

Insights, News & Events

WORKPLACE LAW UPDATE: 10 ESSENTIAL ITEMS ON YOUR NOVEMBER 2025 TO-DO LIST

Insights
Oct 31, 2025

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



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— **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 await a resolution? Here are our [answers to your top questions](#)

— **Be prepared for hurricanes and other natural disasters**
Recent devastating hurricanes in the Caribbean serve as a reminder to be prepared for natural disasters.

stark reminder for US employers to review response and prepare for a possible late-season storm that could disrupt operations. Here are [the most critical issues 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 5 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 2026 docket so far](#) that could impact your organization. The workplace law cases SCOTUS could potentially reject and those it has already rejected.

Review new immigration guidance on \$100K H-1B fee. We detailed in [our prior Insight](#), President Trump issued a September 19 proclamation imposing a \$100,000 fee on H-1B petitions. The administration framed it as an anti-inflation measure, but employers warned it could upend critical supply pipelines, particularly in technology, healthcare, and education. In October, [USCIS clarified several key points to 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 Rogovin on October 7 to head the division will press the gas pedal on the Trump administration plans to clarify joint employer and independent contractor status, as well as several cost-cutting assistance initiatives. [Employers should be aware of key DOL programs and regulatory initiatives that he](#)



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Expect changes from workplace safety leaders. The OSHA and Wayne Palmer to lead MSHA on October will these moves translate into action? What should employers expect? And more importantly, what should they do? [Here is your guide to these changes.](#)

Watch for developments from the EEOC. Brittany P. King was also confirmed as the third Commissioner of the Employment Opportunity Commission in recent weeks. That the agency has a working quorum once again, it will issue federal regulations, release enforcement guidance, 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. An emerging concern for employers is whether applicants are using AI to game the system rather than genuinely sharpening their skills. Here are [three deceptive practices that can 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 Invasive Privacy Act “a total mess” – but the ruling also highlights that major privacy risks businesses still face nationwide.
- A recent privacy rights development could have national implications for any school or non-profit that has a public 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 significant compliance considerations for businesses that use social media are now commonplace website tools.

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- A new cybercrime threat actor calling itself “Coinl Cartel” has begun targeting transportation, logisti adjacent sectors – and [you should act quickly to s your defenses](#).

[Learn more on our Privacy and Cyber Practice Gro](#)



DANIELLE KAYS
Partner

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

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

- **California** lawmakers were busy this year, and Go Newsom signed many bills into law that will impac workplace starting in 2026. [Here is a snapshot of the top new workplace laws](#) taking effect soon.
- A federal court in **Massachusetts** just [dismissed ; proposed class action](#) on October 22 challenging employer’s use of an AI-powered video interview under the state’s strict lie detector law – but the ru is *not* the all-clear some employers might hope fo
- Additionally, Massachusetts employers with at lea employees are required to [disclose wage range in on job postings and upon request](#) to employees a applicants beginning October 29.
- Most employees working in **Minnesota** will be elig take job-protected paid leave to care for themselv their families starting in the new year. Employers s note [that several important deadlines between Nc and April](#) will impact HR policies and practices.
- **Pennsylvania’s** House [passed a bipartisan consu privacy bill](#) in October that would set parameters o collection and sale of consumers’ personal data.

- October 21 guidance from the **New York Department of Financial Services (NYDFS)** clarifies covered entity obligations and provides a series of best practices that come to managing third-party risk. [This Insight](#) explains what financial institutions, insurance companies, and other businesses regulated by the NYDFS need to do and how to stay compliant.
- The **New York City Council** [approved two bills](#) on October 9 that could soon require private employers with 20 or more employees working in the city to report pay and demographic data annually. The measures would designate a city agency to conduct a pay equity study based on the reported pay data. The bills now await Governor Cuomo'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 additional protections. The changes are set to take effect on October 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.