

Insights, News & Events

EMPLOYER CHECKLIST FOR FEBRUARY 2026

Insights

Jan 29, 2026

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



_____ **Learn the realities of the “No Tax on Overtime” rules.** Many misconceptions surround the new federal income tax d related to overtime compensation. Ahead of the Feb. 2 deadlines, we [dispelled the biggest “No Tax on Overtim covered the top employer takeaways](#). We also created (specifically for [auto dealerships](#) and [California employe](#) unique compliance challenges they may face under the

_____ **Prepare for workforce disruptions if you rely on global** Trump administration just paused immigrant visa proce people from 75 countries, beginning Jan. 21. We [answe top questions and crafted four practical action steps](#) yo

Related People



Lauren Laing
Legal Content Counsel

[412.822.6623](tel:412.822.6623)



Spencer W. Waldron
Partner

[949.798.2170](tel:949.798.2170)

to address the situation.

H-1B Cap Season Reminder. While the “processing fr described above does **not** apply to H-1B visas, the 20 season is right around the corner. Now is the time to r preparations for your submissions and [fine-tune your immigration strategy for the new wage-weighted sele](#)

Keep on keeping on with anti-discrimination complian EEOC just scrapped Biden-era guidance on transgende workplace, not much has changed for employers from a perspective. Here’s [what employers must know about e guidance and best practices](#) for creating a compliant ar workplace.

Update your HIPAA privacy notice before the deadline business is required to maintain a Notice of Privacy Pra must update it by **Feb. 16** to address confidentiality rule use disorder treatment records. Here are our [key points health plan sponsors and covered entities](#).

ACA Reporting Reminder. Employers that are subject requirements under the Affordable Care Act must ens timely file the applicable IRS forms and furnish them t Here are the key impending deadlines (subject to any extensions) for forms required for calendar year 2025

- Employers must file **Forms 1094-C/1095-C** (applic employers) and **Forms 1094-B/1095-B** (certain non sponsor self-insured group health plans) by **March paper** or **March 31** (if filing electronically).
- Employers must furnish copies of **Form 1095-C** (AL **1095-B** (certain non-ALEs that sponsor self-insured plans) to each full-time employee by **March 2**. To le criteria for using alternative manners of furnishing : [check out our prior insight](#) and the 2025 IRS Instruc these forms.

Check if 2026’s extra pay period impacts your payroll you pay biweekly and your first 2026 payday was Frida you will be issuing 27 – instead of the usual 26 – payche

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— **Heed our WARNings on workforce reduction notice ru** layoffs and closures trend upward across several indus should [get familiar with their obligations under the Worl and Retraining Notification \(WARN\) Act](#) – which may be complicated than you think.



**SPENCER
W. WALDRON**

Partner

“ Determining the size of you for purposes of WARN Act compliance is even more cc with remote work arrangem becoming more commonpl. industries. **Under the law, are required to notify imp employees at a single "sit employment."** But what d mean and who is included

— **Weather winter workplace woes (try saying that 5x fa** or ice disrupts your operations, [remember these best p practices](#). And at the peak of an especially bad flu seas [practical tips](#) on managing absenteeism, protecting em and more.

— **Sip something warm and catch up on DOL updates.** Th Department of Labor recently released six new opinion guidance on issues related to federal minimum wage ar laws – [here's a peek at how the agency views specific v scenarios](#). We also covered [two important workplace s: developments that unfolded mid-January](#).

OSHA Form 300A Reminder. Employers must post th Form 300A (Summary of Work-Related Injuries and Ill **Feb. 1 to April 30** and the deadline to submit calendar injury and illness data is **March 2**. For more details, cf ["Recordkeeping" section of our OSHA FAQs](#), plus any OSHA materials for the most up-to-date information.

_____ **Beware of new AI-related litigation risks.** A class action on Jan. 20 in a California state court could have [significant implications for employers that use artificial intelligence candidates](#), and AI meeting tools are the latest target of under the Illinois Biometric Information Privacy Act (BIPA) [six steps to prevent BIPA litigation](#) for businesses in Illinois employees in the state.

_____ **Check whether any of these state or local updates impact your organization:**

- **California employers [must provide employees with a rights notice](#) by February 1** (and give employees an opportunity to designate an emergency contact by **March 30** or update it by that date). The Golden State also just released preliminary rules for the 2025 pay data reporting cycle (**pay data reports due by March 31, 2026**) – here's [your five-step action plan](#).

One-Year Lookback on California Wildfires. One year after devastating wildfires disrupted large swaths of South California, the state's business community is firmly in recovery mode. [Here's what employers must know](#) as they reevaluate and expand operations in the state – and prepare for future wildfire seasons and other climate-driven events.

- **New Jersey just [majorly expanded the state's Family and Medical Leave Act](#)** – the updated rules take effect **July 17**.
- **New York City's [expanded safe and sick leave requirements](#)** take effect **Feb. 22**.
- The **Texas** attorney general issued a sweeping 74-page opinion on **Jan. 19** that calls into question the legality of many Diversity, Equity, and Inclusion initiatives across the state in both public and private sectors. We covered the [potential impact on employers](#) and [tips to reduce your litigation risk](#). Plus, here's our [action plan for private schools](#).

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.

