

Managing Multistate Employment Compliance

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by Susan Lorenc, Ryan Gehbauer, Joshua Hughes, and Zoe Spector

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During Dorsey's 2026 Labor & Employment Symposium, Dorsey attorneys Ryan Gehbauer, Josh Hughes, Susan Lorenc and Zoe Spector joined Katie Ervin Carlson, Chief Counsel-North America Employment Law at Howden US, to discuss practical strategies for managing these overlapping requirements.

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Four steps for multistate employers to consider:

- **Map your footprint.** Know where your employees are physically working, including remote employees.
- **Categorize the issue.** Some areas of employment law vary much more significantly from state to state. Paid leave and sick time, wage payment rules, restrictive covenants, and pay transparency are among the areas the panel identified as having particularly high variance.
- **Identify the applicable requirements.** Federal law may provide the floor, but state or local law may impose additional requirements. Employers should understand how those layers interact before adopting a policy.
- **Choose the right approach.** Depending on the issue and the employer's footprint,

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the best solution may be a national policy, state-specific addenda, or a hybrid approach.

There is no single approach that works for every employment issue. For example, the panel discussed how a multistate employer might use different templates for restrictive covenant agreements based on the employee's location and role. That approach still requires ongoing review because state requirements continue to change and some jurisdictions require individualized analysis.

Paid leave presents a different challenge. Requirements can vary significantly among jurisdictions, and a policy that is more generous to employees does not necessarily satisfy every state's specific compliance requirements.

The panel's takeaway for multistate employers: know your footprint, consider where laws vary most before drafting policies, and build a process for reviewing policies as employees enter new states or laws change. National policies can create consistency, but employers should consider whether state-specific requirements could create unintended consequences.

This post highlights key takeaways from "One Company, Fifty Rulebooks: Practical Strategies for Multistate Employment Compliance," a panel presented at Dorsey's 2026 Labor & Employment Symposium.