

EMPLOYER CHECKLIST FOR MAY 2026

Insights
May 1, 2026

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



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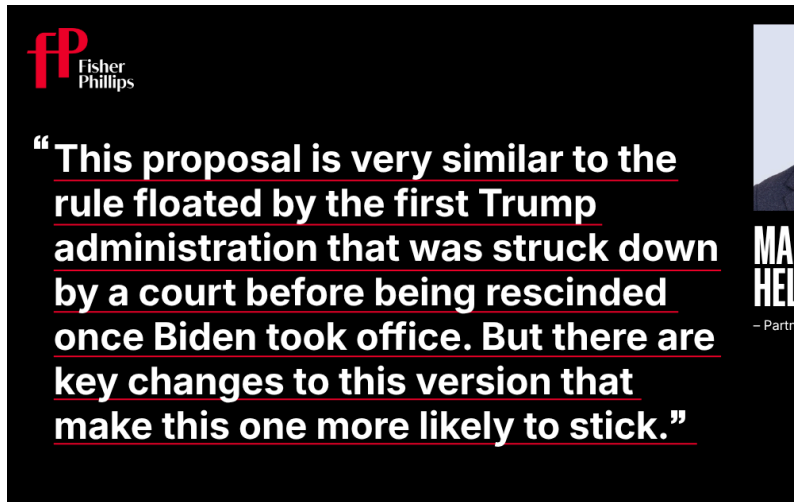
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Equip yourself to respond to employee crises. Since Mental Health Awareness Month, it's a good time to equip your managers and HR department on how to respond to serious and sensitive situations in the workplace. [These eight practical steps](#) can help your business support employees and meet legal obligations.

Catch up on the DOL's new joint employer proposal. The DOL just proposed a new rule to give businesses gr

clarity and reduced liability around joint employer status under federal wage and hour law. Here's a [comprehensive look at the proposal](#), plus industry-specific snapshots of [staffing firms](#) and [tech employers](#).



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Shore up your workplace policies for summertime. The sunny season is a slower period or your busiest year, it can expose your business to risks related with hour compliance, workplace safety, and more. Stay on top this summer by [avoiding these top employer mistakes](#). Dive deeper with our recent compliance guides on [hiring teens](#), [protecting workers from heat dangers](#), and [paying tipped employees](#).

Don't miss recent changes to I-9 enforcement standards. Federal immigration officials quietly but significantly changed how they will evaluate Form I-9 violations, and employers have far less room to avoid penalties for routine administrative mistakes. Here's [what changed and what you should do now](#).

Keep up with PWFA enforcement trends and pay equity rules. A review of the EEOC's litigation activity related to the Pregnant Workers Fairness Act reveals [key employment trends that can help shape your PWFA compliance strategy](#). In addition, compliance with pay equity and transparency is becoming increasingly complex, and the stakes are higher as the penalties for violations rise. Check out our [practical employer guide to federal, state, and local equity trends](#).

Reminder for California Employers: Pay data reports for the 2025 reporting cycle are due May 13 – find [what you need to know](#)

—— **Get to know new NLRB nominee and labor law chat the horizon.** President Trump nominated James Ma April 13 to fill a vacancy on the National Labor Relations Board, and, if confirmed, the Board will have something hasn't had since Trump took office: a functioning three-member Republican majority. Here are the [top labor shifts we expect](#) – even if the changes could still take time to arrive.

—— **Learn how a family farm's fight could be a win for employers.** The Supreme Court just picked up a case that will decide whether the DOL is allowed to impose fines and penalties on agricultural employers for alleged violations of the H-2A temporary visa program. The case began with a family farm in New Jersey that was hit by the agency's charges for over \$500K following an investigation into its H-2A practices – but it could end in a huge win for all employers. [Learn more here.](#)

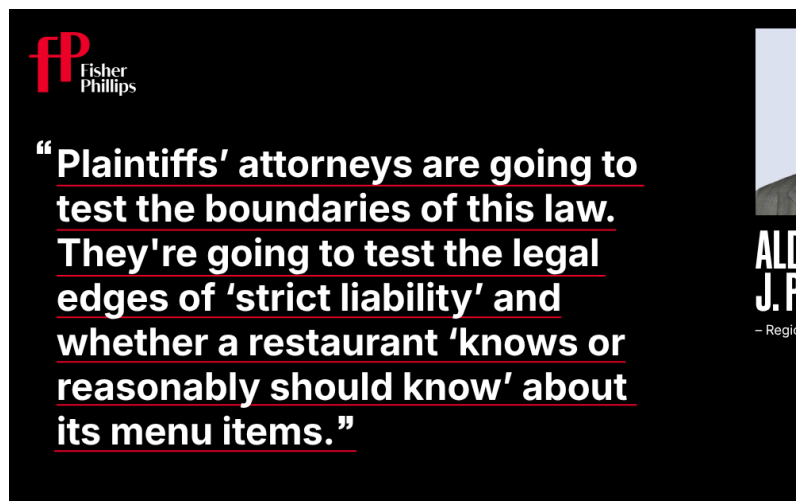
—— **Listen to our latest podcast episodes!** New episode "FP5: Five Things for Your 9-5" are released each Thursday and you can subscribe using your preferred podcasting platform. Last month, our attorneys discussed [remote accommodations](#) (April 2), [whether your AI chat history can be used against you in court](#) (April 9), [California bill: could reshape workplace law nationwide](#) (April 16), [realities of workplace violence](#) (April 23), and [why your cybersecurity playbook is probably outdated](#) (April 23).

—— **Read more key insights impacting these specific industries:**

- Covered entities across **sixteen critical infrastructure sectors** must prepare for **sweeping new federal cybersecurity reporting rules** that could soon be finalized (even if slightly later than the original May 2026 target date). Check out our [FAQs for Businesses About Critical Infrastructure Cybersecurity Regulations](#) to learn more.
- **Construction** employers should catch up on a new proposal that would, if finalized, nix a strict deadline for upgrading fixed ladders above 24 feet. Here's [what construction business needs to know.](#)

■ Education & College Sports

- Many educators were surprised to learn of a recent PowerSchool Naviance **wiretapping settlement** [what your school needs to know](#).
- A new **Alabama** law aims to ensure K-12 students denied athletic opportunities just because they enrolled in the state's school choice program throughout last year. Here's [what this means for private religious schools in the state](#).
- President Trump issued an executive order on 1/27/20 that seeks to mandate new eligibility, transfer, and athlete agent regulations for **college athletics** by 1/27/21 – here's [what your athletic department needs to know](#).
- **Federal contractors** can [learn key lessons from the recent \\$17 million settlement](#) with the Department of Justice over what the Trump administration deems "illegal" workplace diversity, equity, and inclusion activities. In addition, a **minimum wage hike** will start in on **May 11** for a narrow group of federal contractors.
- **Hospitality** businesses operating in the 2026 World Cup host cities should start preparing now and can [use this comprehensive checklist as a guide](#).
- **California's** new allergen disclosure law will soon take effect on **July 1** for many **restaurant chains** – [learn more here](#).



- **Retail** employers nationwide face unique challenges related to PWFA compliance. Here are [five pitfalls you should avoid](#). Plus, as predictive scheduling laws

traction across the country, find [answers to your questions](#).

- **MedTech** companies and their business customers pay attention to a recent federal class action privacy lawsuit sparked by an AI company's acquisition of genetic testing firm. [Here's what you need to know](#)
- **Private clubs** must [manage member harassment](#). Think employment laws don't apply to your private club. [Think again](#). Plus, a recent DOL independent contractor proposal [offers clarity to private membership clubs](#)
- **International filmmakers** must ensure that cast and crew are properly authorized to work in any chosen location. That's why we created [A Producer's Guide to Visa Requirements in Top 5 International Filming Locations](#)
- **Trucking companies** should be aware of a recent court ruling – the latest in the saga over whether the Occupational Safety and Health Administration has jurisdiction over trucking businesses that provide trucking and hauling to manufacturing operations. [Catch up here](#).

Check for state-specific updates and upcoming effective dates like these:

- **Alabama** just joined 20 other states by enacting a comprehensive consumer privacy law, and [businesses must get ready to comply with sweeping new obligations that will take effect on May 1, 2027](#).
- **California** pay data reports for the 2025 reporting period are due **May 13, 2026** – find [what's new this year](#) and [what's changing in 2027](#). Plus, could a new privacy coalition [help curb digital wiretapping litigation in the state?](#)
- **Colorado's** impending AI law, which was set to take effect on **June 30, 2026**, was just temporarily **blocked** by a court ruling. Here's [what employers should know](#) and [wait for a final resolution](#).
- **Illinois** employers with at least 16 employees must be ready to comply with the state's [Family Neonatal and Infant Care Leave Act](#), which kicks in on **June 1, 2026**.

- The **Missouri** Supreme Court issued a ruling on A that employers can use as a legitimate procedura help defend against costly workplace claims. Lea [the decision means for your business.](#)

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.