

Workplace Law Update: 10 Essential Items on Your November 2025 To-Do List

Insights
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Here are the top items you should tackle this November, based on the latest workplace law developments and upcoming critical compliance dates:



Assess the impact as the government shutdown continues. We're now experiencing one of the longest government shutdowns in US history, which will have a huge impact on federal agency enforcement and the roll out of new regulations. What do employers need to know as we wait for a resolution? Here are our [answers to your top questions](#).

Be prepared for hurricanes and other natural disasters. Recent devastating hurricanes in the Caribbean served as a stark reminder for US employers to review

response plans and prepare for a possible late-season storm that could disrupt operations. Here are [the most critical issues you need to be aware of](#) during preparation and recovery.

Track workplace issues on the Supreme Court's docket. The Supreme Court kicked off a new term on October 6 and is set to decide several key legal questions in the coming year that could have big effects on employers for years to come. [Here's a preview of the top cases on the Court's 2025-2026 docket so far](#) that could impact your organization, plus the workplace law cases SCOTUS could potentially pick up – and those it has already rejected.

Review new immigration guidance on \$100K H-1B fee. As we detailed in [our prior Insight](#), President Trump issued a September 19 proclamation imposing a \$100,000 fee on new H-1B petitions. The administration framed it as an anti-abuse measure, but employers warned it could upend critical hiring pipelines, particularly in technology, healthcare, and higher education. In October, [USCIS clarified several key points that determine whether your organization will actually need to pay the new fee.](#)

[Learn more on our Immigration Practice Group page.](#)



“Employers hiring foreign professionals already in the country – especially through university pipelines – are shielded from the new cost. Most existing workers are unaffected.”

JOCELYN CAMPANARO
Partner



Get ready for new leadership in the DOL's Wage and Hour Division. The Senate's confirmation of Andrew Rogers on October 7 to head the division will press the gas pedal on Trump administration plans to clarify joint employer and independent contractor status, as well as several compliance assistance initiatives. [Employers should be aware of several key DOL programs and regulatory initiatives that he will be](#)

leading.

_____ **Expect changes from workplace safety leaders.** The Senate also approved David Keeling to take over as the head of OSHA and Wayne Palmer to lead MSHA on October 7,. How will these moves translate into action? What should employers expect? And more importantly, what should you do? Here is your guide to these changes.

_____ **Watch for developments from the EEOC.** Brittany Panuccio was also confirmed as the third Commissioner of the Equal Employment Opportunity Commission in recent weeks. Now that the agency has a working quorum once again, it can issue federal regulations, release enforcement guidance, and tackle large-scale litigation on topics that the administration considers priorities. Here are the top seven things employers can now expect.

_____ **Rethink your hiring strategy in the AI era.** Artificial intelligence can streamline staffing activities and help job seekers polish their resumes and prepare for interviews. But an emerging concern for employers is whether applicants are using AI to game the system rather than genuinely showcase their skills. Here are three deceptive practices that could lead to bad hires and seven ways to protect your business.

_____ **Keep up with privacy and cyber news.** October was a busy month nationwide, with these developments taking center stage:

- A federal judge in San Francisco gave website operators a major win on October 17, calling the California Invasion of Privacy Act “a total mess” – but the ruling also highlights major privacy risks businesses still face nationwide.
- A recent privacy rights development could have major implications for any school or non-profit that has a website, as a Michigan federal court gave the green light on October 17 for a video privacy protection lawsuit to proceed against nonprofit Hillsdale College over its use of webpage trackers.
- A wave of Florida-based privacy litigation has created new compliance considerations for businesses that use what are now commonplace website tools.
- A new cybercrime threat actor calling itself “Coinbase Cartel” has begun targeting transportation, logistics, and adjacent sectors – and you should act quickly to shore up your defenses.

Learn more on our Privacy and Cyber Practice Group page.



DANIELLE KAYS
Partner

“The best way that a company can protect themselves is to contact their privacy lawyer and do an audit of their technology. It’s important to learn where your data is going and how it complies with these laws.”



Check for compliance with recent state and local actions. Here are a few of the key developments in October and compliance dates in November to note:

- **California** lawmakers were busy this year, and Gov. Gavin Newsom signed many bills into law that will impact the workplace starting in 2026. Here is a snapshot of some of the top new workplace laws taking effect soon.
- A federal court in **Massachusetts** just dismissed a proposed class action on October 22 challenging an employer’s use of an AI-powered video interview platform under the state’s strict lie detector law – but the ruling is *not* the all-clear some employers might hope for.
- Additionally, Massachusetts employers with at least 25 employees are required to disclose wage range information on job postings and upon request to employees and applicants beginning October 29.
- Most employees working in **Minnesota** will be eligible to take job-protected paid leave to care for themselves and their families starting in the new year. Employers should note that several important deadlines between November and April will impact HR policies and practices.
- **Pennsylvania’s** House passed a bipartisan consumer privacy bill in October that would set parameters on the collection and sale of consumers’ personal data.
- October 21 guidance from the **New York** Department of Financial Services (NYDFS) clarifies covered entities’ obligations and provides a series of best practices when it comes to managing third-party risk. This Insight explores what financial institutions, insurance companies, and any other businesses regulated by the NYDFS need to know and how to stay compliant.
- The **New York City** Council approved two bills on October 9 that could soon require private employers with 200 or more employees working in the city to report pay and demographic data annually. The measures would also designate a city agency to conduct a pay equity study based on the reported pay data. The bills now await Mayor Adams’s signature.

- Employers in **Philadelphia** may need to update their hiring processes to comply with new rules on criminal history inquiries now that Mayor Parker recently approved amendments on October 8 that afford job applicants more protections. The changes are set to take effect on January 6.
- Cleveland just joined Cincinnati, Columbus, and Toledo – as well as other cities and states across the country – in adopting pay equity and transparency rules.

Conclusion

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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FP's Trump Administration Resource Center for Employers

U.S. Privacy Hub