

Employment Law Corner

Monthly Report



December 2025

December Updates

[Have a Holly Jolly Work Party](#)

[#Grateful - Foley & Foley, PC](#)

[EEOC Plot Twist: Title VII Protects American Workers Too](#)

[TV Shows vs. Real Workplace Law: Employment Attorneys Answer Your Thorny HR Questions](#)

[The Disability Accommodation Challenge: Common Pitfalls](#)

[From Hashtags to Headaches: Managing Politics in the Workplace](#)

Workplace Pulse: A Quarterly Update on the Employment Law News you Need to Know.

Managing an organization while ensuring compliance with evolving employment law obligations is an ongoing challenge. That is where our *Workplace Pulse* quarterly update proves valuable. We keep a pulse on emerging legal developments at the state, local, and federal levels to keep our clients well informed. Through in-depth case law analysis and trend tracking, we offer proactive guidance designed to keep you ahead of the curve so you can focus on what you do best.

Ready or Not: Your Survival Guide to 1/1/2026 Employment Law Changes

While employees make New Year's resolutions, employers face New Year requirements as the start of 2026 marks a significant shift in the labor and employment compliance landscape. Multiple new employer obligations take effect January 1, 2026, requiring immediate action. Employers should act promptly to ensure compliance and proactively minimize risk exposure.

The New Year triggers substantial compliance changes among multiple jurisdictions, requiring immediate attention and planning. Below is a summary of many critical labor and employment law changes taking effect on or around January 1, 2026.

- **Colorado**

- **Increase in Paid Family & Medical Leave (PFML) Contributions:** The employee premium contribution rate is reduced from 0.9% to 0.88% of wages.

- **Connecticut**

- **Expanded Paid Sick Leave Requirements:** The state's paid sick leave law expands to apply to employers with 11 or more employees in the state. This expansion is part of a phased implementation and will extend to all employers with at least one employee by 2027.
- **Increase in PFML Contributions:** Connecticut's weekly PFML benefit cap increases from \$981 to \$1,016.40 per week (60× the minimum wage).

- **California**

- **Salary Threshold Increases for Overtime Exemptions:** The salary threshold for minimum wage and overtime requirements is raised for white collar employees from \$68,640 to \$70,304 per year. Additionally, the minimum rate for computer professionals increases to \$122,573.13 annually, \$10,214.44 monthly, or \$58.85 hourly, and physicians and surgeons paid hourly must receive at least \$107.17 per hour.
- **Expanded Pay Data Reporting Requirements:** Employers covered by the state's pay data reporting law must maintain demographic data collected for pay reporting purposes separate from employees' personnel files.
- **Equal Pay Amendments:** Among other changes, the statute of limitations under the California Equal Pay Act is expanded from two to three years after the last date of an alleged violation, giving employees more time to file a claim under the statute.
- **Expanded Personnel File Access:** Employers who maintain education and training records must now store those records within the employee personnel files, which an employee is entitled to inspect.
- **Expanded WARN Notification Requirements:** Employers must include new information in their 60-day advance notices for mass layoffs, relocations, and terminations. The notice must state whether the employer plans to coordinate services for affected employees through the local workforce development board, a different entity, or no entity.
- **Amendments to the Pay Transparency Law:** The law requiring salary disclosures in job postings is amended to expand the definition of "wages" to include benefits and other non-salary compensation, extend the statute of limitations for filing a claim and refine the definition of "pay scale."
- **Updates to the Consumer Privacy Act (CCPA):** Employers subject to the CCPA must comply with updated regulations pertaining to risk assessments, cyber security audits, automated decision-making technology and updates to other existing CCPA requirements.
- **Crime Victim Leave Protections Expanded:** Employees who are victims of certain crimes or whose family members are victims are entitled to take time off to attend judicial proceedings related to the crime under California's Health Workplaces, Health Families Act (HWHFA) and the Government Code on leave for crime victims.

- **Delaware**

- **Paid Leave Takes Effect:** Benefits become available to employees of employers with 10 or more employees.

- **District of Columbia**

- **New Pay Statement Requirements for Tipped Workers:** Pay statements must list all sources of the employees' compensation in addition to base wages and gratuities, including bonuses, commissions on sales, amounts calculated as a percentage of services charges and other sources.

- **Illinois**

- **Paid Lactation Breaks Required:** Under the Nursing Mothers in the Workplace Act, employees must be compensated for lactation breaks and can't be required to use paid leave during the breaks.
- **Changes to Organ Donor Leave Eligibility:** Part-time employees are allowed to use up to 10 days of paid leave for organ donation.
- **Workplace Transparency Act Amendments:** The amendments prohibit certain agreements that limit concerted activity or collective action, broaden employees' rights to disclose unlawful practices and provide testimony, forbid employers from unilaterally adding specific restrictive clauses to employment agreements, and allow recovery of consequential damages in lawsuits brought under the Wage Transparency Act.
- **Restrictions on AI Use in Employment:** Under the Illinois Human Rights Act, employers are prohibited from using AI in employment decisions that result in protected class discrimination, may not use ZIP codes as proxies for protected classes, and are required to provide notice to employees when AI is used in employment decisions.
- **Victims Economic Security and Safety Act Amendments:** Employers are now prohibited from taking adverse action or discriminating against an employee for using employer provided equipment to record domestic violence, gender violence or any other violent crime against them or a member of their family or household.
- **Unemployment Eligibility Broadened for Mental Health Disabilities:** Employees who voluntarily leave work due to a mental health disability that prevents them from performing work and whose employer is unable to accommodate them are eligible for unemployment compensation.

- **Maine**

- **Salary Threshold Increases for Overtime Exemptions:** The salary threshold for minimum wage and overtime requirements is raised for executive, administrative and professional employees to \$871.16 per week or \$45,300.32 annually.

- **Minnesota**

- **Paid Family & Medical Leave (PFML) Takes Effect:** PFML benefits are available to eligible employees and employers and eligible employees are required to make contributions to the state PFML program. Additionally, pay statements must include the total PFML contribution paid by the employer and deducted from employees' wages.
- **Paid Sick & Safe Leave Amendments:** The law clarifies the requirements regarding voluntary advancement of leave.
- **Amended Meal and Rest Break Requirements:** Employers are required to provide a paid rest break of at least 15 minutes (or enough time to utilize the restroom – whichever is longer), for every four consecutive hours of work and an unpaid meal break that is at least 30 minutes for every six consecutive hours of work.

- **Nevada**
 - **Wildfire Smoke Exposure Protections:** Employers must establish a communication system that alerts employees who work outdoors to dangerous air quality conditions caused by wildfire smoke and allows employees to report related symptoms.
- **New Hampshire**
 - **Family Military Leave Takes Effect:** The state's Family Military Leave Law takes effect, providing employees with time away from work based on the involuntary mobilization of their spouse and other job protection rights.
 - **Childbirth, Postpartum and Infant Care Leave Takes Effect:** Employers with 20 or more employees will be required to provide up to 25 hours of unpaid leave for childbirth, postpartum and infant care.
- **New York**
 - **Salary Threshold Increases for Overtime Exemptions:** The minimum salaries for executive and administrative employees increases to \$1,275.00 per week (for employers in New York City, Nassau County, Suffolk County and Westchester County) and \$1,199.10 per week for employers in the remainder of the state.
 - **Increase to PFL Contribution Rate:** The state Paid Family Leave (PFL) contribution rate paid by employees will increase to 0.432% of gross weekly wages.
 - **New Overtime Requirements for Farm Workers:** Non-exempt farm workers must be paid one and one-half times their regular rate of pay for work performed in excess of 52 hours in one workweek.
- **Ohio**
 - **Salary Range Disclosure:** Certain employers within the city of Columbus, Ohio, must include a reasonable salary range or pay scale in every job posting.
- **Oregon**
 - **Expansion of Sick Time Requirements:** The Oregon Sick Time Law is amended to cover leave for blood donation.
 - **New Pay Statement Requirements:** Oregon law is amended to significantly expand pay statement requirements. Employers are required to provide new hires (and all employees annually) with comprehensive information regarding their itemized pay information in addition to the information already required.
 - **Workplace Violence Protections Expanded:** Workplace violence protections for healthcare workers are strengthened, including new prevention program requirements, training for employees and security contractors, allowing first-name-only badges, and requiring threat-flagging systems across hospitals, home health agencies, and hospice programs.
 - **Disability and Family Medical Leave Changes:** Employers that provide disability benefits are prohibited from requiring an employee to use or apply

for other benefits, such as paid family and medical leave, to be eligible for disability benefits.

- **Pennsylvania**

- **Pittsburgh Paid Sick Days Act Expanded:** The accrual rates and amount of leave an employee may use per year increase.
- **Ban the Box Amendments:** Employers in Philadelphia may not consider misdemeanor convictions older than four years old or any summary offenses. Employers must also take into account evidence of an applicant or employee's rehabilitation and provide written notice of specific rights when denying employment or taking adverse action. (January 6, 2026)

- **Rhode Island**

- **Amendments to Paid Family Leave:** The wage-replacement benefit period under the state's paid family leave law (Temporary Caregiver Insurance) increases from seven to eight weeks. Additionally, the law is expanded to cover bone marrow and organ donation, as well as caring for a seriously ill sibling.
- **New Hire Notices:** New hires must receive written notice outlining their pay and deductions, along with the company's policy on sick and other types of leave.
- **New Human Trafficking Awareness Training:** Hotel employees and short term property operators must receive annual human trafficking awareness training. Operators of hotels and short term property rentals must also implement policies and procedures for reports of suspected human trafficking.

- **Texas**

- **Restrictions on AI Use in Employment:** The Texas Responsible AI Governance Act (TRAIGA) bans the development and use of any AI system intended to discriminate against a protected class.

- **Washington**

- **Salary Threshold Increases for Overtime Exemptions:** The state's minimum salary for overtime-exempt employees increases to \$1,541.70 for all employers regardless of size.
- **Meal and Rest Break Waivers:** The law on meal and rest breaks for hospital employees has been revised to allow employers and employees to mutually agree to waive these breaks under specific conditions.
- **Amendments to Health Care Workplace Violence Prevention Law:** The amendments require timely investigation and causal analysis of every workplace violence incident in healthcare settings, allow committee-led reviews, eliminate the three-year development cycle, and clarify that annual plan reviews must occur at least once per calendar year.
- **Paid Family and Medical Leave Amendments:** Changes affecting employer coverage, benefit amounts, employer notice and posting requirements, reinstatement rights, and voluntary plans.

- **Expanded Domestic Violence Protections:** The Domestic Violence Leave Act is amended to include employees who are victims of a hate crime, as well as those whose family members are victims.
- **Isolated Worker Sexual Harassment and Assault Protections Expanded:** Amendments to the state's isolated worker law enhance protections by updating the isolated worker definition, requiring panic button training, establishing new panic button design specifications, and implement other related measures.

So many changes, so little time.

We can help.

Our **Employment Counsel On-Call Triage Service** is a great resource for employers of all sizes looking for guidance on employment law and HR-related questions. We work with clients daily to help navigate complex legal issues and implement best practices. We receive unique questions every day through the **On-Call Service** and are ready to help you tackle any issue!

Who We Are:

- We represent employers exclusively from coast to coast in all facets of employment law and litigation. Our mission is solving problems and anticipating issues so you can concentrate on your business.
- We are constantly searching for trends and upcoming issues in the law that will impact our clients. We want our clients to be informed and ready. Our familiarity with the workplace and our approach sets us apart from other law firms, making us well equipped to handle your unique needs.
- We are unlike other firms: Anyone can advise on what the law says and its limits. That is easy. We find creative solutions within those restrictions that move your business forward. We seek to minimize your risk so you can focus on your business. Learn how we can help: **Foley & Foley PC attorneys specialize in Employment and Labor Law in the Public and Private Sectors (foleylawpractice.com).**

Meet Martine Wayne

Martine concentrates her practice on advising and representing businesses on a wide range of labor and employment matters. Her experience includes employment litigation and providing strategic guidance on matters such as discrimination, wage and hour compliance, leaves of absence, terminations and employment policies and agreements. As the Leader of the Firm's Employment Law Audit Services, Martine helps organizations, both small and large, proactively identify and address labor and employment risks before they escalate. Check out her full bio [here](#)!



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