

NEW YEAR, NEW LAWS IN NEW HAMPSHIRE: IS YOUR COMPANY IN COMPLIANCE FOR 2026?

Insights
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New Hampshire employees will ring in the new year with several new workplace protections and leave rights – and employers should be ready to comply. Starting January 1, new laws will go into effect broadening protections for military families, establishing unpaid newborn leave entitlements, and expanding veteran hiring preference practices. Employers should review and update handbooks, policies, and internal procedures now to stay ahead of the game. Here's what you need to know about these new rules and how to prepare.

Unpaid Childbirth-Related Leave (HB 2)

New Hampshire has introduced a new category of unpaid, job-protected childbirth and pediatric appointment leave for employers with 20 or more employees. Compared to job-protected leave requirements under the FMLA, this law applies to smaller businesses and does not have a minimum service requirement. HB2 allows employees to take up to 25 hours of unpaid leave within the first year following a child's birth or adoption to attend medical appointments related to childbirth or postpartum care or for the care of their new child.

Employers should keep in mind that:

- Staff may tap into their accrued vacation or other paid leave when employers do not cover NH's new childbirth-related leave.

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- When both parents work for the same employer, the 25-hour entitlement is split between them.
- You may require reasonable advance notice, expect employees to schedule appointments to minimize disruption, and request documentation verifying the purpose of the leave.
- The leave is job-protected and employees must be reinstated to their original position when they return.

Action Items:

1. Update leave policies and handbooks to include this new entitlement.
2. Establish clear procedures for notice, documentation, and substitution.
3. Implement a tracking system, especially for situations in two parents employed by the same organization.
4. Train supervisors to recognize qualifying requests and avoid interference with job-protected leave.

Military Spouse Leave (HB 225)

Effective January 1, employers with 50 or more employees at a single New Hampshire location must provide unpaid, job-protected military spouse leave. The law applies when an employee's spouse serves in a military branch and is involuntarily mobilized for up to one year and one day in support of war, national emergency, or contingency operations. Employees eligible for this leave must be restored to the same or an equivalent position upon return.

Action Items:

1. Add a military spouse leave section to your handbook.
2. Develop procedures for verifying mobilization orders.
3. Train managers on reinstatement obligations and recordkeeping.

Veteran Hiring Preferences (HB 64)

New Hampshire has expanded its law that allows hiring preferences for military-affiliated applicants. Under the statute's revised definition, "veteran" now includes veterans' spouses and all active-duty service members, regardless of length of service.

This change broadens the pool of candidates eligible for employer-sponsored hiring or employment preferences.

Action Items:

1. Update hiring and preference policies to reflect the broad definition of "veteran."
2. Ensure application materials, HR systems, and job postings accurately describe eligibility for the position.
3. Train hiring managers on the expanded criteria to ensure consistency across your organization.

Conclusion

With these laws taking effect on January 1, employers should take time now to review and revise employee handbooks, leave protocols, hiring procedures, and manager training materials. We will continue to monitor new leave requirements in New Hampshire, so make sure you are subscribed to [Fisher Phillips' Insight System](#) to get the most up-to-date information directly to your inbox. If you have questions, feel free to contact your Fisher Phillips attorney or the author of this Insight.