

Employer Checklist for January 2026

Insights

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Here are the top 10 workplace compliance items you should tackle in January 2026, based on the latest labor and employment law updates:



Warm up with a workplace law refresher. Did you keep up with all the labor and employment law updates in 2025? Take our [2025 Workplace Law Quiz](#) to brush up on last year's developments and put yourself in the best position to take on 2026.

Look ahead to what 2026 may bring for employers. Our comprehensive [FP Forecast 2026](#) report includes workplace law predictions for the new year from our thought leaders across practice areas and industry teams – consider it a roadmap to help you strategize and prepare. Want the top takeaways? Check out [FP's Top 10 Workplace Predictions for 2026](#) (and a sneak peek in the graphic below).

“ Now that more than a dozen states have pay transparency laws requiring job postings of pay scales and other requirements, **you can expect plaintiffs’ attorneys and state enforcement authorities to keep a sharp eye out for violations – and take businesses to court.** ”



KATHLEEN MCLEOD CAMINITI

Partner, Co-Chair of FP’s Wage and Hour and Pay Equity Practice Groups

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Double-check January effective dates. More than 50 new state workplace laws kicked in at the turn of the year, and several “Big Beautiful Bill” provisions that just took effect impact employers nationwide. Review our [Employer Cheat Sheet for Workplace Laws Effective January 1, 2026](#) to make sure you didn’t miss anything.

Adjust to the new immigration pause and travel bans. The Trump administration announced several policy changes in December that pause immigration benefits impacting at least 25 countries and place restrictions on additional countries. This action will have significant workplace implications and [employers should follow these five steps to adjust to the new system](#).

Catch up on last month’s major National Labor Relations Board updates. First, an appeals court [ruled that employers can’t use injunctions to challenge NLRB authority](#), and another appeals court [greenlit presidential removal of NLRB officers](#). Then, Senate confirmations of two new Labor Board members finally restored the NLRB to a functioning quorum – here’s [what to expect from the federal labor law landscape in 2026](#). To top it off, a federal judge [blocked California](#) from expanding its power over private-sector labor disputes.

“For employers, now is the time to take stock. Policies revised in response to recent Board law may warrant reassessment. Organizing-response strategies, handbook rules, severance templates, and bargaining approaches should all be reviewed with an eye toward what may soon be a more predictable legal landscape.”



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Prepare for new H-1B cap process and address other program changes. The Department of Homeland Security just officially replaced the H-1B visa program’s traditional random lottery with a wage-weighted selection system. Here are [seven steps employers should take](#) before the next cap season (plus, [what to know about the new H-1B social media vetting rules](#)). And here’s the [latest on the lawsuits challenging the H-1B visa overhaul](#).

Learn the latest AI lingo and legal news. Trump [signed a sweeping executive order](#) in December that [targets state AI regulation](#) (just after Congress once again [dropped a bid to block state AI laws](#)) – but the new EO hasn’t stopped [New York from enacting a new AI safety law](#), which is set to take effect next year. In addition, you should become well-versed in the terms below by reading our deep dives (linked) on each:

- **AI Bias** ([why you should consider a bias audit](#))
- **AI Slop** ([how 2025’s “word of the year” impacts your business](#))
- **AI-Generated Fraud** ([the frontline threat for retailers this year](#))

Get familiar with a critical pending SCOTUS case. The Supreme Court could soon issue a decision in *Trump v. Slaughter*, a high-stakes case that could set the stage for a workplace regulation shake-up. Here’s our [predictions on the case’s outcome and how it could impact employers for years to come](#).

Stay ahead of the latest consumer privacy trend. An increasing number of consumers are exercising their data privacy rights through an “authorized agent” – a designated third party that submits requests on the consumer’s behalf to access, delete, or limit the use of their personal and private information. Here’s [what you need to know about this new trend and how to get ahead of the curve](#).

Prepare for the impact July’s World Cup could have on your business. The 2026 World Cup is likely to be the largest sporting event in history, with millions of visitors pouring into 16 local markets over the course of five weeks. This means that there will be plenty of challenges and opportunities for your business, and our [comprehensive checklist can help you to start preparing now](#).

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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