



HR HOTLINE MONTHLY TRENDS

HR consultants serve as valuable resources for navigating the challenges facing employers. This team, the HR Hotline, fields dozens of questions each day from employers seeking answers to their most pressing questions.

Our data provides real-life insights into what is happening in HR and the workplace topics that are on the minds of employers.

Here are key trends from August 2026, our most recent month of data.

Discipline and Terminations

Discipline and terminations was by far August's highest-volume category, as employers weighed termination decisions against documentation, timing and legal risk. A recurring theme was hesitancy around terminations that intersect with a leave of absence or a workers' compensation claim, particularly when an employee was mid-leave, had recently returned from leave with medical restrictions the employer could not accommodate, or had disclosed a health condition, all of which can create the appearance of retaliation.

Termination inquiries covered separating employees for attendance or performance problems when progressive discipline was incomplete or undocumented, and whether misconduct, such as a positive drug test or suspected theft, could support termination without stronger corroborating evidence. Other inquiries addressed classifying a termination as voluntary versus involuntary, state-specific final pay and documentation requirements, severance offered in exchange for a release of claims, and how to handle a workforce reduction that includes an employee in a protected category.

State Employment Law

State employment law questions climbed to the second-busiest category in August, as employers worked to keep pace with a patchwork of state-specific wage, leave and workplace-safety rules. A recurring theme was California compliance, including meal and rest break waivers, on-duty

meal period premiums, and how to structure an unlimited paid time off (PTO) or sick leave policy.

Other inquiries addressed state paid sick leave accrual and use, such as questions about Colorado's and New Mexico's sick leave laws and earned sick and safe time obligations, lactation break requirements, state-specific rules for hiring minors and out-of-state employees, and drug testing standards tied to marijuana use. Employers also asked about payroll and personnel file requests from a former employee's attorney, PTO payout obligations upon resignation and building a workplace violence prevention plan.

Leave of Absence – Federal and State Compliance

Leave of absence remained a top-three category in August, as employers navigated the interplay of the federal Family and Medical Leave Act (FMLA), state paid family and medical leave programs, and the Americans with Disabilities Act (ADA). A recurring theme was job-protected leave that had been exhausted, along with return-to-work requests involving medical restrictions that the employer could not accommodate. Compliance inquiries covered state PFML programs in Minnesota, Washington and Colorado; benefits continuation and premium payments during leave; and USERRA obligations for employees called to military service. Employers also asked about the overlap between state-specific laws, the FMLA, and pregnancy-related accommodations under the ADA and Pregnant Workers Fairness Act, joint-employment eligibility questions and termination risk tied to intermittent FMLA use.

What's Next?

Based on data from previous years and current trends, here are the topics you can expect employers to ask questions about in **October**:

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| ■ QSEHRA Notices | ■ Retiree Drug Subsidies | ■ Open enrollment |
| ■ ICHRA Notice | ■ ICHRA Notice | |
| ■ Medicare Part D Notices | ■ Form 5500 | |
| ■ MLR Rebate | ■ Form 941 (Employer's Quarterly Federal Tax Return) | |