11, making Delaware the twelfth — and the seventh in just 2023 alone — to pass comprehensive consumer privacy legislation. [Click the answers to your top 10 questions about this new](#)

Prepare for automatic extensions to expire for certain employment authorization document renewals for national workers. By the end of October, a temporary measure that has been allowing certain foreign nationals to remain in the United States for an increased period of automatically extended authorization to work in the United States for the past year will expire. This 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.



Benjamin M. Ebbink

Partner

916.210.0400



Rick Grimaldi

Partner

610.230.2136



Todd B. Logsdon

Partner

502.561.3971



Todd A. Lyon

Partner and Labor Relations
Group Co-Chair

503.205.8095



Richard R. Meneghello

Chief Content Officer

503.205.8044

Service Focus

AI, Data, and Analytics

Counseling and Advice

Employee Leaves and
Accommodations

Employment Discrimination
and Harassment

FCRA and Background
Screening

Government Contracting,
Compliance, and Reporting

Government Relations

Immigration

Labor Relations

Litigation and Trials

Pay Equity and Transparency

Privacy and Cyber

Reductions in Force (RIFs)

Wage and Hour

Workplace Safety

Resource Hubs

AI Governance Hub