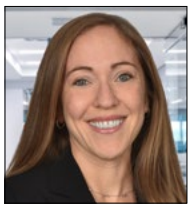
LAW

New York employment law changes: What Long Island businesses need to know for 2026



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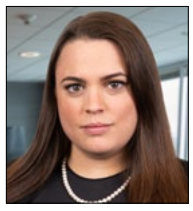

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As New York continues to position itself at the forefront of workplace regulations, employers across Long Island are facing a rapidly evolving legal landscape. With wage increases on the horizon, expanded leave entitlements, growing technology-based compliance pressures, and stepped-up federal enforcement, 2026 promises to bring a wide spectrum of impactful changes across the employment law landscape.

Minimum wage increase

The minimum wage on Long Island is scheduled to increase to $17 per hour on Jan. 1, 2026. Companies must prepare not just for direct payroll increases, but for the ripple effects these hikes create, including overtime-rate adjustments and spread-of-hour pay rate adjustments. Employers must also prepare for the increases to the salary threshold required for exempt status under New York's administrative and executive exemptions, which will again rise on Jan. 1, 2026, to $1,275 per week ($66,300 per year).

Employers should conduct wage audits, reassess job classifications, and evaluate whether exempt employees continue to meet both the duties and salary-basis tests under state and federal law.

New paid leave mandates

New York's existing paid family leave, paid sick leave and disability-benefit structures already create one of the most comprehensive leave frameworks in the country for employees. As of earlier this year, employers must also provide 20 hours of paid prenatal leave each year to eligible employees, separate and apart from sick leave or other leave entitlements. Further, in February 2026, New York City's expanded safe and sick leave law will go into effect, expanding the reasons individuals can take sick leave and providing an additional 32 hours of unpaid leave.

Employers should review all leave-related policies for consistency with the new regulations, ensuring handbooks, onboarding materials and payroll practices align with updated state guidance. Coordination rules, particularly how state benefits overlap with employer-provided PTO, and federal Family and Medical Leave Act obligations, will require additional attention.

Regulating employee use of artificial intelligence

The use of AI is no longer uncommon or taboo in the workplace. Employees now regularly rely on AI-powered applications to draft correspondence, analyze data or assist with daily tasks. While these tools may offer increased efficiency, they also open the door to new risks: Confidentiality breaches, inaccuracies or "hallucinations," unauthorized client-data processing and exposure of proprietary information to third-party platforms.

Prior to facilitating the widespread use of AI in the workplace, employers should consider the guardrails and safeguards that are necessary for effective and legally compliant use. In light of these new tools, businesses should consider implementing the following:

- AI acceptable use policies governing permissible tools and prohibited applications.
- Data-privacy and cybersecurity protocols, ensuring employee use does not violate contractual, legal or regulatory obligations.
- Training programs to help employees recognize the limits and risks of AI-generated content.

Failing to set rules relating to the use of AI may lead to regulatory scrutiny, professional-ethics issues and significant litigation risks.

Employee social media conduct: Balancing reputation and rights

With social platforms increasingly blurring personal and professional boundaries, employers are seeing a rise in off-duty conduct issues, ranging from online harassment to posts impacting an employer's reputation or workplace relationships. New York's Labor Law Section 201-d, commonly referred to as the "Recreational Activities Law," and the National Labor Relations Act, place restrictions on how far employers can go when responding to employee social media activity, particularly when posts involve workplace conditions or concerted activity.

Employers should adopt narrowly tailored social-media policies, train managers on the limits of disciplinary action and establish reporting channels that encourage employees to raise concerns internally before conflicts escalate publicly.

ICE enforcement and renewed focus on I-9 compliance

While employment-verification obligations have existed for decades, recent immigration enforcement trends reflect a renewed federal focus on Form I-9 compliance. Employers must ensure they are using the correct I-9 version, properly completing the form, timely reverifying expiring documents, and maintaining proper document-retention procedures.

Given the steep penalties associated with I-9 violations, including solely technical errors, employers should review their I-9 documentation and take the necessary steps to identify and correct any gaps before federal enforcement occurs.

New York's employment-law landscape is ever evolving, and employers should embrace proactive planning to reduce risk, improve employee relations and remain competitive in an increasingly regulated environment.

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