



Webinar 19 – October 8, 2025

What's Trending in Labor and Employment Laws

WEBINAR OUTLINE

INTRO/SETTING THE STAGE

- Legal Compliance with Labor and Employment Laws

AN OVERVIEW OF RECENT UPDATES IN LABOR AND EMPLOYMENT LAWS

- New York State Increases Jury Duty Pay to \$72 Per Day
- NYS COVID-19 Paid Sick Leave Law Expired on July 31, 2025
- New York Retail Worker Safety Act - Effective June 2, 2025
- Effective May 8, 2025: New York City Employers Must Physically and Electronically Post Written Lactation Accommodation Policy
- Effective January 2, 2025: New York Reproductive Health Bias Law Requires Notice in Employee Handbooks
- Effective January 1, 2025: New York State Paid Prenatal Leave
- President Trump Issues Proclamation Restricting Entry of Certain Nonimmigrant Workers into the United States

TOP TRENDS EMPLOYERS SHOULD BE AWARE OF

HRtelligence TIPS

INTRO/SETTING THE STAGE

Legal Compliance

- Laws change frequently at the state and federal level, making it difficult to maintain legal compliance.
- Understanding and complying with the applicable laws and regulations can help protect your employees' rights, promote a positive workplace culture, and prevent legal disputes.
- It's important to seek legal counsel and educate managers and HR representatives about employment laws and regulations that apply to your business.

AN OVERVIEW OF RECENT UPDATES IN LABOR AND EMPLOYMENT LAWS

New York State Increases Jury Duty Pay to \$72 Per Day

Sections 519 and 521 of the New York Judiciary Law were recently amended to increase the daily rate of pay for jury duty in New York State, from \$40 to \$72.

- Effective June 8, 2025, employers of more than 10 employees must pay jurors the jury fee of \$72 or the employee's wage (whichever is lower) each day for the first three days of jury service. If the juror's daily wage is less than the jury fee, then the State makes up the difference.
- The State will pay the jury fee of jurors who work for employers of 10 or fewer employees if the jurors are not paid at least the jury fee of \$72 by their employers. After three days, the State pays the jury fee to jurors who are not paid at least the jury fee.

The State has provided the following flow chart providing guidance for employers and employees regarding the jury fee: <https://www.nyjuror.gov/pdfs/whopaysjuryfee.pdf>

NYS COVID-19 Paid Sick Leave Law Expired on July 31, 2025

As a reminder, the New York State COVID-19 paid sick leave law, also known as COVID-19 Paid Emergency Leave, expired on July 31, 2025. Effective July 31, 2025, New York employers no longer are required to provide separate leave for COVID-19 quarantines and isolations.

Employees may still use regular sick leave for COVID-19 related absences under existing state and city sick leave laws. Employers should update their policies to reflect the expiration of the New York COVID-19 leave law.

New York Retail Worker Safety Act - Effective June 2, 2025

The New York Retail Worker Safety Act, which imposes significant workplace violence prevention requirements on retail employers took effect on June 2, 2025.

The Act applies to all New York State employers who employ 10 or more employees to work at a retail store (or stores). Retail stores include any store that sells goods directly to the public at retail (retail stores do not include businesses that primarily sell food to be eaten on-site).

Under the new law, covered employers are required to (1) implement a written retail workplace violence prevention policy, (2) conduct workplace violence prevention training, and (3) provide written notice to employees. In addition, on January 1, 2027, covered employers with 500 or more retail employees in the state of New York will be required to provide their retail employees with access to an emergency “silent response button” at the workplace.

Written Retail Workplace Violence Prevention Policy

Retail employers with ten or more retail employees are required to adopt a workplace violence prevention plan which must include:

- (1) a list of factors or situations that may place retail employees at risk of workplace violence;
- (2) methods to prevent incidents of workplace violence;
- (3) information on legal provisions regarding violence against retail employees and remedies for victims; and
- (4) an anti-retaliation statement.

On May 29, 2025, the New York State Department of Labor (“NYSDOL”) published a model workplace violence prevention policy. Every New York retail employer is now required to either adopt the NYSDOL model policy or establish a similar policy that equals or exceeds the NYSDOL’s models. The NYSDOL has also released Retail Worker Safety Act Frequently Asked Questions. All of these can be found on the NYSDOL website: <https://dol.ny.gov/retail-worker-safety>.

Interactive Training

Retail employers with 10 or more retail employees must also provide the interactive training to employees. The training must include:

- information on the requirements of the new law;

- examples of measures retail employees can use to protect themselves when faced with workplace violence from customers or other coworkers;
- de-escalation tactics;
- active shooter drills;
- emergency procedures; and
- instruction on the use of security alarms, panic buttons, and other related emergency devices.

On May 29, 2025, the New York State Department of Labor (“NYSDOL”) published a model workplace violence prevention training program. Every New York retail employer is now required to either adopt the NYSDOL model training or establish a similar training that equals or exceeds the NYSDOL’s models. The training can be found on the NYSDOL website: <https://dol.ny.gov/retail-worker-safety>.

Retail employers must provide the training to all retail employees upon hiring and annually thereafter. Retail employers with **fewer than fifty** retail employees are required to provide workplace violence prevention training just once every two years, instead of annually, after the initial training for new hires.

Notice Requirements

All covered employers must provide retail employees with the written notice of their retail workplace violence prevention policy, both in English and in the language identified by each employee as their primary language. Employers must provide these written notices to covered employees upon hire and at each annual or bi-annual training.

Silent Response Buttons

Further, the new law mandates that employers with 500 or more retail employees *statewide* will need to provide a “silent response button” that allows employees to request immediate assistance from a security officer, manager, or supervisor while the employee is on duty. The response button can either be installed in the workplace or be provided to employees as a wearable device or employer-provided mobile phone. This requirement will become effective January 1, 2027.

Effective May 8, 2025: New York City Employers Must Physically and Electronically Post Written Lactation Accommodation Policy

Effective May 8, 2025, New York City employers with four or more employees are required to physically post their written lactation accommodation policy physically and electronically.

Specifically, under the new amendment, employers are required to “make such written policy readily available to employees, by, at a minimum, conspicuously posting such

policy at an employer's place of business in an area accessible to employees and electronically on such employer's intranet, if one exists." This requirement is in addition to an employer's obligation to distribute a written policy to all employees at the time of hire.

To be compliant, the lactation accommodation policy must state that employees have the right to request a private space to express breast milk and identify the process for making such a request, including the requirement that the employer respond to the request within five business days.

The new amendment also incorporates changes in the New York State law which requires employers to provide at least 30 minutes of paid break time for employees for lactation purposes and permit an employee to use existing paid break or meal time for lactation time needed in excess of 30 minutes.

Effective January 2, 2025: New York Reproductive Health Bias Law Requires Notice in Employee Handbooks

The U.S. Court of Appeals for the Second Circuit reinstated the New York Reproductive Health Bias Law's requirement that New York State employers include a notice in their employee handbooks regarding the law's prohibition on discrimination and retaliation based on employees' or their dependent's reproductive health care decisions.

The law prohibits discrimination based on an employee's or a dependent's reproductive health decision making and prohibits an employer from accessing an employee's personal information regarding the employee's or the employee's dependent's reproductive health decision making, including but not limited to, the decision to use or access a particular drug, device or medical service without the employee's prior informed affirmative written consent.

Further, the law requires that any employer that provides an employee handbook to its employees must include in the handbook notice of employee rights and remedies under the law. (N.Y. Labor Law §203-e). The law outlines employee remedies, as follows:

Employees may pursue civil court action against employers alleged to have violated the Act seeking an award of the following remedies:

- Damages to prevailing plaintiffs, including, but not limited to, back pay, benefits, reasonable attorneys' fees and costs incurred;
- Injunctive relief against an employer that commits or proposes to commit a violation of the Act;
- Reinstatement; and/or

- Liquidated damages equal to 100% of the award for damages, unless the employer proves a good faith basis to believe that its actions in violation of the Act were in compliance with the law.

This requirement includes informing employees of their rights to make reproductive health decisions and not be discriminated against or retaliated against for such decisions. New York Employers that issue employee handbooks must include a notice to employees of their rights and remedies under Section 203-e in their employee handbooks or in an addendum.

Effective January 1, 2025: New York State Paid Prenatal Leave

Effective January 1, 2025, New York State employers are required to provide up to 20 hours of paid leave in a 52-week period for pregnant employees to attend prenatal medical appointments and procedures. The leave is in addition to employees' existing paid sick leave.

Paid prenatal personal leave may be taken in hourly increments and must be paid at the employee's regular rate of pay, or the applicable minimum wage under New York State law, whichever is greater. In addition, the benefits must be paid in hourly installments. Any unused paid prenatal personal leave need not be paid out upon an employee's termination, resignation, or separation from employment. The new legislation does not limit the number of times paid prenatal leave can be taken by a single employee during their employment.

Paid prenatal personal leave can be used by pregnant employees for health care services during their pregnancy or related to such pregnancy, including physical examinations, medical procedures, monitoring and testing, and discussions with a health care provider related to pregnancy.

President Trump Issues Proclamation Restricting Entry of Certain Nonimmigrant Workers into the United States

On September 19, 2025, President Trump issued a Proclamation entitled, "Restriction on Entry of Certain Nonimmigrant Workers," which places limitations on the entry of H-1B specialty occupation workers into the United States. The Proclamation took effect on Sunday, September 21, 2025.

The Proclamation provides that H-1B specialty occupation workers will not be allowed into the United States unless their H-1B petition is accompanied by, or is supplemented by, a payment of \$100,000. The Proclamation also provides that decisions on H-1B petitions that are not accompanied by a \$100,000 payment will be restricted for those who are currently outside of the United States.

There is an exception that applies to any individual alien, all aliens working for a company, or all aliens working in an industry, if the Secretary of Homeland Security determines, in the Secretary's discretion, that the hiring of such aliens to be employed as H-1B specialty occupation workers is in the national interest and does not pose a threat to the security or welfare of the United States.

The Proclamation only impacts those H-1B workers outside the United States and attempting to enter after the effective date. H-1B workers already in the U.S. are not impacted unless they leave and attempt to reenter during the effective period. Those who already hold H-1B visas and are currently outside of the country will not be charged the fee to re-enter.

TOP TRENDS EMPLOYERS SHOULD BE AWARE OF

Immigration and Workforce Compliance

Immigration enforcement remains a critical issue, with increased scrutiny on I-9 compliance and potential ICE raids. Employers in industries heavily reliant on immigrant labor must ensure their documentation is in order and be prepared for possible investigations. A proactive approach to compliance can mitigate the risk of legal challenges.

Discrimination and DEI

A positive workplace culture based on strong company values can reduce the risk of discrimination and harassment claims by ensuring that all employees are treated with respect and dignity.

Artificial Intelligence

Employers should prepare for an increased use and presence of AI in hiring, employment decision-making, as well as employee engagement with their employers.



To ensure compliance with labor and employment laws in 2025, businesses should:

- proactively stay informed
- conduct regular audits of policies
- update employee handbooks,
- provide ongoing training,
- maintain accurate records
- partner with legal experts, and
- implement flexible and automated compliance approaches.