

Insights, News & Events

EMPLOYER CHECKLIST FOR SEPTEMBER 2026

Insights

Sep 1, 2026

Employer Checklist for September 2026

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



— **Track the rise of democratic socialism as Election** **near**s. A growing wave of democratic socialist cand and elected officials across the country could lead t changes in the workplace, impacting issues from he to labor unions to wage and hour law. We covered [v employers need to know heading into election seas beyond](#).

Related People



Lauren Laing
Legal Content Counsel

[412.822.6623](tel:412.822.6623)



Shahin Vafai
Of Counsel

[803.740.7680](tel:803.740.7680)

Peruse FP's predictions on NLRB policies that could be overturned. Now that the National Labor Relations Board finally has enough Senate-confirmed members (Jared Polis was sworn in on August 17) to overturn precedent for the first time in years, we'll soon see a shift that will touch every part of the labor law landscape. Check out [peruse on 10 key rules and decisions most likely to change](#) three leaders of Fisher Phillips' Labor Relations Practice Group.



Robert Yonowitz

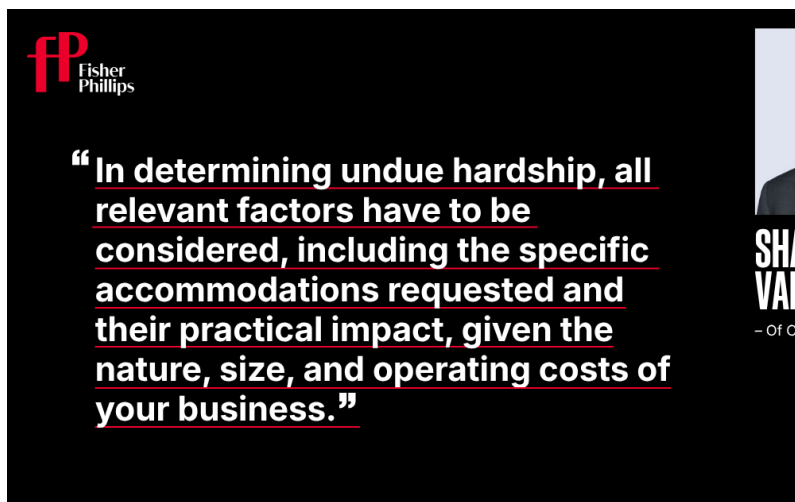
Partner

[949.798.2113](#)

Understand the evolving parameters around religious accommodations. Many employers have seen an upsurge in religious accommodation requests over the past three years following a Supreme Court decision making it harder for employers to deny them. Employers have wrestled with applying the new standard as dozens of courts have weighed in on their actions and the EEOC has prioritized protecting workers from religious bias and harassment. We cover [everything you need to know to help stay compliant](#)

Service Focus

[Counseling and Advice](#)



Identify whether immigrant visa pause impacts any of your employees or candidates. Last month, the State Department paused all immigrant visa appointments at US embassies and consulates worldwide, with no announced date for when normal scheduling will resume. [Here's what this means for your workforce planning.](#)

Consider submitting a public comment on DHS's new proposed H-1B fee. The Department of Homeland Security published a proposed regulation last week that would impose a massive new fee on H-1B cap-subject petitions – \$10,000 to be exact – reviving what a federal court struck down last year.

earlier this year but pursuing it through an entirely legal route. Here are [five action steps you should be taking now](#), including publicly commenting by **September 24**.

Check out results from our FP Flash Survey on cannabis testing. Employers appear to be less hesitant to test applicants for cannabis compared to two years ago according to our latest FP Flash Survey. To learn more about our [key findings and practical tips for shaping your policy](#).

Catch up on how courts are addressing AI use in litigation. More courts are confronting modern issues related to confidentiality, work product, and privilege as an increasing number of litigants and law firms are using artificial intelligence for assistance with lawsuits. Check out [practical takeaways from some of the earliest court decisions to address these AI issues](#).

Check in on these industry- and business-specific

- **Agricultural H-2A employers** must be aware of a court order last week that [leaves adverse effect visas rates up in the air](#) once again.
- **Consumer-facing businesses** that use “surveillance pricing” must be aware of the Federal Trade Commission’s newly-proposed enforcement policy statement, which would require businesses to disclose when it uses personalized pricing based on consumers’ personal information. The agency is inviting public comments through **September 18** – [learn more about the proposal here](#)
- **Domestic companies that ship hazardous materials** will be happy to [learn about 17 new final rules](#) published by the Department of Transportation’s Pipeline and Hazardous Materials Safety Administration last month as part of a broader deregulatory push to modernize supply chains and reduce administrative burdens for domestic shipping carriers.
- **Entertainment businesses** can [check out our tips for managing NDA breaches](#) when a member of a production team leaks key details about an upcoming film, game release, album, talent decision, or other major production.

“What we focus on is protecting not just specific data, but the reputations and privacy of the talent and clients that entertainment companies represent, manage, or work with on projects. But, there is also business confidential information to consider, just like any other business.”

**ROB
YON**
– Partner

- **Federal contractors** have likely heard that the OFCIP issued final rules that upend decades-old affirmative action and reporting requirements – here are [all the information you need to know](#).
- **Hospitals and nursing homes in New York** will have months to [establish a workplace violence prevention program](#) once a new state law takes effect **September 1** (and additional requirements will kick in for general hospitals starting **January 1**). Plus, **healthcare employers in Illinois** should consider these [practical steps for compliance](#) as state class actions surge.
- **Multinational employers** must be aware of growing equity and transparency obligations as [more countries roll out robust requirements](#). Separately, if your company is starting or expanding US operations, [check out our location selection tips](#) to help you choose the right location for your business.
- **Professional employer organizations** that offer FLSA support to clients as part of their overall service may want to [improve compliance by taking these ten steps](#).
- **Safety professionals** can find five action steps to follow following a federal appeals ruling that [denied industry challenges to a 2024 EPA rule](#) designating PFOA and PFOS – two widely known PFAS chemicals – as hazardous substances under the Comprehensive Environmental Response, Compensation, and Liability Act, known as Superfund.
- **Warehousing and distribution center employers** should continue to emphasize safety compliance at their workplaces.

following OSHA's [renewed focus on these industries at least the next five years](#).

- **Schools and sports organizations** should take note of recent coverage on how to: [get your concussion prepared](#); [develop clear governance regarding wearable athlete biometric data](#); and answer the FBI's call to [protect student-athletes from sexual exploitation](#)

Keep up with other state and local workplace law developments:

- **California** lawmakers just adjourned and [sent a flood of workplace-related bills to Governor Newsom](#), who must either sign or veto each by **September 30** – his last day in office around before his final term concludes in January. In addition:
 - state officials just announced [significant changes to proposed PAGA regulations](#), which could be finalized later this year;
 - the California Court of Appeal is [poised to rule in a groundbreaking privacy case](#); and
 - the state's privacy regulator just announced [groundbreaking data broker fines](#).
- **Colorado** lawmakers [enacted a heap of workplace laws](#) this year, which will kick in starting in 2027 (and a few are already in effect). In addition, state regulators just [a proposed rulebook for AI-assisted hiring and employment decisions](#). Plus, Colorado employers are facing increased exposure to gender discrimination – here's a [six-step action plan to reduce your risk](#).
- **Florida** local governments will soon be banned from using their purchasing or contracting power to control the terms of employment benefits of entities they do business with (these changes, [which stem from 2024's HB 433](#), take effect for contracts entered into after **September 29**). Plus:
 - A Florida federal court just permitted another discriminatory wage wiretapping claim to proceed – here's [what every business with a website needs to know](#).
 - A state appeals court recently shut down a paragraph of an off-duty medical marijuana accommodation claim.

what this win means for Florida employers.

- **Illinois** recently enacted two employment laws that kick in on **January 1, 2027**: one will provide new menopause-related workplace protections, and the other will require certain employers to pay employees their regular wages for time spent on jury service.
- **Massachusetts** employers now must notify employees within 48 hours after receiving an ICE Notice of Inspection concerning I-9 forms or other employment records as a result of the PROTECT Act, which was signed into law on **August 5** with immediate effect.
- **Oregon** public schools (including K-12 and higher education) must, starting **September 30**, adopt policies for responding when federal immigration authorities search school property or campus. See HB 4079 for the full details.
- A **Texas** candidate for state attorney general just unveiled a plan that could reshape how the state regulates AI in the workplace.

Press play on our latest FP 5 podcast episodes. Last week we broke down what employers need to know about EEOC's new direction, discussed how people are reacting to AI at work, answered why you can't always trust the worker who went rogue, and explained how digital wiretapping lawsuits are reshaping online privacy at work.

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.