



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

Insights

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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 September and a checklist of the essential items you should consider addressing in October and beyond.

_____ **Get ready for Election Day.** Employers have their hands full this election season – and FP is here to help. Do your employees get [time off to vote](#)? If you're in California, did you know you need to [post a notice](#) informing employees of their paid-time-off-to-vote rights by October 26? What are [your rights and responsibilities as an employer](#) during election season? Visit our [Election Season Resource Center](#) to review all our thought leadership and practical resources.

_____ **Create your year-end checklist.** As the final quarter of 2024 begins, many employers are turning to the year-end review process. While you're planning for raises, bonuses, and other employee incentives this comp season, you'll need to account for new laws at the federal, state, and local level that impact wages for 2025. You'll want to review new minimum wage rates, paid sick leave requirements, and [increases to the exempt salary threshold](#) – just to name a few. [Click here to read more about the latest wage and hour developments.](#)

_____ **Prepare for cold, flu, and COVID season.** For many businesses, the pandemic seems like a distant memory, but COVID-19 is not entirely behind us. Indeed, as the cold and flu season approaches, the CDC predicts that COVID-19 cases will increase across the country. [Here's a brief guide with five tips to effectively address respiratory illness in the workplace in today's changing landscape.](#)

_____ **Follow key SCOTUS cases impacting the workplace.** The Supreme Court begins a new term on October 7, and we're watching several cases that will likely have a big impact on the workplace. The Justices will grapple with wage and hour issues, coverage under the Americans with Disabilities Act (ADA), liability for a failed cannabis test, and more. We expect more employment and labor cases to be added to the docket, but for

more. we expect more employment and labor cases to be added to the docket, but for now, you should keep an eye on these issues.

_____ **Track pay transparency trends.** A patchwork of new state laws is making multistate compliance complicated, particularly since the details of pay transparency laws vary. If you operate in Maryland, you should already have a compliance plan for a new law that took effect on October 1 requiring employers to disclose wage and benefits information in job listings. Pay transparency laws in Illinois and Massachusetts will take effect in 2025, and all eyes are on New Jersey, which could be the next state to enact a similar law. Click here to track the latest pay equity developments.

_____ **Review your accommodation policies for pregnant workers.** Do you know what's required under the Pregnant Workers Fairness Act (PWFA)? You should consider fine-tuning your compliance efforts after the EEOC filed its first-ever lawsuit under the act on September 10. Here's what employers need to know about this groundbreaking lawsuit and eight steps you can take now to ensure compliance.

_____ **Keep informed on new AI developments.** Federal workplace officials just unveiled a new website on September 24 guiding employers on best practices to avoid artificial intelligence discrimination during the hiring process, including a roadmap of 10 actions you should consider taking if you want to stay compliant. Additionally, a new law in Illinois will require employers to provide notice to applicants and workers if they use AI for certain workplace-related purposes. Click here for the latest news on AI, Data, and Analytics.

_____ **Don't forget about ongoing non-compete compliance obligations.** You probably know the federal non-compete ban is on ice for now – but that doesn't mean employers are free to use non-competes indiscriminately. What remains in the wake of the FTC's ban is a highly complex, constantly shifting patchwork of state laws that regulate the administration and substance of non-compete agreements. Here's your reminder to-do list, including the top 10 state law issues you'll still need to tackle, even though the FTC's non-compete ban did not take effect September 4.

_____ **Prepare for wave of new California laws.** Now that the California legislative session is essentially over and Governor Newsom has taken action to either approve or veto all the workplace law bills on his desk, employers can take stock on all the new laws that will soon take effect. Use this helpful Insight to assemble your checklist of things to do over the next few months.

_____ **Track landmark data privacy proposal in Colorado.** Employers in the state could soon need to comply with the disclosure and consent requirements of the state's privacy act when they collect biometric identifiers from employees or applicants – which would

when they collect biometric identifiers from employees or applicants – which would make Colorado the first state outside of California to impose such obligations on employers. [Click here to learn more about the state Attorney General's September 13 proposal and for three tips you can use to 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.

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