

Insights, News & Events

EMPLOYER CHECKLIST FOR OCTOBER 2026

Insights

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



Get ready for new workplace laws kicking in this month. October brings new legislation and regulatory changes in more than 10 states and Washington DC, and employers operating in those places must take note. New laws address issues such as pay transparency (Connecticut), "caucus" meetings (Maryland), [immigration-related \(Washington state\)](#), and more. Get caught up by using our [Employer Cheat Sheet for Workplace Laws Taking Effect in October 2026](#).

Related People



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October 2026.

Address workplace conditions that could draw union support. A survey released last month showed that Americans approve of labor unions, the highest rate tracked since the 1950s. But union membership has been moving in the opposite direction for decades. We cover what this could mean for your operations, including [you can take in today's labor environment](#).

Review practices that could be considered unlawful. Deloitte is the latest major federal contractor to enter a million-dollar settlement with the Department of Justice over allegedly unlawful diversity, equity, and inclusion (DEI) practices. Here are the [key takeaways for both contractors and private employers](#).

Make sure your retirement and health plans meet October deadlines. The fourth quarter is an important time for employers and plan administrators to take stock of their employee benefit plans and prepare for the year ahead. [our Employer Guide to help keep track of key Q4 company deadlines](#).

Catch the latest on pre-dispute arbitration agreements. Another federal appeals court just ruled that the Enforced Arbitration of Sexual Assault and Sexual Harassment Act (EASAA) allows employees with such claims to bypass arbitration for all claims in the lawsuit. Here's what employers nationwide need to know about the ruling and [three you should consider taking now](#).

Revisit your phishing training and verification practices. Artificial intelligence tools have made it dramatically easier for scammers to produce convincing phishing messages, and cybercriminals are increasingly using them to create personalized lures and execute attacks at a scale and speed that was not possible even a year ago. [Are your cybersecurity practices up to date?](#)

Beware of compliance risks when working with influencers. If a court or government agency decides your social media influencers should have been treated as non-exempt employees – or your employee brand ambassadors have been paid for boosting your brand – the costs of misclassifications or wage and hour violations can add up.



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quickly. Here are some [best practices and complian](#)

Check in on these industry- and business-specific

- **Businesses with a consumer-facing website or app** should [catch up on the latest court rulings](#) involving that businesses illegally let third parties track visitors to their websites – and note that broken cookie banners are still a major risk.
- **Educational institutions** should consider following [step plan in light of the changing Title VI landscape](#). **Private schools** must [be aware of new proposed regulations that would end federal tax-exempt status](#) based on school policies and practices the government considers racially discriminatory. Plus, **private colleges and universities** should be following an organization's guidance involving undergraduate residential student assistance, which could tee up two key federal labor law issues: whether students qualify as “employees,” and how educational privacy laws may run into union election rules. Here's [everything your higher ed institution must know](#).
- **Hospitality and retail businesses** should take note of opinion letters issued by the US Department of Labor (DOL) last month, which answer questions related to meal breaks and unpaid meal periods. [Check out our key takeaways for employers](#). In addition, back to school means more restrictions on when certain teenage workers can work – [review our tips for complying with child labor laws during the school year](#). We also recently covered [benefits and risks of using AI tools in the hospital industry](#).
- **Non-profit organizations** should brush up their employee and volunteer policies following a recent DOL opinion letter that provides a simple test for determining whether an individual's volunteer hours must count as compensated work. [Here's what this means for your organization](#).
- **Sports employers** can [learn important trade secrets](#) from a recent arrest of a former college football star who was arrested for leaking recruiting info to rivals. And a conference leaders should [beware of how Villanova quarterback eligibility fight is putting conference on the spotlight](#).

Check out the first state law to ban AI from firing workers on its own. California just enacted the “No Robo Boss” law, which will take effect in July 2027. The law prohibits employers from relying *solely* on an “automated decision-making system” (ADS) when making a disciplinary or termination decision and requires an employer that *primarily* relies on ADS output to make a disciplinary or termination decision to direct a human reviewer to corroborate the decision. [the details on the groundbreaking law here](#) (and find out the 2026 California legislative round-up linked below).

Catch up on these additional state workplace law developments.

- **California** Governor Gavin Newsom (D) just signed a package of new laws impacting employers and businesses that will go-around before his final term concludes in January. We [rounded up all of them here](#). In addition, Cal/OSHA is [moving closer to finalizing new workplace violence regulations](#), and state privacy officials are [warning employers and brokers about incorrect registration info](#).
- **Florida's** minimum wage rose to \$15 (\$11.98 for tipped employees) on September 30 – [learn more and get compliance tips here](#).
- **Illinois** employers covered by pay data reporting requirements should [prepare for additional scrutiny and targeted audits](#).
- **Oregon's** OR-OSHA is developing workplace violence prevention rules for healthcare employers. Here are [ways you can start preparing now](#).
- **Texas's** attorney general recently issued a consumer [warning businesses and organizations of a “scam demand letters”](#) claiming that their routine website practices violate the California Invasion of Privacy Act. (Plus, check out our [tips for private and independent 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.

