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Employers State Law Alert

Summarizing Significant New Employment Laws & Regs in All 50 States

Analysis

Tennessee enacts new restrictive covenant legislation, **p. 4**.
Statutory developments by state, **p. 2**.
Regulatory developments by state, **p. 6**.

Employing minors? Stay up to date on state child labor laws

by Tammy Binford

A few generations ago, it wasn't unusual for young children to be employed for long hours in hazardous jobs. Reforms eventually changed all that, with the federal Fair Labor Standards Act, enacted in 1938, being among the most important. The FLSA set minimum age standards, limited the hours minors can work, and prohibited youth employment in hazardous occupations.

States also passed laws aimed at protecting youth in the workforce. And those laws have seen much change over the years. The latest trend among states shows a mixed picture, with some states recently easing previously enacted restrictions and others tightening protections.

SOME HISTORY

Summer has traditionally been the time when minors take on jobs, although many also work year-round in after-school and weekend work. The U.S. Bureau of Labor Statistics (BLS) tracks the number of minors in summer employment. Those numbers show a dropoff in recent years.

In May, outplacement and executive coaching firm Challenger, Gray & Christmas (CGC) released an analysis of BLS data showing 801,000 teens were employed in summer 2025, the lowest number of teens in summer jobs in the 77-year history of the BLS series.

The CGC report predicted even fewer teens (790,000) would engage in summer employment this year.

Why is the picture changing for young workers? Often, those workers are employed in the entertainment and leisure industry, and inflation and an increase in oil prices are taking a toll on restaurants, retailers, and travel operators, the areas where young people often work, according to the CGC report.

Artificial intelligence (AI) and automation also have an effect, as many entry-level jobs—once the tasks of young workers—are now automated or assisted by AI, according to the report.

In addition, the report notes that older workers are staying in the workforce instead of retiring, and they often work in the part-time and seasonal roles teens often take. The report also adds that many young people have different priorities now than in decades past. Club sports,

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structured extracurriculars, college prep, paid academic programs, internships, and content creation make many teens choose experiences over wages.

RECENT STATE ACTIONS

As with many aspects of employment, employers hiring minors can't assume state laws stay the same or that one state's laws will match another's. Following is a list of recent state actions.

Indiana is one state that recently loosened its law on child labor. House Bill 1302, which took effect on July 1, 2026, repealed provisions of state law that required employers that employ at least five minors between 14 and 17 to register certain information with the Indiana Department of Labor.

The latest law change in Indiana followed a change that took effect on January 1, 2025, that expanded the hours minors can work. The change means 16- and 17-year-olds can work the same hours and days as adults. Parental permission is no longer required for 16- and 17-year-olds to work longer or later hours. Also, the 2025 law allows 14- and 15-year-olds to work until 9 p.m. on any day from June 1 to Labor Day.

In contrast to Indiana, **Colorado** has recently tightened its restrictions on child labor. In February 2026, new regulations took effect clarifying restrictions that prohibit individuals under 18 from certain hazardous jobs. The regulations also clarify that minors are prohibited from certain jobs, including jobs in liquor stores, marijuana dispensaries, and casinos.

The Colorado regulations also expand employers' recordkeeping obligations related to employment of minors.

In **New Jersey,** a law that took effect in December 2025 removes a restriction on the number of hours minors 14 and older may work as professional athletes.

New York passed a law scheduled to take effect in May 2027 that will mean the New York State Department of Labor will issue employment certificates electronically instead of having the certificates issued by school officials.

A new law in **Washington,** which became effective on July 1, 2026, expands working hours for 16- and 17-year-olds enrolled in approved career and technical education programs so that they can work school-vacation hours during the school year.

In **West Virginia,** a law became effective on June 8, 2026, that removes the state's own list of hazardous occupations for minors under 16, aligning state law with federal law. The new state law still prohibits occupations deemed dangerous for minors under 18.

A new system of issuing work permits for minors is scheduled to take effect on October 2, 2026, in **Michigan.** The state Department of Labor and Economic Opportunity will issue work permits for minors, and schools won't be asked to do so.

Nevada tightened its restrictions in a law that took effect in 2025. The law reduced the maximum number of hours minors under 16 generally can work from 48 to 40. Also, minors under 19 are prohibited from working between 11 p.m. and 6 a.m. on nights preceding a school day. Certain exceptions apply.

In **Virginia,** a law that took effect on July 1, 2025, allows 16- and 17-year-olds to work in licensed barbershops and cosmetology salons if they are employed under a valid work-training program or hold a cosmetology or barber license. Previously, they could do so only if they were part of a registered apprenticeship program.

Illinois recently overhauled its child labor law with provisions going into effect in January 2025. The law requires employers to obtain employment certificates, and it restricts the number of hours minors can work in a week and day and outlines the times of day minors should not be working.

The Illinois law includes more than 30 types of work in addition to those found in federal law that minors are prohibited from performing. The law also includes occupations exempt from the restrictions, including certain agricultural work, caddying at golf courses, and participating in work-based learning programs.

A **California** law that took effect in January 2025 requires employers to disclose child labor findings from voluntary audits. The audit results must be published on the employers' websites.

STATUTES

Alabama

INSURANCE

Use of artificial intelligence for coverage

This law was enacted to regulate the use of artificial intelligence in the determination of health care plan coverage.

Cite: 2026 AL SB63 (10 pages)

Enacted: 4/16/2026

Effective: 10/1/2026

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TAXATION

Income tax exclusions for employer contributions

This act amends the law to exclude employer contributions to an employee's Trump Account, or the employee's dependent, from the employee's gross income and will permanently exclude amounts paid by the employer on any employee's qualified education loan from the employee's gross income.
Cite: 2026 AL HB250 (9 pages)
Enacted: 4/17/2026
Effective: 5/1/2026
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WORKFORCE EDUCATION

Employer tax credits for employees who teach

This new law enacts the Talent Readiness and Industry Needs (TRAIN) Act, which allows businesses to partner with educational institutions to provide career and technical education to students. It provides tax credit to employers that loan qualified employees to teach a career and technical educational program and establishes a workforce teaching certificate for qualified employees to obtain a certificate to teach the designated career or technical program.
Cite: 2026 AL HB517 (16 pages)
Enacted: 4/17/2026
Effective: 1/1/2027
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Alaska

HEALTHCARE PROFESSIONALS

Licensure for occupational and physical therapist

New sections and amendments were added to the Occupational Therapy Licensure Compact, including licensure for occupational therapists, occupational therapy assistants, physical therapists and assistants, audiologists, and speech-language pathologists.
Cite: 2026 AK HB173 (34 pages)
Enacted 7/3/2026
Effective: 9/30/2026
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LICENSURE

Licensure updates for employees conducting money transmissions

This law was amended to modernize licensure requirements for money transmissions, to add model language to the virtual currency industry, to allow the Department of Commerce, Community, and Economic Development to coordinate the regulation, licensing and supervision of money transmissions, and to standardize the activities that are subject to licensing to ensure safety requirements for transmitting money.
Cite: 2026 AK SB 86; AS 06.55.101 (61 pages)
Enacted: 7/16/2026
Effective: 7/16/2026
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WAGES

Wage payments on payroll card accounts

This law was amended to add a new section allowing an employer to credit employee wages to a payroll card account if the employee has voluntarily authorized the credit or if the employe has not yet authorized deposit of the wages.
Cite: 2026 HCS SB 79 (5 pages)
Enacted: 6/19/2026
Effective: 7/1/2026
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Colorado

OCCUPATIONAL SAFETY

Personal Protective Equipment

Employers can not make deductions from the wages or compensation paid to an employee for personal protective equipment. This act also requires an employer with 500 or more employees who are engaged in the slaughter of livestock to provide employees with reasonable access to restrooms or be fined for its failure to provide restroom access.
Cite: 2026 CO SB 26-160 (4 pages)
Enacted: 6/3/2026
Effective: 6/3/2026
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WORKFORCE DEVELOPMENT

Employee demographics data

This law requires employers with more than 100 employees who conduct business in the state to collect demographic workforce data through the US equal employment opportunity commission's EEO-1 report, even if the federal government repeals the requirement to submit the form to the U.S. Commission.
Cite: 2026 CO HB26-1207 (4 pages)
Enacted: 6/4/2026
Effective: 7/1/2027
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Delaware

LABOR

Exemptions from employee

This law was amended to include an "employee" exemption to any individual who has entered into a contract to play baseball at the minor league level and is compensated under the terms of a collective bargaining agreement which provides for wages and working conditions. The exemption was enacted to recognize that the minor league players' union signed a collective bargaining agreement with Major League Baseball in 2023.

Cite: DE S 263 (1 page)
Enacted: 6/24/2026
Effective: 6/24/2026
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Illinois

LABOR

Exemptions from employee

This amendment to the Minimum Wage Law excludes individual baseball players at the minor league level who are under contract and compensated through collective bargaining agreements for wage and working conditions from the definition of an employee.

Cite: 2025 IL S 454, 820 ILCS 105/3 (3 page)
Enacted: 6/26/2026
Effective: 6/26/2026
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Louisiana

LABOR

Employee electronic requests for withholdings

This amendment allows for an employee to immediately cease any withholding of dues or fees from his wages upon the submission of an electronic request to the employer, who shall then provide immediate notification to the labor organization or union of the employee's decision. The withholding authorizations shall be on forms prescribed by the attorney general, reciting required statements of right to join or refrain from joining and paying dues or fees to a labor organization, that membership and dues are voluntary and that the employee may not be discriminated against for refusing to join and support the labor organization.

Cite: 2026 LA S 312, R.S. 42:457 (5 pages)
Enacted: 6/2/2026
Effective: 8/1/2026
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Tennessee

ANALYSIS

RESTRICTIVE COVENANTS

Tennessee enacts new restrictive covenant legislation

by Maja Hartzell and Emily Mack, Burr & Forman LLP

Tennessee has enacted sweeping changes to the enforceability of restrictive covenants. A new law—which cleared both chambers of the General Assembly in April and was signed by Governor Bill Lee in May—will take effect on July 1, 2026, and will apply to any restrictive covenant agreement entered into, renewed, or amended on or after that date. The new framework doesn't eliminate noncompetes entirely, but it does impose meaningful constraints—including an income floor and statutory presumptions regarding permissible duration—that will require employers to reassess their current practices.

BACKGROUND

As originally introduced, HB 1034 proposed a blanket prohibition on noncompete agreements in Tennessee, barring enforcement of any restriction on an employee's or independent contractor's ability to practice their profession following the end of an engagement. That version passed the House by a wide margin in mid-April. The Senate, however, replaced the outright ban with a more nuanced regulatory framework, which passed 28-4 on April 20. The House concurred in the Senate's substitute, and the bill received the Speaker's signature on April 30.

WHAT WILL CHANGE

The $70,000 income threshold. Perhaps the most significant change for day-to-day employment practices is the new categorical prohibition on noncompete agreements for employees earning less than $70,000 in annualized compensation. This threshold applies regardless of the employee's role or access to confidential information or the employer's asserted business justification.

Annualized compensation for purposes of this provision includes wages, salary, commissions, and non-discretionary bonuses. For hourly employees, the calculation is the employee's hourly rate multiplied by 40 hours per week, multiplied by 52 weeks. Any noncompete agreement that violates this requirement will be void and unenforceable as a matter of public policy.

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Rebuttable presumptions on duration. Right now, Tennessee courts assess the reasonableness of a noncompete's duration through a fact-intensive, case-by-case analysis with no specific statutory benchmarks (outside the healthcare context). The new law changes that by establishing tiered rebuttable presumptions tied to the type of restricted party.

Under the proposed bill, a restrictive covenant's duration is presumed reasonable if it doesn't exceed the following limits:

- Employees and independent contractors: two years following the end of the relationship;
- Distributors, dealers, franchisees, lessees, and trademark licensees: three years following the end of the relationship; and
- Sellers of a business or equity interest: the longer of five years or the duration of any earn-out or payment period owed to the seller.

Restraints exceeding these thresholds are presumed unreasonable, which means the burden shifts to the party seeking enforcement to demonstrate the longer duration is justified under the circumstances. Notably, these are presumptions, not hard caps, and employers may still argue that a longer restriction is warranted in a particular case, but they will bear the evidentiary burden of overcoming the statutory presumption.

The statute also expressly preserves courts' authority to modify an overbroad restrictive covenant rather than voiding it entirely, a feature consistent with existing Tennessee jurisprudence.

WHAT STAYS THE SAME

Importantly, the legislation does not affect an employer's ability to enforce confidentiality or nondisclosure agreements, customer or client nonsolicitation agreements, or employee nonsolicitation agreements. These instruments remain fully enforceable provided they satisfy existing reasonableness standards under Tennessee law. For many employers—particularly those with lower-compensated workforces—these tools will become increasingly important as alternatives to noncompete provisions.

In addition, existing noncompete agreements that aren't renewed or amended won't be retroactively affected. However, employers should be aware that routine renewals or amendments—even if unrelated to the restrictive covenant itself—could bring an existing agreement within the scope of the new law. For example, if an employment agreement containing a noncompete clause includes an auto-renewal provision, the next automatic renewal occurring on or after July 1 would subject that agreement to the new statutory requirements, even if the noncompete terms themselves remain unchanged.

RECOMMENDED STEPS FOR EMPLOYERS

Given the approaching effective date, employers with Tennessee-based employees or operations should consider taking the following steps promptly:

First, conduct an inventory of all existing restrictive covenant agreements, identifying which contain noncompete provisions, the duration of those restrictions, and the compensation levels of the covered individuals.

Second, identify any employees or prospective hires earning below the $70,000 threshold and ensure that no noncompete agreement is presented to or executed by those individuals on or after July 1, 2026. For this population, employers should evaluate whether enhanced confidentiality and nonsolicitation protections can adequately safeguard legitimate business interests.

Third, review the duration of existing noncompete provisions against the new presumptive limits. Agreements with restraint periods exceeding two years for employees and independent contractors should be assessed for litigation risk in light of the shifting burden of proof.

Fourth, exercise caution before renewing or amending any existing restrictive covenant agreement after July 1, as doing so will subject the agreement to the new statutory requirements.

Fifth, update template agreements and onboarding materials to conform to the new framework and ensure human resources personnel and hiring managers understand the circumstances under which noncompetes may and may not be utilized going forward.

CONCLUSION

Tennessee's new restrictive covenant legislation represents a significant shift toward greater statutory specificity in an area of law that has historically been governed almost exclusively by judicial discretion. While the law narrows the circumstances under which noncompetes may be enforced, it also provides employers with clearer guideposts for drafting enforceable agreements.

Excerpted from Midsouth Employment Law Letter
Richard J. Morgan and Jonathan Eggert, Editors
Burr & Forman LLP

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Utah

LICENSURE

Occupational Licenses for military

This new law requires the Division of Professional Licensing and the Department of Veterans and Military Affairs to prepare documents detailing when a veteran or service member's skills, experience, training and education obtained during military service may be substantially equivalent to the current required training or education requirements for a vocational license and can substitute for the unfulfilled licensure requirements. The law provides that the Division shall given credit to the veteran for relevant skills, experience, credentials, training, or education obtained while in the armed forces.

Cite: 2026 UT S 90, Utah Code Ann 58-1-313 (5 pages)

Enacted: 3/17/2026

Effective: 5/6/2026

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Virginia

LABOR

Exemptions from employee

This amendment removes farm laborer and farm employees from the list of defined "employees" for purposes of determining wages of tipped employees.

Cite: 2026 VA S 121, Va. Code Ann. Sect. 10.1-28.9 (3 pages)

Enacted: 4/8/2026

Effective: 1/1/2027

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WAGES

Minimum wage increases

The Minimum Wage Act law was amended to provide that from January 1, 2026 until January 1, 2027, every employer shall pay to each of its employees wages at a rate not less than the greater of $12.77 per hour or the federal minimum wage. Additional amendments included raising the rate to $13.75 per hour from January 1, 2027 until January 1, 2028, and to $15.00 per hour from January 1, 2028, until January 1, 2029. This statute is part of Virginia's Title 40.1, Labor and Employment.

Cite: 2026 VA H 1; Va. Code Ann. § 40.1-28.10 (1 page)

Enacted: 4/8/2026

Effective: 7/1/2026

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REGULATIONS

Alaska

HEALTHCARE PROFESSIONALS

Telemedicine standards of practice

The State Medical Board amended regulations regarding standards of practice for telemedicine, repealing rules that allowed health care providers to prescribe, dispense, and administer buprenorphine for opioid use disorder without being physically present with the patient.

Cite: 12 AAC 40.943 (Online Public Notice System, 06/05/2026) (7 pages)

Adopted: 6/4/2026

Effective: 7/4/2026

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California

PROFESSIONAL CONDUCT

Public access to disciplinary proceedings

The Contractors State License Board amended requirements regarding public access to information about disciplinary proceedings to conform to Business and Professions Code.

Cite: 16 CCR § 863 (CRNR 2026, No. 24-Z, 06/12/2026, page 824) (2 pages)

Adopted: 5/28/2026

Effective: 6/12/2026

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Colorado

LICENSURE

Amended rules for architects, engineers, and surveyors

The State Board of Licensure for Architects, Professional Engineers, and Professional Land Surveyors amended rules for proper performance of the duties of the Board and regulate the practice of licensees, including application requirements, education and examination requirements, experience qualifications, and reactivation and renewal of licenses.

Cite: 4 C.C.R. 730-1 (49 CR 11, 06/10/2026, page 1215) (13 pages)

Adopted: 05/28/26

Effective: 06/30/26

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WORKERS' COMPENSATION

Claims adjusting requirements

The Division of Workers' Compensation amended rules of procedure regarding claims adjusting requirements, including form completion, filing, notifications, reporting, admissions of liability, payment of compensation benefits, and surveys.

Cite: 7 C.C.R. 1101-3 Rule 5 (49 CR 12, 06/25/2026, page 2082) (15 pages)

Adopted: 6/1/2026

Effective: 7/15/2026

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WORKERS' COMPENSATION

General definitions and general provisions

The Division of Workers' Compensation amended rules regarding general definitions and provisions for computation of time and date of filing, notarization of authorization for release of information, service, requests for orders, and employer credit for wages paid.

Cite: 7 C.C.R. 1101-3 Rule 1 (49 CR 12, 06/25/2026, page 2099) (4 pages)

Adopted: 6/1/2026

Effective: 7/15/2026

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Delaware

LICENSURE

Accountant licensure

The Board of Accountancy amended rules to integrate the new "120-hour + experience" pathway alongside the traditional 150-hour model for licensure, clarify and update the requirements for reciprocity, and clarify and update the requirements for practice privileges for individuals whose principal place of business is and remains outside Delaware.

Cite: 24 DE Admin. Code 100 (30 DE Reg. 96-135, 08/01/2026) (39 pages)

Adopted: 6/17/2026

Effective: 8/11/2026

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Florida

LICENSURE

Continuing education

The Board of Medicine amended rules to update continuing education requirements to add the Florida Area Health Education Center (AHEC) Network as an additional provider for the controlled prescribing course.

Cite: Fla. Admin. Code R. 64B8-13.005 (52 faw 2425, 06/02/2026) (3 pages)

Adopted: 5/26/2026

Effective: 6/15/2026

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WORKFORCE DEVELOPMENT

Reemployment assistance appeals commission

The Division of Workforce Services amended rules to clarify that documents filed with the Commission shall be contemporaneously served on the opposing party and remove language limiting the methods that parties can serve such documents, and to define what administrative record means for purposes of the rule's application.

Cite: Fla. Admin. Code R. 73B-21.010, .011 (52 faw 2514, 06/09/2026) (2 pages)

Adopted: 6/2/2026

Effective: 6/22/2026

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Michigan

LABOR

Vocational rehabilitation

The Department of Labor and Economic Opportunity amended rules for vocational rehabilitation that govern eligibility for rehabilitation services.

Cite: AC, R 395.51, R 395.53, R 395.54, R 395.60, R 395.61, R 395.62, R 395.75, R 395.76, R 395.78, R 395.81, R 395.89, R 395.90, R 395.91 (2026 MR 10, 06/15/2026, page 2) (13 pages)

Adopted: 5/15/2026

Effective: 6/15/2026

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Minnesota

BENEFITS

Earned sick and safe time

The Department of Labor and Industry adopted permanent rules relating to earned sick and safe time,

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revising eligibility standards, changing to accrual and advancing methods, and details about misuse of earned sick and safe time.

Cite: Minn. R. 5200.1202, .1204, .1208, (50 SR 1515, 06/29/2026) (2 pages)

Adopted: 6/29/2026

Effective: 6/29/2026

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New Mexico

APPRENTICESHIPS

Apprenticeship and training act policy manual

The Workforce Solutions Department repealed and replaced its Public Works Apprenticeship and Training Act Policy Manual, updating rules for the disbursement or creation of funds related to registered apprenticeship and training programs.

Cite: 11.1.3 NMAC (37 n m reg 896, 06/23/2026) (2 pages)

Adopted: 6/23/2026

Effective: 6/23/2026

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LICENSURE

Alternative to discipline program

The Board of Nursing amended rules for the Alternative to Discipline Program, correcting spelling and updating monitoring standards for participants in the alternative to discipline program.

Cite: 16.12.13 NMAC (37 n m reg 656, 06/09/2026) (4 pages)

Adopted: 6/10/2026

Effective: 6/10/2026

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WAGES

Public works minimum wage act policy manual

The Workforce Solutions Department amended its Public Works Minimum Wage Act Policy Manual, outlining responsibilities and duties, and establishing updated prevailing wage and fringe benefit and apprenticeship contribution rates.

Cite: 11.1.2 NMAC (37 n m reg 897, 06/23/2026) (11 pages)

Adopted: 6/23/2026

Effective: 6/23/2026

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New York

PUBLIC EMPLOYEES

Fair employment act

The Public Employment Relations Board amended regulations in order to streamline the rules of procedure governing proceedings brought under the Public Employees' Fair Employment Act.

Cite: 4 NYCRR Parts 200-207, 210-214 (N.Y. State Register, Vol. XLVIII, Issue 22, 06/03/2026, page 22) (157 pages)

Adopted: 5/14/2026

Effective: 6/3/2026

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Oregon

LICENSURE

License portability

The Board of Examiners for Engineering and Land Surveying updated rule language in accordance with recent updates to the Servicemembers Civil Relief Act, to reduce career disruptions from military relocations and increase license portability.

Cite: OAR 820-010-1031, 820-010-2031, 820-010-4031 (Oregon Bulletin, June 2026) (4 pages)

Adopted: 5/13/2026

Effective: 5/13/2026

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OCCUPATIONAL SAFETY

Hazard communication

The Occupational Safety and Health Division adopted federal OSHA changes to hazard communication with revised effective dates.

Cite: OAR 437-002-0005, 437-002-0360, 437-002-0376, 437-002-0378, 437-004-0100, 437-004-9800, 437-004-9850 (Oregon Bulletin, June 2026) (23 pages)

Adopted: 5/29/2026

Effective: 7/1/2026

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South Carolina

WORKERS' COMPENSATION

Self-insurer's proof of compliance

The Workers' Compensation Commission amended rules in order to clarify procedures for the acceptance,

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administration, and revocation of irrevocable letters of credit as proof of compliance for self-insured employers.
Cite: S.C. Code Regs. 67-1507 (50-6 sc reg 45, 06/26/2026) (2 pages)
Adopted: 6/26/2026
Effective: 6/26/2026
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Texas

APPRENTICESHIPS

Industry-recognized apprenticeship grant program

The Texas Workforce Commission adopted amendments to rules relating to the Texas Industry-Recognized Apprenticeship Grant Program, allowing for partial reimbursement payments to the grant recipient as a program participant receives on-the-job training and employment milestones, instead of after the participant has completed the program.
Cite: 40 TAC §§ 838.2, 838.12, 838.21, 838.24
(51 TexReg 4208, 06/26/2026) (11 pages)
Adopted: 6/9/2026
Effective: 6/29/2026
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Utah

SAFETY AND HEALTH

Occupational safety and health standards

The Labor Commission amended rules to incorporate updated federal occupational safety and health standards.
Cite: Utah Admin. Code r. 614-1-4 (26-12 utah bull 129, 06/15/2026) (16 pages)
Adopted: 4/15/2026
Effective: 5/22/2026
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Virginia

LICENSURE: HEALTHCARE PROFESSIONALS

Practice of physician assistants

The Board of Medicine amended rules to clarify initial licensure and provide requirements for licensure by endorsement including evidence of a current, active license in a United States jurisdiction or Canada that is in good standing and other documentation.
Cite: 18VAC85-50-50, 18VAC85-50-51
(42 va regs reg 2039, 06/01/2026) (2 pages)
Adopted: 5/12/2026
Effective: 7/1/2026
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