

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

Insights
May 2, 2025

It's hard to keep up with all the recent changes to labor and employment law, especially given the rapid pace at which the new administration has been moving on initiatives impacting the workplace and beyond. For the latest changes and a compliance action plan, here's a quick review of some critical developments we tracked in April and a checklist of the essential items you should consider addressing in May and beyond.



Check out our [First 100 Days Report for employers](#) 100 days of any new administration set the tone for come — and in 2025, that tone has been unmistakably fast-moving, and deeply consequential for employers. Why [we've created this special report](#) — a snapshot of things that stand, where they're headed, and what your

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organization should be doing to keep pace.

Stay tuned for more guidance on “disparate impac

For decades, employers could face liability for polic practices that didn’t intentionally discriminate but h: “disparate impact” on a group of job applicants or e based on a protected characteristic, such as race or president is now aiming “to eliminate the use of disp impact liability in all contexts to the maximum degre possible,” according to an April 23 executive order. [what you need to know about this development and may impact your practices.](#)

Review rollbacks on standards for federally funde clean tech projects.

The Trump administration also rescinded a key executive order that tied federal fur clean energy and infrastructure projects to pro-unic commitments – signaling a major shift for electric m companies and other federally funded employers. B lingering legal obligations remain for those already i contract. [Click here to learn more about this develo](#)

Prepare for EEO-1 reporting to begin.

This year’s cc of EEO-1 reports could begin in less than a month – likely not allow employers to categorize workers as binary.” Private employers with at least 100 employe federal contractors with at least 50 employees shou prepare to sort company data by employee job cate well as by sex and race/ethnicity, to turn over to the between May 20 and June 24. While these dates ar set in stone, the compliance window will be here be know it. [Click here to learn more.](#)

Safeguard your corporate leaders against rising se

threats. Executives are increasingly at risk of becor targets of violent acts or cyberattacks such as doxir social engineering, and your organization must thinl steps ahead to ensure the safety of your people and future of your business. [Here’s an overview of exec protection programs and four key steps to help you yours.](#)

Consider alternatives to the H-1B visa for hiring fo

nationals. You may be disappointed if your candida not selected for an H-1B visa in the recent cap lotte not all hope is lost. If you employ foreign nationals, t

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news is that you can explore certain short-term, long-term, and even some lesser-known solutions. [Here are 11 alternatives your organization can use to retain top critical staff](#), even if your candidate was not selected in the FY 2026 H-1B cap lottery.

_____ **Review your accommodation request process.** A federal appeals court recently clarified that an employee may be entitled to a reasonable accommodation under the Americans with Disabilities Act (ADA) even if they can perform essential job functions without such an accommodation. The 2nd Circuit's March 25 decision in *Tudor v. Whitehall Central School District* reinforces that the ability to perform essential job functions is relevant – but not decisive – in ADA failure to accommodate claims. [Here's what employers need to know about this case.](#)

_____ **Slay summer hiring.** As the weather gets warmer and you shift your focus to seasonal hiring, you'll want to be sure to connect with Gen Z applicants, many of whom are college and high school students in search of summer jobs. [Check out our guide to hiring Gen Z this summer.](#)

_____ **Prepare for new state sick leave requirements in 2026.** In the past few years, we've seen a sharp increase in state-level legislation and ballot initiatives mandating employer-provided leave options for employees with strong voter support. Check out our [compliance checklist for Michigan's new paid sick leave law](#) that took effect May 1, and [learn more here about how your company can manage the patchwork of state laws.](#)

_____ **Track additional state law developments.** With so many changes at the federal level, don't forget to stay updated on state and local developments, too. For example:

- Now that we're less than a year away from Colorado becoming the nation's most stringent set of laws regarding the use of artificial intelligence in the workplace, and elsewhere, some lawmakers are asking whether it's better to take a step back and cool the jets. [Click here to learn about a new bill that was introduced on April 15.](#)
- Speaking of AI rules, California's privacy regulator intends to advance sweeping new rules that will govern AI tools used for automated decision-making purposes – but [Governor Newsom just stepped back](#).

signaled concern that these rules could stifle in and drive AI companies out of the state.

- A **California** appellate court [handed employers and hour win](#) on April 21 by ruling that meal period waivers prospectively signed by non-exempt employees are enforceable if certain criteria are met.
- A new law in **Florida** will make it the most employer-friendly state in the country for non-compete and leave agreements. [Here is what employers should know about the CHOICE Act and three steps you can prepare.](#)
- **Ohio** has taken a major step toward modernizing workplace compliance after [finalizing a new law](#) that will allow employers to post certain mandatory law notices electronically, as long as they are available to all employees.
- An April 1 decision in **Massachusetts** [offers a terrific example of how employers can work with their counsel to limit their financial exposure](#) – even a trial loss – through thoughtful litigation strategy.

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.