Client Alert

New Hampshire Year End Updates

Sample policies for the topics covered in this Alert can be downloaded here.

Job Protection for Military Spouses

WHAT'S NEW: New Hampshire enacted an employment protection law for spouses of military members effective **January 1, 2026**.

Employers with 50 or more employees at one location in the state must offer job protection to employees whose military spouse is involuntarily mobilized for up to one year and one day in support of war, national emergencies or contingency operations. Key requirements under the new law:

- An employer may not discharge, refuse to hire or take any adverse employment action against an employee based on the involuntary mobilization of that employee's spouse.
- Employers are required to permit the employee to take a leave of absence for the same duration as the spouse is involuntarily mobilized.
- The leave may be unpaid.
- Employees must notify the employer within 30 days of their spouse receiving official notice of mobilization.
- The employer must provide written acknowledgement in response to the notification.
- The employer is required to return the employee to their original position unless circumstances have changed to make reemployment impossible or unreasonable.

WHAT EMPLOYERS SHOULD DO: Employers should review leave policies and update as necessary and ensure that managers are educated on the new requirements.

Unpaid Leave Requirements for Pregnancy and Childcare

WHAT'S NEW: New Hampshire amended its employment discrimination law to require covered employers to provide unpaid leave for reasons pertaining to pregnancy and childcare. The new law is effective **January 1, 2026**.

Employers with 20 employees or more are required to provide employees with up to 25 hours of unpaid leave from work to attend:

- The employees own medical appointments for childbirth or postpartum care; or
- The employee's child's pediatric medical appointments within the first year of the child's birth or adoption.

In addition:

- If both parents of a child are employed by the Company, both employees will share one 25-hour allotment.
- Employees are required to provide reasonable notice to the Company.
- Employers may ask the employee to provide reasonable documentation to show the leave was used for its intended purpose.
- Employees may choose to use any accrued leave.
- The Company is required to return the employee to their original position upon returning from leave.

WHAT EMPLOYERS SHOULD DO: Employers should review leave policies and update as necessary and ensure that managers are educated on the new requirements.

If you have any questions, please contact your HR Business Partner/Consultant.