

EXECUTIVE BRIEFING

AI in the Workplace: What Employers Need to Know Now

WHAT IS ENACTED TODAY

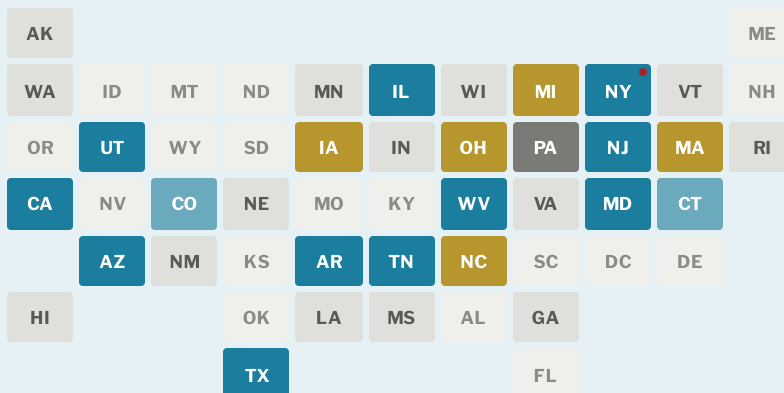
- **NYC LL 144** — bias audit + candidate notice for AEDTs in NYC hiring. In force since January 2023 (DCWP enforcement began July 2023); December 2025 Comptroller audit called enforcement “ineffective.”
- **IL HB 3773** — AI cannot cause a discriminatory effect in employment; notice required. Effective Jan 1, 2026 and fully enforceable now; IDHR withdrew its proposed Subpart J rules June 2, 2026, with no new timeline.
- **CA FEHA ADS regs** — automated-decision systems treated as a covered employment practice, effective Oct 1, 2025. CPPA ADMT regs effective Jan 1, 2026; employer compliance deadline Jan 1, 2027.
- **CT CTDPA profiling expansion (SB 1295)** — opt-out now reaches any automated decision with legal effects, not just “solely automated.” In force July 1, 2026; the profiling impact-assessment duty attached Aug 1.
- **TN ELVIS Act** — voice/likeness in AI generation; immediate workplace read-throughs for talent and union contexts.
- **NJ LAD** — DCR guidance and March 2026 FAQs confirm algorithmic discrimination is actionable under existing law.
- **Biometric statutes** — IL BIPA (per-person damages after SB 2979), TX CUBI, WA HB 1493 reach AI timeclocks, video interviews, and monitoring. HireVue’s \$3.75M BIPA class settlement (preliminary approval June 2026) shows the exposure.

WHAT IS COMING NEXT

- **Colorado SB 26-189** — signed May 14, 2026; effective Jan 1, 2027. Notice / human-review / correction-rights regime; AG enforcement only, no private right of action. Proposed ADMT rules (4 CCR 904-6) filed Aug 11 — comments run through Oct 26, hearing Oct 26, 2026.
- **Connecticut CAITRTA (SB 5)** — signed May 27, 2026 (Public Act No. 26-15). Developer disclosure Oct 1, 2026; employer AERDT obligations Oct 1, 2027.
- **Texas TRAIGA** — effective Jan 1, 2026; AG enforcement portal statutorily due Sept 1, 2026.
- **NY A.9581-B** — AI workforce-impact reporting for employers with more than 50 employees and public companies; passed both houses June 2026, not yet delivered to the Governor as of Aug 28.
- **California’s end-of-session bloc** — SB 947 (No Robo Bosses), SB 951 (technological displacement), AB 2575 (clinical AI override), and AB 1883 (workplace surveillance) cleared appropriations Aug 13 and await floor votes before the Aug 31 adjournment; AB 2656 (public-employer GenAI union notice) is enrolled and before the Governor.
- **The 2026 session washout** — AI-employment bills died at adjournment in WA, MN, CT, MD, VA, RI, VT, HI, NM, GA, IN, LA, MS, NE, and WI. Expect most back in 2027; NY, MA, NJ, NC, OH, CA, IL, IA, and MI bills remain live.

WHAT TO DO NOW

- **Inventory your AI** — every tool that screens, scores, ranks, monitors, schedules, or disciplines. Most employers underestimate the count by half.
- **Vendor diligence** — bias-testing methodology, training-data sources, indemnification, audit rights, sub-processor lists. CA and CO assume the deployer bears the loss unless the contract says otherwise.
- **Notice and human review** — IL, CA, CO, and CT all require some form of pre-decision notice and meaningful human review. Build the workflow once for the strictest state; roll it out nationally.
- **Document the bias audit** — but mind privilege. Mobley v. Workday (May 29, 2026) confirmed attorney-curated bias data can be privileged; uncoordinated bias testing is not — and the court’s July 2026 orders kept the nationwide ADEA collective moving.
- **Train your hiring managers** — most enforcement risk lives where an AI score meets a human decision.



THE LIVE TRACKER

One map. 52 jurisdictions. 88 laws, bills and agency actions — updated as they move.

Click any state for plain-English summaries, effective dates, obligations, private-right-of-action flags, and primary sources. Filter and export the full data set, and subscribe for update alerts.

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Live this October: Advanced AI Issues in Regulated Industries (Oct 22) and in Workplace & Employment Law (Oct 27) — two complimentary Zoom webinars, 12:00–1:00 p.m. ET. Save the dates at theworkplaceahead.com.