

Law & Policy Group

# Global Legislative Update

By Stephanie Rosseau and Fiona Webster  
July/August 2023



# In this document

Mercer’s *Global Legislative Update* covers legal developments affecting retirement, health, executive rewards, talent, diversity and inclusion, and other HR programs that affect local and/or expatriate employees. Links to developments with upcoming effective dates covered in past updates are also included to remind employers of impending deadlines. These icons indicate whether employer action is required.

-  Employer action required
-  Potential implications for employers
-  Developments to monitor

Please note: Mercer is not a law firm and therefore cannot provide legal advice. Please consult legal counsel before taking any actions based on the commentary and recommendations in this report.

1. Highlights.....

2. Global.....

3. Americas .....

4. Asia Pacific.....

5. Europe, Middle East and Africa (EMEA) .....

2

7

9

57

77

## Section 1

# Highlights

Global	
Reproductive rights	<a href="#">Global employer resources post <i>Dobbs</i> ruling</a>
Minimum wage rates	<a href="#">Global employer resources</a>
Remote working	<a href="#">Global employer resources</a>
Americas	
Argentina	<a href="#">Employers provided temporary alternative to day care provisions</a>
Canada	<a href="#">Federal budget includes pension, leave and dental measures</a>
	<a href="#">Federal employers face new employee termination requirements</a>
	<a href="#">Unpaid leave for death of a family member expanded in Manitoba</a>
	<a href="#">Manitoba, along with Newfoundland and Labrador, to join multijurisdictional pension agreement</a>
Mexico	<a href="#">New safety and health standard for teleworkers published</a>
Paraguay	<a href="#">Minimum wage increased</a>
United States	<a href="#">Supreme Court makes it harder for employers to deny religious accommodations</a>
	<a href="#">Supreme Court rules that employers can sue for strike destruction by union</a>
	<a href="#">Rollout of determination letter program to 403(b) plans begins</a>
	<a href="#">National Labor Relations Board modifies independent contractor standard</a>
	<a href="#">Equal Employment Opportunity Commission delays opening of 2022 EEO-1 Component 1 data collection</a>
	<a href="#">Employers must conduct in-person employment identity as of Aug. 30</a>
	<a href="#">High-deductible health plan COVID-19 testing predeductible flexibility ends</a>
	<a href="#">Resources for tracking state and local retirement initiatives</a>
	<a href="#">Roundup: Employer resources on states' recent equal pay laws</a>
	<a href="#">Roundup: Employer resources on states' recreational marijuana laws</a>
	<a href="#">Roundup: Employer resources on minimum wage increases</a>

## Americas (continued)

### United States (US)

[Roundup: Employer resources on hairstyle nondiscrimination laws](#)  
[Hourly workers' overtime pay exempt from state income tax in Alabama](#)  
[Utilization review requirements extended to self-funded health plans in Arkansas](#)  
[Hourly minimum wage increased in Los Angeles, California](#)  
[Healthcare accountability ordinance rates updated in San Francisco, California](#)  
[Hourly minimum wage increased in San Francisco, California](#)  
[Equal pay disclosure requirements amended in Colorado](#)  
[Paid family medical leave regulations finalized in Colorado](#)  
[Tax credit in Colorado for employers providing financial assistance for employees' home purchases from 2024 through 2026](#)  
[Law bans age-related inquiries during hiring process in Colorado](#)  
[Paid sick leave law expanded in Colorado](#)  
[Antidiscrimination protections expanded; nondisclosure agreements limited in Colorado](#)  
[Third-party prescription drug payment law enacted in Colorado](#)  
[Health insurance restrictions enacted in Connecticut](#)  
[Reasons for taking paid sick leave expanded in Connecticut](#)  
[Association health plans/multiple-employer welfare arrangement flexibilities increased in Florida](#)  
[Medical conscience law enacted in Florida](#)  
[A new line of optional group insurance for family leave enacted in Florida](#)  
[Florida to join the Psychology Interjurisdictional Compact](#)  
[Telehealth law enacted in Hawaii](#)  
[Telehealth law enacted in Idaho](#)  
[Indiana joins a new interstate telehealth compact](#)  
[Benefit law enacted in Indiana](#)  
[Iowa joins an interstate telehealth compact](#)  
[Ground ambulance balance billing law enacted in Louisiana](#)  
[Two telehealth laws enacted in Louisiana](#)  
[Medically necessary fertility preservation law enacted in Louisiana](#)  
[Plan sponsors given greater access to claims information in Maine](#)  
[Fully insured plans prohibited from applying cost sharing to abortion services in Maine](#)

## Americas (continued)

### US (continued)

[Massachusetts court rules that earned sick time law does not apply to airlines](#)  
[Paid sick law gets another review in Michigan](#)  
[Paid family and medical leave law enacted in Minnesota](#)  
[Noncompete agreements for employees and independent contractors generally banned in Minnesota](#)  
[Hair nondiscrimination legislation enacted in Minnesota](#)  
[Prescription cost-sharing limits law enacted in Minnesota](#)  
[Paid breaks for lactating employees expanded](#)  
[Telehealth law enacted in Missouri](#)  
[Gender-affirming care law enacted in Nevada](#)  
[New fertility coverage mandate applies to fully insured plans in Montana](#)  
[Insulin cost-sharing law enacted in Nebraska](#)  
[New law addresses prescription drug issues in Nevada](#)  
[Unpaid domestic violence leave law amended to include incidents of sexual assault in Nevada](#)  
[New law restricts step therapy in Nevada](#)  
[Equal pay, benefit and employment rights granted to temporary employees in New Jersey](#)  
[Legal protections enacted for reproductive health service providers in New York](#)  
[Guidance issued on New York City's law on automated employment decision tools](#)  
[Minimum pay for app-based food deliverers created in New York City](#)  
[Employment discrimination based on height and weight banned in New York City](#)  
[Unpaid family leave and paid family and medical law \(PFML\) requirements changed in Oregon](#)  
[Minimum wage rate increased in Portland, Oregon metro area](#)  
[Cost-sharing caps imposed on specialty drugs and epinephrine auto injectors \(EpiPens\) in Rhode Island](#)  
[Disability insurance rates increased in Rhode Island](#)  
[Ballot initiative that expands Medicaid eligibility takes effect in South Dakota](#)  
[Pharmacy benefit manager law enacted in South Dakota](#)  
[Employers required to post a notice for reporting workplace violence or suspicious activity in Texas](#)  
[Regulation expands balance billing scope in Texas](#)  
[New law will preempt local ordinances in several areas, including leaves and employment benefits in Texas](#)  
[Law applies balance billing restrictions to ground ambulance providers in Texas](#)  
[Multiple benefit laws enacted in Texas](#)  
[Voluntary family medical leave program announced in Vermont](#)  
[Organ donation leave law enacted in Virginia](#)  
[New requirements for insurance carriers enacted in Virginia](#)  
[Rules address paid family medical leave, long-term care insurance requirements in Washington](#)  
[Long-term care contribution mandate to begin July 1 in Washington](#)  
[Washington to join a mental health provider interstate compact](#)  
[Minimum wage rate increased in Washington, DC](#)

Asia Pacific	
<b>Australia</b>	<a href="#">Deadline for new financial advisor registration extended</a> <a href="#">Updated superannuation reporting standards issued</a> <a href="#">Your Future, Your Super performance test changes confirmed</a> <a href="#">Regulator calls on super trustees to deal appropriately with member contributions</a> <a href="#">Government to adopt quality of advice recommendations</a> <a href="#">Compensation scheme of last resort takes effect</a> <a href="#">Protecting Worker Entitlements Bill passed, includes superannuation measures</a> <a href="#">New financial reporting, auditing duties imposed on super funds</a> <a href="#">Regulator warns super trustees on duplicate account consolidation</a> <a href="#">Second consultation on climate-related financial risk disclosures released</a> <a href="#">Fair Work Commission's annual wage review published</a> <a href="#">Superannuation rates and thresholds updated for 2023–24</a> <a href="#">Parental leave pay scheme expanded</a> <a href="#">Transfer balance cap increased</a>
<b>Bangladesh</b>	<a href="#">Universal Pension Scheme to be introduced</a>
<b>Indonesia</b>	<a href="#">Sexual violence prevention in the workplace guidelines issued</a> <a href="#">Revised job creation law now effective</a>
<b>Japan</b>	<a href="#">Gender pay disclosures required for most companies</a>
<b>Malaysia</b>	<a href="#">Minimum wage order now effective for small employers</a>
<b>New Zealand</b>	<a href="#">Time period to bring a sexual harassment grievance significantly increased</a>
<b>Singapore</b>	<a href="#">Medical coverage for foreign workers enhanced</a>
<b>South Korea</b>	<a href="#">Upper and lower pay threshold for National Pension Service modified</a> <a href="#">Implementation of defined contribution default investment option required</a>
<b>Vietnam</b>	<a href="#">Minimum wage increased</a>
Europe, Middle East and Africa (EMEA)	
<b>European Union (EU)</b>	<a href="#">Social security coordination rules for cross-border teleworking revised</a> <a href="#">Reforms to Blue Card coming for highly skilled workers</a>
<b>Egypt</b>	<a href="#">Minimum wage increased for second time in 2023</a>
<b>France</b>	<a href="#">Pay-slip disclosure rules for employers now effective</a>

Europe, Middle East and Africa (EMEA) (continued)	
Germany	<a href="#">Minimum wage to increase</a>
Gibraltar	<a href="#">Social Security contribution rates change</a>
Hungary	<a href="#">SZÉP card use with a one-off payment expanded</a>
Ireland	<a href="#">Breastfeeding breaks and medical care leave now effective</a>
Italy	<a href="#">Labor market reforms enacted</a>
Luxembourg	<a href="#">Employees have the right to disconnect from work</a>
Morocco	<a href="#">Insurance providers must balance tariff risks for health and compensation policies</a>
Poland	<a href="#">Minimum wage increased</a>
Spain	<a href="#">Family leave entitlement expanded</a>
Switzerland	<a href="#">Paid leave introduced in Geneva</a> <a href="#">Hourly minimum wage to be introduced in Zurich and Winterthur</a>
Turkey	<a href="#">Minimum wage increased</a>
United Arab Emirates	<a href="#">Unemployment scheme registration deadline extended</a>
United Kingdom	<a href="#">Pensions dashboard, connection deadlines change</a> <a href="#">Financial Reporting Council considers remuneration changes to corporate governance code</a>

## Section 2

# Global

Reproductive rights	
Status	 Ongoing initiatives
Development	<b>Health</b> <b>Global employer resources on reproductive rights post <i>Dobbs</i> ruling</b> In June 2022, the US Supreme Court's <i>Dobbs v. Jackson Women's Health Organization</i> decision overturned <i>Roe v. Wade</i> , finding no federal constitutional right to abortion and allowing states to regulate and ban abortions at all stages of pregnancy. To provide multinational employers some information on countries' positions on reproductive rights and the varying employee health benefit plan issues involved, the roundup cited below provides links to organizations, government websites, third-party analyses, news articles and viewpoints.
Resources	<a href="#">Roundup</a> , regularly updated
Minimum wage rates	
Status	 Ongoing initiatives
Development	<b>Career</b> <b>Global employer resources on minimum wage increases</b> To help multinational employers address the different minimum wage rates around the world, the roundup below provides some information and links to resources from organizations, government websites, third-party resources, and news articles.
Resources	<a href="#">Roundup</a> , regularly updated



Remote working	
Status	 Ongoing initiatives
Development	<p><b>Career — Health — Wealth</b></p> <p><b>Countries address remote-working issues</b></p> <p>Remote working has become a more of permanent feature for many employees and employers after various countries introduced COVID-19 measures. Remote working poses challenges and considerations for employers devising or adjusting policies. Issues to consider include the definition of remote work, eligibility criteria, hybrid working arrangements, employee engagement and performance, cybersecurity, health and safety, the right to disconnect, the impact of employees relocating to a different country or state, and the post-pandemic return to the workplace. Several jurisdictions have introduced remote-working legislation that clarifies post-pandemic employer and employee requirements, and others are expected to follow suit. To help employers, the roundup below provides analyses and links to general information about ongoing remote-working rights and trends in some countries, including resources from Marsh McLennan, organizations, government websites, news articles and other parties.</p>
Resources	<a href="#">Roundup</a> , regularly updated

## Section 3

# Americas

### Argentina (previously covered, transition period ending)

#### Status



Transition period ends July 31, 2023

#### Development

#### Career — Health



##### Employers provided temporary alternative to day care provisions



Decree 144/22 on day care provisions for employees' children took effect on March 23, 2023. However, employers that had not negotiated changes to their collective bargaining agreements (CBAs) have been given until July 31, 2023, to revise their CBAs. During this four-month period, these employers must pay child care costs to their employees (the minimum amount is AR\$33,800) instead of providing day care places for children aged between 45 days and three years. An agreement between the employers' unions (UIA and CGT) and the government defines the conditions for making the temporary payment and clarifies certain other aspects of the decree. For example:

- Employers can pay day care costs (as set out in the decree) to teleworkers, and to employees who are not covered by a collective agreement.
- Employers cannot reduce any current day care provisions that exceed the decree's measures.


#### Resources



[dolores.liendo@mercer.com](mailto:dolores.liendo@mercer.com)



Canada (new)	
Status	 Effective dates vary.
Development	<p><b>Career — Health — Wealth</b></p> <p><b>Federal budget includes pension, leave and dental measures</b></p> <p>Bill C-47 (The Budget Implementation Act, 2023, No. 1), contains many expected defined benefit (DB) pension and income tax measures proposed in the March 28, 2023 federal budget. The measures include borrowing by DB plans; claiming the pension entity rebate or an input tax credit; and a requirement for federally regulated pension funds to disclose their crypto-asset exposures to the Superintendent of Financial Institutions.</p> <p>The bill also amends the Canada Labour Code (CLC) with respect to leave employees can take due to the death or disappearance of a child; for example, increasing the leave from 104 weeks to 156 weeks.</p> <p>The bill enacts the Dental Care Measures Act, but few details are currently available on the proposed new program. More information is expected in the associated regulations.</p>
Resources	<p><a href="mailto:kristin.smith@mercer.com">kristin.smith@mercer.com</a></p> <p><a href="#">Bill C-47 The Budget Implementation Act, 2023, No. 1</a> (Legislature) and <a href="#">Legislation focused on a strong middle class, affordable economy, and healthy future receives Royal Assent</a> (Government, June 22, 2023)</p>
Canada (new)	
Status	 Currently effective
Development	<p><b>Career</b></p> <p><b>Federal employers face new employee termination requirements</b></p> <p>Measures concerning group and individual terminations included in Bill C-86 (Budget Implementation Act, 2018, No. 2) were recently proclaimed in force, amending the Canada Labour Code (CLC).</p> <p>An employer must give employees written notice of the employer's intention to terminate their employment on a date specified in the notice, at least the applicable number of weeks stated (in a subsection that follows) before that date. Terminated employees must be given a written statement providing their vacation benefits, wages, severance pay and any other benefits and pay arising from their employment.</p> <p>Employers must also notify trade unions if the employer is bound by a collective agreement that includes a provision authorizing an employee whose position becomes redundant to displace another employee based on seniority.</p> <p>Effective May 30, 2023, unpaid leave for the death of a family member increased from three to five days under measures included in Bill 235 for employees with 30 or more days of employment. Employees can also take up to five days of unpaid leave following the loss of a pregnancy by the employee, their spouse or common law partner. Employees must give prior notice to their employer, specifying the amount and timing of leave to be taken and the death to which it relates. An employer can request evidence of the employee's entitlement to the leave. For the purpose of the employee's pension and other benefits, employment with the same employer before and after a leave will be continuous.</p>
Resources	<p><a href="mailto:kristin.smith@mercer.com">kristin.smith@mercer.com</a></p> <p><a href="#">Bill C-86 Budget Implementation Act, 2018, No. 2</a> (Government)</p>

Canada — Manitoba (new)	
Status	 <b>Currently effective</b>
Development	<p><b>Career — Health</b></p> <p><b>Unpaid leave for death of a family member expanded</b></p> <p>Effective May 30, 2023, unpaid leave on the death of a family member increased from three to five days under measures included in Bill 235 for employees with 30 or more days of employment. Employees can also take up to five days of unpaid leave following the loss of a pregnancy by the employee, their spouse or common law partner. Employees must give prior notice to their employer, specifying the amount and timing of leave to be taken and the death to which it relates. An employer can request evidence of the employee's entitlement to the leave. For the purpose of the employee's pension and other benefits, employment with the same employer before and after a leave will be continuous.</p>
Resources	<p><a href="mailto:kristin.smith@mercer.com">kristin.smith@mercer.com</a></p> <p><a href="#">Bill 235</a> (Government)</p>
Canada — Manitoba and Newfoundland and Labrador (previously covered, now effective)	
Status	 <b>Currently effective</b>
Development	<p><b>Wealth</b></p> <p><b>Manitoba, along with Newfoundland and Labrador, to join multijurisdictional pension agreement</b></p> <p>Effective July 1, 2023, the multijurisdictional pension plans agreement will be amended to include the provinces of Manitoba as well as Newfoundland and Labrador. As background, to reduce administrative burdens and simplify the asset allocation rules for multijurisdictional pension plans (pension plans with members in more than one jurisdiction), Canadian provinces and the federal government (with respect of federally regulated pension plans and members) have entered into various multijurisdictional agreements over the last few decades. The most recent iteration of such an agreement is the 2020 Agreement Respecting Multi-Jurisdictional Pension Plans, which was adopted by Alberta, British Columbia, New Brunswick, Nova Scotia, Ontario, Quebec, and Saskatchewan, as well as the federal government.</p>
Resources	<p><a href="mailto:karine.bellavance@mercer.com">karine.bellavance@mercer.com</a></p> <p><a href="#">Order</a> (Government of Manitoba, March 22, 2023); <a href="#">Order</a> (Government of Newfoundland and Labrador, March 2, 2023); and <a href="#">2020 agreement respecting multijurisdictional pension plans</a> (Canadian Association of Pension Supervisory Authorities (CAPSA), May 11, 2020)</p>



Canada (previously covered, with upcoming effective date)	
Development	<p><b>Career</b></p> <ul style="list-style-type: none"> <li>• <a href="#">Minimum wage to increase in Ontario</a> — key date: Oct. 1, 2023</li> </ul> <p><b>Career — Health</b></p> <ul style="list-style-type: none"> <li>• <a href="#">New statutory holiday designated in British Columbia</a> — key date: Sept. 30, 2023</li> </ul> <p><b>Health</b></p> <ul style="list-style-type: none"> <li>• <a href="#">Québec's 2023–2024 budget includes pension plan changes</a> — key date: Jan. 1, 2024</li> </ul> <p><b>Wealth</b></p> <ul style="list-style-type: none"> <li>• <a href="#">Pension super priority federal legislation enacted</a> — key date: April 27, 2027</li> </ul>
Chile (previously covered, with upcoming effective date)	
Development	<p><b>Career — Health</b></p> <ul style="list-style-type: none"> <li>• <a href="#">Weekly working time to be reduced</a> — key date: Beginning in 2024</li> </ul>
Dominican Republic (previously covered, with upcoming effective date)	
Development	<p><b>Career — Health</b></p> <ul style="list-style-type: none"> <li>• <a href="#">Minimum wage to increase</a> — Feb. 1, 2024</li> </ul>
El Salvador (previously covered, with upcoming effective date)	
Development	<p><b>Career — Health</b></p> <ul style="list-style-type: none"> <li>• <a href="#">Large employers will be required to provide day care facilities</a> — key date: June 2024</li> </ul>



Mexico (new)	
Status	 Effective Dec. 5, 2023
Development	<p><b>Career — Health</b></p> <p><b>New safety and health standard for teleworkers published</b></p> <p>Mexico's Ministry of Labor and Social Welfare (STPS) published the new Official Mexican Standard NOM-037-STPS-2023 Telework-Safety and Health Conditions at Work (Spanish) on June 8, 2023. The standard is effective Dec. 5, 2023 — 180 days after publication. Highlights of the standard include:</p> <ul style="list-style-type: none"> <li>• Employers must maintain a current list of employees who are teleworking.</li> <li>• Employers must establish a written telework policy that includes specified content.</li> <li>• Teleworkers must receive occupational risk training, including ergonomic and psychological risks and safety and health conditions.</li> <li>• Employers must conduct initial and periodic safety and health checks for teleworking to ensure that workplaces are compliant. Verification can be done via employer visits or by requiring the employee to complete a checklist (video or photos could be required).</li> <li>• The Safety and Health Commission will validate the checklist provided by the employer.</li> <li>• Employers must document the process for implementing their teleworkers' policies.</li> <li>• Employers must provide teleworkers with ergonomic chairs and other equipment required to perform their jobs.</li> <li>• Employers must establish and document maintenance programs for the equipment provided to teleworkers and the management of Information and Communication Technologies they use.</li> <li>• Employers must provide safety and health training at least once per year to teleworkers.</li> <li>• Employers must establish procedures that would allow teleworkers to request a return to on-site work, either because it is in the employee's interest, or because safety and health conditions have changed. The procedures should include situations arising from domestic violence.</li> <li>• Employees must complete the health examination established in NOM-030-STPS 2009, and employers must follow-up on work-related accidents concerning teleworkers and their family members if they are connected with their employment.</li> <li>• Employees have other obligations under the telework standard, such as informing their employer if they change their home address or information about safety conditions.</li> </ul>
Resources	<p><a href="mailto:sofia.cruz@mercer.com">sofia.cruz@mercer.com</a></p> <p><a href="#">Official Mexican Standard NOM-037-STPS-2023 Telework-Safety and Health Conditions at Work (Spanish) (Official Diary, June 8, 2023)</a></p>

Paraguay (new)	
Status	 <b>Currently effective</b>
Development	<b>Career</b> <b>Minimum wage increased</b> Effective July 1, 2023, the legal monthly minimum wage increased by 5.1% to 2,680,373 PYG, up from 2,550,307 PYG.
Resources	<a href="#">Announcement</a> (Spanish) (Government, June 29, 2023)
US (new)	
Status	 <b>Currently effective</b>
Development	<b>Career</b> <b>Supreme Court makes it harder for employers to deny religious accommodations</b> A unanimous Supreme Court holds that Title VII of the Civil Rights Act of 1964 requires an employer that denies a religious accommodation to show that the burden of granting an accommodation would result in substantially increased costs in relation to the conduct of its particular business. As background, under Title VII, covered employers cannot fail or refuse to hire or to discharge any individual, or otherwise discriminate against individuals with respect to compensation, terms, conditions, or privileges of employment, because of such individual's religion. Employers must reasonably accommodate an employee's or prospective employee's religious observance or practice — unless the employer is unable to do so without undue hardship on the conduct of the employer's business. In this case, the employee worked for the US postal service (USPS) and did not want to work on Sunday due to his religious beliefs. He claimed that USPS could have accommodated his Sunday Sabbath practice without undue hardship on the conduct of USPS' business. The lower courts held that requiring an employer to bear "more than a de minimis cost" to provide a religious accommodation is an undue hardship. In this case, the de minimis standard was met because exempting the employee from Sunday work had "imposed on his coworkers, disrupted the workplace and workflow and diminished employee morale." The Supreme Court held that the "more than a de minimis cost" standard does not suffice to establish "undue hardship" under Title VII. Instead, "undue hardship is shown when a burden is substantial in the overall context of an employer's business. Courts must apply the test to consider all relevant factors in the case at hand, including the particular accommodations at issue and their practical impact in light of the nature, size, and operating cost of an employer.
Resources	<a href="#">Ruling</a> (Supreme Court, June 29, 2023)

US (new)	
Status	 <b>Currently effective</b>
Development	<p><b>Career</b></p> <p><b>Supreme Court rules that employers can sue for strike destruction by union</b></p> <p>In an 8-1 decision, the Supreme Court ruled that an employer's tort claims that the union intentionally destroyed a company's property, are not preempted by the National Labor Relations Act (NLRA). The court held that the NLRA protects the right to strike, but this right is not absolute. The NLRA does not shield strikers who fail to take "reasonable precautions" to protect their employer's property from foreseeable, aggravated, and imminent danger due to the sudden cessation of work.</p>
Resources	<a href="#">Ruling</a> (Supreme Court, June 1, 2023)
US (new)	
Status	 <b>Currently effective</b>
Development	<p><b>Wealth</b></p> <p><b>Rollout of determination letter program to 403(b) plans begins</b></p> <p>As of June 1, certain sponsors of individually designed 403(b) plans can apply for an IRS determination letter on the status of their plan documents. Since 2009, all employers offering 403(b) plans (except for some churches) have had to maintain a written plan document to retain their plan's tax-favored status. Although IRS established a preapproved plan program for 403(b) plans in 2013, this is the first opportunity for sponsors of individually designed 403(b) plans to seek IRS review of their documents. Most 403(b) plans will now be eligible for an initial determination letter, even if the plan has existed for many years.</p> <p><b>Staggered opening for initial determinations.</b> IRS is currently accepting applications for an initial determination from sponsors with employer identification numbers (EINs) ending in 1, 2 or 3. Sponsors with EINs ending in 4, 5, 6 or 7 must wait another year to request an initial determination, and sponsors with EINs ending in 8, 9 or 0 must wait an additional two years.</p> <p><b>Determinations for terminating plans.</b> IRS is also accepting applications for terminating 403(b) plans. Any sponsor that's terminating a 403(b) plan can request a determination letter, regardless of EIN.</p> <p><b>Additional circumstances possible.</b> In the future, IRS may open the determination letter program to 403(b) plans for other circumstances, such as changes in law affecting 403(b) plan documents. Rev. Proc. 2022-40, which announced the expansion of the determination letter program to 403(b) plans, said IRS didn't intend to open the program in 2023 for circumstances other than those already allowed. However, the agency intends to request comments periodically and annually reconsider its position.</p>
Resources	<a href="mailto:brian.kearney@mercer.com">brian.kearney@mercer.com</a> and <a href="mailto:margaret.berger@mercer.com">margaret.berger@mercer.com</a> <a href="#">GRIST</a> , June 15, 2023



US (new)	
Status	 <b>Currently effective</b>
Development	<p><b>Career</b></p> <p><b>National Labor Relations Board modifies independent contractor standard</b></p> <p>The National Labor Relations Board (NLRB) has returned to its 2014 standard for determining independent contractor status under the National Labor Relations Act (NLRA) and has overruled a 2019 standard. In its decision, the NLRB reaffirmed longstanding principles consistent with the instructions of the Supreme Court and explained that its independent-contractor analysis will be guided by a list of common-law factors. The NLRB expressly rejected that entrepreneurial opportunity for gain or loss should be the “animating principle” of the independent-contractor test. Instead, entrepreneurial opportunity would be considered, along with the traditional common-law factors, by asking whether the evidence tends to show that a supposed independent contractor is, in fact, rendering services as part of an independent business. “Applying this clear standard will ensure that workers who seek to organize or exercise their rights under the NLRA are not improperly excluded from its protections,” said the NLRB Chairman.</p> <p>In December 2021, the NLRB requested input as to whether it should reconsider the independent contractor standard.</p>
Resources	<a href="#">Board modifies independent contractor standard under National Labor Relations Act (NLRB, June 13, 2023)</a>
US (new)	
Status	 <b>Opening delayed until fall of 2023</b>
Development	<p><b>Career</b></p> <p><b>Equal Employment Opportunity Commission delays opening of 2022 EEO-1 Component 1 data collection</b></p> <p>The Equal Employment Opportunity Commission (EEOC) has updated the tentative opening of the 2022 EEO-1 Component 1 data collection to the fall of 2023 — in January 2023, the EEOC announced that the data collection had been tentatively scheduled to begin in mid-July 2023. The EEO-1 Component 1 report is a mandatory annual data collection that requires all private sector employers with 100 or more employees, and federal contractors with 50 or more employees meeting certain criteria, to submit demographic workforce data, including data by race/ethnicity, sex, and job categories.</p>
Resources	<a href="#">EEO Data Collections (EEOC)</a>

US	
Status	 <b>Inspections must be completed by Aug. 30, 2023.</b>
Development	<b>Career</b> <b>Employers must conduct in-person employment identity as of Aug. 30</b> Employers must complete in-person physical document inspections by Aug. 30, 2023, for employees whose documents were inspected remotely during the COVID-19 temporary flexibilities period for Form I-9, Employment and Eligibility Verification (March 2020 through July 31, 2023), announced the Department of Homeland Security (DHS). In 2022, DHS published a proposed rule related to alternative procedures that would allow remote document examination for Form I-9 and anticipates publishing a final rule to implement this proposal.
Resources	ICE updates Form I-9 requirement flexibility to grant employers more time to comply with requirements (US Immigration and Customs Enforcement, May 4, 2023) and <a href="#">DHS ends Form I-9 requirement flexibility</a> (US Citizenship and Immigration Services, May 5, 2023)
US (new)	
Status	 <b>Discontinued for plan years ending on or after Jan. 1, 2025</b>
Development	<b>Health</b> <b>High-deductible health plan COVID-19 testing predeductible flexibility ends</b> Recent IRS guidance (Notice 2023-37) discontinues the flexibility for high-deductible health plans (HDHPs) qualifying for Health Savings Accounts (HSAs) to cover COVID-19 testing and treatment on a predeductible basis (see Notice 2020-15), for plan years ending on or after Jan. 1, 2025. Although the HDHP preventive care safe harbor (see Notice 2004-23) does not include screening (i.e., testing) for COVID-19, HSA-qualifying HDHPs ending on or before December 31, 2024 (e.g., 2023 and 2024 calendar-year plans) may provide predeductible COVID-19 testing; it is not permitted for subsequent plan years. Keep in mind, however, that no-cost sharing coverage for COVID-19 vaccinations is permitted (and required for nongrandfathered plans) beyond 2024. Separately, the guidance (Notice 2023-37) confirms that items and services recommended with an “A” or “B” rating by the US Preventive Services Task Force (USPSTF) on or after March 23, 2010, are treated as HSA-permissible preventive care — IRC 223(c)(2)(C) — regardless of whether these items and services must be covered without cost sharing under the ACA’s preventive services mandate (PHSA 2713) (see also ACA FAQ Part 59, Q/A-7). This means that regardless of the outcome of litigation challenging the ACA preventive services mandate, USPSTF A and B recommended services can be covered by an HSA-qualifying HDHP predeductible.
Resources	<a href="mailto:katharine.marshall@mercer.com">katharine.marshall@mercer.com</a> <a href="#">Notice 2023-37</a> (IRS)

**US****Status**  **Effective dates vary.****Development****Wealth****Resources for tracking state and local retirement initiatives**

This article summarizes state and local retirement initiatives for private-sector workers and rounds up relevant Mercer and third-party resources. This listing is updated periodically and may not always reflect the latest development in every locality.

**Resources**

[margaret.berger@mercer.com](mailto:margaret.berger@mercer.com) and [brian.kearney@mercer.com](mailto:brian.kearney@mercer.com)  
[GRIST](#), regularly updated



**US — States****Status**  **Effective dates vary.****Development****Career****Roundup: Employer resources on states' recent equal pay laws**

The federal Equal Pay Act of 1963 requires that men and women in the same workplace receive equal pay for equal work. In April 2022, Mississippi became the last state to enact its own Equal Pay Act. In recent years, many states have taken further efforts to address equal pay, such as enacting laws that prohibit employers from asking job applicants about salary history, requiring disclosure of salary ranges and pay data, protecting employees who disclose their pay, expanding equal pay protections for characteristics other than sex, and broadening comparisons of work and pay. Stronger federal legislation — the Paycheck Fairness Act — first introduced in 1997, failed to pass after numerous attempts — most recently in June 2021. On March 15, 2022, the Biden administration announced commitments to advance pay equity.

This roundup primarily focuses on recent state legislative initiatives pertaining to salary history bans and salary range disclosure requirements that affect private-sector employers and provides links to state resources from organizations, government websites, third-party resources, and news articles. Although certain cities have taken action, those initiatives are generally beyond the scope of this roundup.

**Resources**

[Roundup](#), regularly updated

US — States	
Status	 Effective dates vary.
Development	<p><b>Career</b></p> <p><b>Roundup: Employer resources on states' recreational marijuana laws</b></p> <p>Twenty-two states and Washington, DC, have legalized marijuana possession and personal use for recreational purposes. To give employers some information on states' actions and the varying employment considerations involved, this roundup provides links to organizations, government websites, other third-party analyses and news articles offering viewpoints on recreational marijuana use.</p>
Resources	<a href="#">Roundup</a> , regularly updated
US — States	
Status	 Effective dates vary.
Development	<p><b>Career</b></p> <p><b>Roundup: Employer resources on minimum wage increases</b></p> <p>In April 2021, President Joe Biden signed an executive order requiring federal contractors to pay workers a \$15/hour minimum wage, effective for new federal contract solicitations starting Jan. 30, 2022. The Department of Labor (DOL) issued final implementation rules on Nov. 22, 2021, and a field assistance bulletin in January 2022. In January 2021, the president issued an executive order asking the director of the Office of Personnel Management to provide recommendations on promoting a \$15/hour minimum wage for federal employees. House and Senate Democrats also introduced the Raise the Wage Act of 2021 to progressively increase the minimum wage to \$15/hour by 2025, but the legislation failed to advance. Several states have already taken action to gradually increase the minimum wage to \$15/hour for most employees. To help employers prepare and address related issues, the roundup cited below provides links to federal and state resources from organizations, government websites, other third parties and news articles.</p>
Resources	<a href="#">Roundup</a> , regularly updated

**US — States****Status****Effective dates vary.****Development****Career****Roundup: Employer resources on hairstyle nondiscrimination laws**

The Creating a Respectful and Open World for Natural Hair (CROWN) Act movement in the United States aims to prohibit discrimination based on natural hair texture or hairstyles normally associated with race, such as braids, locks, twists, curls, cornrows, Afros, head wraps or bantu knots. The official campaign of the CROWN Act is led by the CROWN Coalition. Federal legislation, supported by the Biden administration, passed the House in March 2022. Twenty states have already passed CROWN Acts, and many others are considering legislation. To help employers ensure their employee handbooks and appearance policies are nondiscriminatory and comply with federal, state, and local laws, the roundup cited below provides links to federal and state resources from organizations, government websites, other third parties and news articles.




**Resources**[Roundup](#), regularly updated**US — Alabama (previously covered, now effective)****Status****Exempt from tax for tax years that begin after Dec. 31, 2023, and end prior to June 30, 2025****Development****Career****Hourly workers' overtime pay exempt from state income tax**

The governor recently signed legislation (HB 217) that exempts hourly workers' overtime pay from state income tax — a first-of-a-kind measure to address the workforce shortage. Compensation received by a full-time hourly employee for work performed more than 40 hours in a week will be exempt from tax for tax years that begin after Dec. 31, 2023, and end prior to June 30, 2025. Employers will be subject to reporting requirements to the Department of Revenue.

**Resources**[rich.glass@mercer.com](mailto:rich.glass@mercer.com)[HB 217](#) (Legislature)**US — Arkansas (previously covered, now effective)****Status****Currently effective****Development****Health****Utilization review requirements extended to self-funded health plans**

A new law (Act No. 501, HB 1274) applies the state's utilization review requirements to self-funded health plans. Those requirements include a two business-days deadline for processing urgent appeals (four days for nonurgent appeals). The law took effect on July 6, 2023 — 90 days after legislative adjournment on April 7.

**Resources**[rich.glass@mercer.com](mailto:rich.glass@mercer.com)[Act No. 501, HB 1274](#) (Legislature, April 10, 2023)

US — California (Los Angeles) (previously covered, now effective)	
Status	 <b>Currently effective</b>
Development	<b>Career</b> <b>Hourly minimum wage increased</b> Los Angeles' minimum wage increased to \$16.78/hour as of July 1, 2023 — up from \$16.04/hour.
Resources	<a href="#">Raise the Wage LA</a> (Office of Wage and Statistics)
US — California (San Francisco) (new)	
Status	 <b>Currently effective</b>
Development	<b>Health</b> <b>Healthcare accountability ordinance (HCAO) rates updated</b> The new HCAO rate is \$6.35/hour, capped at \$254/week, up from up from \$6.10/hour and a \$244/week cap. HCAO applies to most city contractors, requiring them to offer health benefits meeting minimum standards. Alternatively, employers can make a payment to the San Francisco General Hospital based on an hourly rate for each covered employee. The rate changes every July 1.
Resources	<a href="mailto:rich.glass@mercer.com">rich.glass@mercer.com</a> <a href="#">HCAO information</a> (Government)
US — California (San Francisco) (previously covered, now effective)	
Status	 <b>Currently effective</b>
Development	<b>Career</b> <b>Hourly minimum wage increased</b> San Francisco's minimum wage rate increased to \$18.07/hour, up from \$16.99/hour, on July 1, 2023.
Resources	<a href="#">Understanding the minimum wage ordinance</a> (Government)

## US — Colorado (new)

### Status



**Effective Jan. 1, 2024, and Colorado's director of the division of labor standards must issue implementing enforcement rules by July 1, 2024.**

### Development

### Career

#### **Equal pay disclosure requirements amended**

The Ensure Equal Pay for Equal Work law was signed by the governor on June 5, 2023 and builds on the Equal Pay for Equal Work Act that took effect in 2021 — clarifying employers' existing disclosure obligations and adding new requirements. Highlights include:

- Employers must make reasonable efforts to announce, post or otherwise make known each job opportunity to all employees on the same calendar day and prior to the date on which the employer makes a selection decision. In each job opportunity notification, the employer must provide the hourly or salaried compensation or range; a general description of the benefits and other compensation applicable to the job opportunity; and the date the application window is anticipated to close.
- If an employer is only physically located outside of Colorado and has fewer than fifteen employees working in Colorado, all of whom work only remotely, the employer is only required to provide notice of remote job opportunities until July 1, 2029.
- Employers will have to disclose certain information about hired candidates to, at a minimum, those employees with whom the hired candidate is expected to regularly work. Employers must disclose and make available to all eligible employees the requirements for career progression, in addition to each position's terms of compensation, benefits, full-time or part-time status, duties and access to further advancement.

On or before July 1, 2024, Colorado's director of the division of labor standards shall create and administer a process to mediate complaints related to violations

### Resources

[tauseef.rahman@mercer.com](mailto:tauseef.rahman@mercer.com)

[GRIST](#), June 12, 2023

## US — Colorado (new)

### Status



Effective Jan. 1, 2024

### Development

#### Career — Health

##### **Paid family medical leave regulations finalized**

Colorado's Family and Medical Leave Insurance Division (Division) adopted three sets of regulations on paid family and medical leave (PFML) and revised a fourth set in advance of the Jan. 1, 2024, PFML benefits start date:


- Program integrity. These rules address benefit overpayments and premium underpayments. The Division and a private plan may seek recovery, the latter “by any legal means available.” Notice and appeal procedures apply. The Division and a private plan may — in their discretion — waive recovery if it would be “against equity and good conscience.”
- Investigations, determinations, appeals. These rules set forth complaint, investigation, determinations, and appeals processes in detail. Employees, family members and others with a “workplace relationship” are considered aggrieved parties who can file complaints. When investigated, employers must take steps to preserve relevant records, in accordance with federal law.
- Job protection, antiretaliation, anti-interference. These rules include many examples of retaliation and interference, including use of a person's immigration status to negatively impact PFML rights. Job restoration — available 180 days after hire — requires reinstatement to the same or equivalent position. Exceptions exist for downsizing, reorganization, or an employee's fraudulent PFML certification, among others.
- Coordination of benefits, reimbursement of advance payments. The updated rules confirm that receipt of workers' compensation or unemployment benefits disqualifies an individual from PFML benefits. Employer-paid leave benefits may be used to top off PFML benefits if an employer and employee mutually agree. Mutual agreement is not required for an employee to use paid sick leave before PFML benefits start. If an employee receives more than his or her normal wages, the excess is considered an overpayment, subject to recoupment by an employer.
- Benefit continuation while on leave is required only for benefits-related health, dental and vision plans, as well as mental health, counseling, and addiction services (presumably, through an employee assistance program). An employer may collect employee contributions through payroll deductions (if applicable), upon return from leave, via a repayment plan or by any other legal means. An employer may run PFML time concurrently with short- or long-term disability or a time-off bank if employees are properly notified. These rules also describe how an employer may seek reimbursement of advance payments to employees while a PFML determination is pending.


### Resources


[rich.glass@mercercor.com](mailto:rich.glass@mercercor.com)

[Regulations concerning program integrity](#); [Regulations concerning investigations, determinations and appeals](#); [Regulations concerning job protection, antiretaliation, and anti-interference](#) and [Regulations concerning coordination of benefits and reimbursement of advance payments](#) (Division)



US — Colorado (new)	
Status	 Effective for tax years 2024–2026
Development	<p><b>Health</b></p> <p><b>Tax credit available to employers providing financial assistance for employees’ home purchases from 2024 through 2026</b></p> <p>Colorado has created a novel tax incentive for employers to provide financial assistance for employees’ home purchases. HB23-1189 establishes a state employer tax credit of 5% of an employer’s contribution for an employee’s home purchase, capped annually at \$5,000 per employee and \$500,000 per employer. An employer must open a special savings account for this purpose. Employees can make post-tax, direct-deposit contributions to the account. Eligible expenses include a down payment, closing costs, appraisals, mortgage origination fees and inspections. This law will be effective for the 2024 through the 2026 tax years. Employer contributions are nontaxable (for state tax purposes) to employees in 2024 but are taxable for 2025 and 2026.</p>
Resources	<p><a href="mailto:rich.glass@mercer.com">rich.glass@mercer.com</a></p> <p><a href="#">HB23-1189</a> (Legislature)</p>

US — Colorado (new)	
Status	 <b>Effective July 1, 2024</b>
Development	<p><b>Career</b></p> <p><b>Law bans age-related inquiries during hiring process</b></p> <p>Colorado’s governor signed legislation (SB 23-058) on June 2, 2024 that will prohibit employers from inquiring about a job applicant’s age during the hiring process on and after July 1, 2024. Highlights include:</p> <ul style="list-style-type: none"> <li>• An employer shall not request or require an individual to include the individual's age, date of birth, or dates of attendance at or date of graduation from an educational institution on an initial employment application.</li> <li>• An employer may request or require an individual to provide additional application materials (copies of certifications, transcripts, and other materials created by third parties) at the time of an initial employment application, if the employer notifies the individual that the individual may redact age-related information.</li> <li>• An employer may request that an individual verify age compliance with age requirements imposed by a bona fide occupational qualification pertaining to public or occupational safety; a federal law or regulation; or a state or local law or regulation based on a bona fide occupational qualification. However, verification requests on an initial employment application must not require disclosure of an individual's specific age, date of birth, or dates of attendance at or date of graduation from an educational institution.</li> <li>• Applicants do not have a private cause of action, but they may file a complaint with the Colorado Department of Labor (CDOL) within 12 months of a violation. The CDOL shall investigate the complaint if it has merit.</li> <li>• Noncompliant employers will first receive a warning but will face financial penalties if they continue to be noncompliant.</li> <li>• Each distinct job posting is considered a separate violation.</li> <li>• The CDOL will adopt procedural rules for handling complaints.</li> </ul> <p>Other states that prohibit age-related inquiries during the job application are California, Connecticut, Minnesota, and Pennsylvania.</p>
Resources	<p><a href="#">SB 23-058</a> (Legislature) and <a href="#">Gov. Polis signs bills into law</a> (Government, June 2, 2023)</p>

US — Colorado (previously covered, soon to be effective)	
Status	 Effective early August 2023
Development	<b>Career — Health</b> <b>Paid sick leave law expanded</b> SB 23-017 adds three reasons for the use of accrued paid sick leave: <ul style="list-style-type: none"><li>• An employee's need to grieve, attend funeral/memorial services, or deal with financial/legal matters after a family member's death.</li><li>• Care for a family member whose school or place of care has been closed for a variety of reasons, including inclement weather, loss of power and other unexpected occurrences.</li><li>• Evacuation of an employee's residence for a variety of reasons, including inclement weather, loss of power and other unexpected occurrences.</li></ul>
Resources	<a href="mailto:rich.glass@mercer.com">rich.glass@mercer.com</a> <a href="#">SB 23-017 (Legislature)</a>

## US — Colorado (new)

### Status



Effective Aug. 7, 2023

### Development

#### Career

##### Antidiscrimination protections expanded; nondisclosure agreements limited



On June 6, 2023, Colorado's governor signed the Protecting Opportunities and Workers' Rights (POWR) Act (SB 23-172), which becomes effective on Aug. 7, 2023 — 90 days after the adjournment of the Colorado General Assembly. Highlights include:



- The Colorado civil rights division is directed to include "harassment" as a basis or description of discrimination on any charge form or charge intake mechanism.
- A broader definition of "harass" or "harassment" is added, and the current definition of "harass" that requires creation of a hostile work environment is repealed.
- Addition of protections from discriminatory or unfair employment practices for individuals based on their "marital status."
- Specification that in harassment claims, the alleged conduct need not be severe or pervasive to constitute a discriminatory or unfair employment practice.
- For purposes of the exception to otherwise discriminatory practices for an employer that is unable to accommodate an individual with a disability who is otherwise qualified for the job, elimination of the ability for the employer to assert that the individual's disability has a significant impact on the job as a rationale for the employment practice.
- Specification that it is a discriminatory or an unfair employment practice for an employer to fail to initiate an investigation of a complaint or to fail to take prompt, reasonable, and remedial action.
- Specification of the requirements for an employer to assert an affirmative defense to an employee's proven claim of unlawful harassment by a supervisor.
- Specification of the requirements that must be satisfied for a nondisclosure provision in an agreement between an employer and an employee or a prospective employee to be enforceable.
- Requirement that an employer maintain personnel and employment records for at least five years and, with regard to complaints of discriminatory or unfair employment practices, to maintain those records in a designated repository.

### Resources

[Governor Polis signs bills into law](#) (Government, June 7, 2023) and [SB 23-172](#) (Legislature)




US — Colorado (new)	
Status	 <b>Effective for the 2025 plan year</b>
Development	<p><b>Health</b></p> <p><b>Third-party prescription drug payment law enacted</b></p> <p>SB 23-195 requires fully insured individual and group health plans to apply third-party prescription drug payments to participant cost sharing — including deductibles and out-of-pocket maximums — if they meet any of these criteria:</p> <ul style="list-style-type: none"> <li>• A drug without a generic equivalent</li> <li>• A biological drug with no biosimilar drug or interchangeable biological product</li> <li>• Any drug previously approved through prior authorization/step therapy protocol (to the extent otherwise permitted) or the pharmacy benefit manager's exceptions, appeal, or review process.</li> </ul> <p>This law has an HSA exception to the extent the cost-sharing mandate would jeopardize HSA eligibility for fully insured high-deductible health plans. Practically, this would prohibit a plan's accumulator adjustment program, a popular Rx cost-saving plan feature. Colorado does not apply its insurance laws on an extraterritorial basis to fully insured plans issued in another state. This law does not apply to self-funded ERISA plans. SB 23-195 will take effect for the 2025 plan year.</p>
Resources	<a href="mailto:rich.glass@mercer.com">rich.glass@mercer.com</a> <a href="#">SB 23-195</a> (Legislature)
US — Connecticut (new)	
Status	 <b>Effective July 1, 2024</b>
Development	<p><b>Health</b></p> <p><b>Health insurance restrictions enacted</b></p> <p>Pub. Act No. 23-171, HB 6669 prohibits four types of clauses in healthcare contracts between insurers and providers related to fully insured plans. They are:</p> <ul style="list-style-type: none"> <li>• All-or-nothing (requiring a plan to include all provider members)</li> <li>• Anti-steering (restricting a plan from encouraging participants to obtain care from a provider's competitor)</li> <li>• Anti-tiering (restricting the use of tiered networks)</li> <li>• Gag (restricting a provider's or insurer's ability to disclose cost or quality information)</li> </ul> <p>This law also requires insurers to provide — upon a provider's request — information on the standards used for selecting and tiering providers. Both provisions will take effect July 1, 2024.</p>
Resources	<a href="mailto:rich.glass@mercer.com">rich.glass@mercer.com</a> <a href="#">Pub. Act No. 23-171, HB 6669</a> (Legislature)



US — Connecticut (new)	
Status	 <b>Effective Oct. 1, 2023</b>
Development	<p><b>Career — Health</b></p> <p><b>Reasons for taking paid sick leave expanded</b></p> <p>Pub. Act No. 23-101, SB 2 generally addresses the mental, physical, and emotional wellness of children. Specific to the state's paid sick and safe leave law, SB 2 provides two more reasons for taking paid leave:</p> <ul style="list-style-type: none"> <li>• A “mental health wellness day” for attending to an employee’s emotional and psychological well-being</li> <li>• A parent whose child is a victim of family violence or sexual assault (previously, a covered reason only applied when employees were a victim)</li> </ul> <p>This law will take effect Oct. 1. Covered employees are limited to “service workers,” as defined by statute.</p>
Resources	<p><a href="mailto:rich.glass@mercer.com">rich.glass@mercer.com</a></p> <p><a href="#">Pub. Act No. 23-101</a> (Legislature)</p>
US — Florida (new)	
Status	 <b>Currently effective</b>
Development	<p><b>Health</b></p> <p><b>Association health plans/multiple-employer welfare arrangement (MEWA) flexibilities increased</b></p> <p>A new Florida law (Ch. 2023-212, HB 897) enhances the state’s rules related to association health plans (AHPs) obtaining approval as a multiple-employer welfare arrangement (MEWA). In some respects, these revised rules mirror federal final AHP regulations that were vacated by a District Court in 2019.</p> <p>Specifically, HB 897 allows a trade, industry or professional association and a “bona fide group” to form an AHP. A bona fide group may be formed for the primary purpose of offering and providing health coverage if at least one substantial business purpose exists. This purpose can include simply promoting common business interests. Other requirements like organizational structure, functions, activities, and geography also apply. This law would appear to open up AHPs to groups like local chambers of commerce and other general business groups. Working owners continue to be ineligible to participate in Florida. This law took effect June 9, 2023.</p>
Resources	<p><a href="mailto:rich.glass@mercer.com">rich.glass@mercer.com</a></p> <p><a href="#">Ch. 2023-212, HB 897</a> (Legislature)</p>



US — Florida (new)	
Status	 <b>Currently effective</b>
Development	<p><b>Health</b></p> <p><b>Medical conscience law enacted</b></p> <p>The Protections for Medical Conscience law (Pub. Law 2023-57, SB 1580) is related to both healthcare providers and payors (including insurers and group health plans). The law allows providers and payors to opt out of participating in or paying for healthcare services that violate their moral, ethical, and religious convictions. For provider or payor entities, a conscience-based objection must be consistent with governing documents, mission statements, bylaws, policies, or published materials. However, provision or payment for healthcare cannot be denied based on race, color, religion, sex, or national origin. A healthcare payor includes an insurer, employer, health plan, HMO or “any other entity that pays for, or arranges for the payment of, any healthcare service.”</p> <p>Under SB 1580, a provider or payor could refuse to provide or pay for services related to abortion or care for transgender or gender diverse patients, among other things. As written, the law may violate one or more federal laws, including Section 1557 of the ACA, HIPAA health status nondiscrimination and the Americans with Disabilities Act. The law was effective July 1, 2023. A legal challenge before the law’s effective date is possible.</p>
Resources	<p><a href="mailto:rich.glass@mercer.com">rich.glass@mercer.com</a></p> <p><a href="#">Pub. Law 2023-57, SB 1580</a> (Legislature)</p>
US — Florida (new)	
Status	 <b>Effective July 1, 2023</b>
Development	<p><b>Career — Health</b></p> <p><b>A new line of optional group insurance for family leave enacted</b></p> <p>Paid family leave insurance (HB 721) creates a new line of optional group insurance for family leave. It allows insurers to offer family leave insurance to employers as a rider/amendment to a disability policy or as a separate policy. Policies would provide a percentage of wage replacement for employees on leave to bond within the first 12 months of a child’s birth/adoption/foster care placement, care for a family member with a serious health condition and to manage a qualifying exigency related to a family member’s impending call or order to active military duty. Coverage does not extend to an employee’s own serious health condition. A family member includes a child, spouse, parent, or any other person defined by the policy as a family member. The leave duration must be at least two weeks in a consecutive 52-week period.</p>
Resources	<p><a href="mailto:rich.glass@mercer.com">rich.glass@mercer.com</a></p> <p><a href="#">HB 721</a> (Legislature)</p>


US — Florida (new)	
Status	 <b>Currently effective</b>
Development	<b>Health</b> <b>Florida to join the Psychology Interjurisdictional Compact</b> HB 33 authorizes Florida to join the Psychology Interjurisdictional Compact (PSYPACT). Florida joins three-fourths of states (and Washington, DC) in joining PSYPACT, an interstate compact between states which facilitates the practice of mental health services across state boundaries. The law took effect July 1, 2023.
Resources	<a href="mailto:rich.glass@mercer.com">rich.glass@mercer.com</a> <a href="#">HB 33</a> (Legislature) and <a href="#">Psychology Interjurisdictional Compact (PSYPACT)</a>
US — Hawaii (new)	
Status	 <b>Currently effective but will expire on Dec. 31, 2025</b>
Development	<b>Health</b> <b>Telehealth law enacted</b> As a result of 2023 Act 207, HB 907, fully insured plans must have reimbursement parity between telehealth and in-person providers, except for mental health services (80% is permissible). This law praises telehealth for expanding medical care to underserved groups, including kūpuna (i.e., honored elders). This law took effect on June 22 and will expire on Dec. 31, 2025.
Resources	<a href="mailto:rich.glass@mercer.com">rich.glass@mercer.com</a> <a href="#">2023 Act 207, HB 907</a> (Government)
US — Idaho (previously covered, now effective)	
Status	 <b>Currently effective</b>
Development	<b>Health</b> <b>Telehealth law enacted</b> With the passage of 2023 Ch. 102 (HB 162), Idaho becomes the latest state to pass technology-neutral standards for telehealth, allowing establishment of a provider/prescriber and a patient relationship through virtual care technology.
Resources	<a href="mailto:rich.glass@mercer.com">rich.glass@mercer.com</a> <a href="#">Ch. 102, HB 162</a> (Legislature, March 21, 2023)



US — Indiana (previously covered, now effective)	
Status	 <b>Currently effective</b>
Development	<b>Health</b> <b>Indiana joins a new interstate telehealth compact</b> With the passage of 2023 Pub. Law 98, SB 160, Indiana joins a professional counselors licensure compact, allowing registered counselors from other states to provide services in Indiana. The law took effect on July 1, 2023.
Resources	<a href="mailto:rich.glass@mercer.com">rich.glass@mercer.com</a> <a href="#">2023 Pub. Law 98, SB 160 (Legislature)</a>
US — Indiana (previously covered, partially effective)	
Status	 <b>Effective dates vary.</b>
Development	<b>Health</b> <b>Benefit law enacted</b> Indiana has enacted a law (2023 Pub. L. No. 103, HB 1004) requiring insurers and third-party administrators (TPAs) to provide certain disclosures to plan sponsors and offering tax incentives for small employers contributing to health reimbursement arrangements (HRA). The law requires an insurer or a self-funded plan's TPA to provide certain claims data at least twice per year and within 15 business days of a plan sponsor's request. Noncompliance is subject to a \$1,000 penalty. This provision took effect on July 1, 2023. Starting in 2024, an employer with fewer than 50 employees can receive a tax credit of up to \$400 per covered employee (\$200 in 2025) for contributing an equal or greater amount to the employee's HRA. Funding for the credits is capped at \$10 million per year.
Resources	<a href="mailto:rich.glass@mercer.com">rich.glass@mercer.com</a> <a href="#">Pub. L. No. 103 HB 1004 (Legislature, May 4, 2023)</a>
US — Iowa (previously covered, now effective)	
Status	 <b>Currently effective</b>
Development	<b>Health</b> <b>Iowa joins an interstate telehealth compact</b> HB 671 enables Iowa to join a licensed professional counselor compact. The purpose of the law is to improve public access to counseling services, including through telehealth as long as an out-of-state provider has an unencumbered license in another state and adheres to the laws of the state of licensure. HB 671 took effect on July 1.
Resources	<a href="mailto:rich.glass@mercer.com">rich.glass@mercer.com</a> <a href="#">HB 671 (Legislature)</a> and <a href="#">What we're seeing with state telehealth legislation in 2023 (Mercer, June 1, 2023)</a>

US — Louisiana (new)	
Status	 <b>Effective Aug. 1, 2023</b>
Development	<p><b>Health</b></p> <p><b>Ground ambulance balance billing law enacted</b></p> <p>Under 2023 Act No. 453, SB 109, out-of-network (OON) ground ambulance providers will be subject to a minimum allowable rate applicable to fully insured plans and self-funded governmental plans. Specifically, this law requires that a minimum rate is:</p> <ul style="list-style-type: none"> <li>• Agreed to by contract or ordinance by a local government entity where services originate, or</li> <li>• If not applicable, 325% of Medicare rates</li> </ul> <p>As a result, OON providers cannot balance bill participants. SB 109 will take effect Aug. 1. Louisiana applies its insurance laws on an extraterritorial basis to fully insured plans issued in another state, as applied to state residents. This law does not apply to self-funded ERISA plans</p>
Resources	<p><a href="mailto:rich.glass@mercer.com">rich.glass@mercer.com</a></p> <p><a href="#">2023 Act No. 453, SB 109</a> (Legislature)</p>
US — Louisiana (new)	
Status	 <b>Effective in the 2024 plan year.</b>
Development	<p><b>Health</b></p> <p><b>Two telehealth laws enacted</b></p> <p>Louisiana has enacted two telehealth laws. Under 2023 Act No. 336, HB 41, telehealth services must be reimbursed at the same rate as in-person services, unless the parties contractually agree otherwise. Telehealth services must be at the same cost sharing as in-person services. An in-person patient-provider relationship is not required. This law applies to the 2024 plan year and beyond for new health plans; otherwise, it takes effect starting with the 2025 plan year. Other related improvements are contained in 2023 Act No. 322, SB 66, making use of telehealth technology easier for fully insured plans. This law will take effect starting with the 2024 plan year. Louisiana applies its insurance laws on an extraterritorial basis to fully insured plans issued in another state, to the extent state residents are covered. This law does not apply to self-funded ERISA plans.</p>
Resources	<p><a href="mailto:rich.glass@mercer.com">rich.glass@mercer.com</a></p> <p><a href="#">2023 Act No. 336, HB 41</a> (Legislature) and <a href="#">2023 Act No. 322, SB 266</a></p>

US — Louisiana (new)	
Status	 Effective for new plans on and after Jan. 1, 2024, and for existing plans the earlier of the renewal date or Jan. 1, 2025.
Development	<p><b>Health</b></p> <p><b>Medically necessary fertility preservation law enacted</b></p> <p>With the enactment of 2023 Act No. 299, HB 186, plans must cover fertility preservation services when cancer treatment or any other medically necessary treatment could cause infertility. Plans may not impose preauthorization. Whether this law applies to self-funded ERISA plans is unclear. HB 186 applies to a “health coverage plan,” which includes fully insured plans, HMOs, the state’s governmental plan and any “employee welfare benefit plan.” HB 186 does not apply to excepted benefits or short-term, limited-duration insurance.</p> <p>This law will take effect for new plans on and after Jan. 1, 2024. For existing plans, the effective date is on the earlier of the renewal date or Jan. 1, 2025. Louisiana applies its insurance laws on an extraterritorial basis to fully insured plans issued in another state, to the extent they cover state residents.</p>
Resources	<p><a href="mailto:rich.glass@mercer.com">rich.glass@mercer.com</a></p> <p><a href="#">2023 Act No. 299, HB 186</a> (Legislature)</p>
US — Maine (new)	
Status	 Effective on or about Sept. 16, 2023
Development	<p><b>Health</b></p> <p><b>Plan sponsors given greater access to claims information</b></p> <p>As a result of 2023 Ch. 297, LD 1373, fully insured plan sponsors have greater access to claims information, including aggregate data for high-cost claimants (defined as participants with more than \$50,000 in claims in a 12-month period). Plan sponsors can request claims data for up to 24 months, broken down by month and medical vs. pharmacy spend. Former plan sponsors may obtain this data for up to 18 months after coverage termination.</p> <p>This law will take effect on or about Sept. 16. Maine generally does not apply its insurance laws on an extraterritorial basis to fully insured plans issued in another state.</p>
Resources	<p><a href="mailto:rich.glass@mercer.com">rich.glass@mercer.com</a></p> <p><a href="#">2023 Ch. 297, LD 1373</a> (Legislature)</p>

US — Maine (new)	
Status	 Effective for plan years starting in 2024.
Development	<b>Health</b> <b>Fully insured plans prohibited from applying cost sharing to abortion services</b> Fully insured plans will need to provide abortion services without cost sharing because of 2023 Ch. 347, LD 935. This includes deductibles, copayments, and coinsurance. An HSA-related exception exists. This law will take effect for plan years starting in 2024. Maine generally does not apply its insurance laws on an extraterritorial basis. This law does not apply to self-funded plans.
Resources	<a href="#">2023 Ch. 347, LD 935 (Legislature)</a>
US — Massachusetts (new)	
Status	 Currently effective
Development	<b>Career — Health</b> <b>Court rules that earned sick time law does not apply to airlines</b> A federal district court granted an injunction prohibiting a Massachusetts earned sick time law from applying to airlines. A federal district court concluded that the state's earned sick time law does not apply to the airline industry, due to federal preemption under the Airline Deregulation Act. This injunction applies to in-flight employees and ground crew. An airlines advocacy group — representing several employers like American, United, and Southwest — noted abuses around major holidays and Super Bowl week, causing a significant number of flight cancellations. The law's written verification requirement generally applies only if leave exceeds three consecutively scheduled workdays or 24 consecutively scheduled work hours. This law took effect in July 2015.
Resources	<a href="mailto:rich.glass@mercer.com">rich.glass@mercer.com</a>
US — Michigan (new)	
Status	 Court appeal in process
Development	<b>Career — Health</b> <b>Paid sick law gets another review</b> The status of Michigan's Earned Paid Sick Leave Act should be finally resolved once the state supreme court decides the case. The current law remains in effect, but plaintiffs in the case have argued that a prior (more employee-friendly) version should apply. The changes also affect Michigan's minimum wage law.
Resources	<a href="mailto:rich.glass@mercer.com">rich.glass@mercer.com</a> <a href="#">Paid Medical Leave Act (Legislature)</a> ; <a href="#">Court case information (Government)</a> ; <a href="#">GRIST</a> , Nov. 4, 2022

**US — Minnesota (new)****Status****Contributions and benefits will start on Jan. 1, 2026.****Development****Career — Health****Paid family and medical leave law enacted**

With enactment of 2023 Ch. 59 (HF 2), Minnesota is the latest state to establish a paid family and medical leave (PFML) program. Contributions — initially set at 0.7% and capped at 1.2% of wages up to the Social Security taxable wage base — are evenly split between employers and employees. Contributions and benefits will start on Jan. 1, 2026. Covered employees may take up to 12 weeks of medical leave for a serious health condition and up to 12 weeks of family leave to bond with a new child, care for a family member, manage a qualifying exigency or address safety-related matters. However, combined medical and family leave cannot exceed 20 weeks in a benefit year. Covered employers can participate in the state program or maintain an approved private plan for one or both types of leave; private plans may be insured or self-funded. The PFML program is separate and apart from the state's sick and safe leave law (2023 Ch. 53), effective in 2024.

**Resources**

[rich.glass@mercer.com](mailto:rich.glass@mercer.com) and [katharine.marshall@mercer.com](mailto:katharine.marshall@mercer.com)  
[GRIST](#), July 10, 2023

**US — Minnesota (new)****Status****Applies to covenants not to compete entered into on or after July 1, 2023.****Development****Career****Noncompete agreements for employees and independent contractors generally banned.**

Minnesota has enacted legislation that generally makes covenants not to compete entered on or after July 1, 2023, void and unenforceable. A covenant not to compete is an agreement between an employer and employee "that restricts the employee, after termination of the employment, from performing work for another employer for a specified period of time; work in a specified geographic area; or work for another employer in a capacity that is similar to the employee's work for the employer that is party to the agreement." It does not include a nondisclosure agreement; an agreement designed to protect trade secrets or confidential information; a nonsolicitation agreement; or an agreement restricting the ability to use client or contact lists or solicit customers of the employer.

Covenants not to compete are valid and enforceable if the covenant is agreed upon during the sale of a business or in anticipation of the dissolution of a business, if the restrictions are within a reasonable geographic area and for a reasonable length of time.

The law prohibits employers from trying to circumvent the restrictions on noncompete agreements by using another state's law or forum.

**Resources**

[SB 23-172](#) (Legislature) and [Governor Polis signs bills into law](#) (Government, June 7, 2023)

## US — Minnesota (previously covered, soon to be effective)

**Status**  **Effective Aug. 1, 2023**

**Development** **Career**

### **Hair nondiscrimination legislation enacted**

Minnesota's governor signed legislation that expands the definition of race under the Human Rights Act to cover race-related traits — “including, but not limited to hair texture and hair styles such as braids, locs and twists.” Minnesota is the nineteenth state to ban hair discrimination.

**Resources** [HF 37](#) (Legislature)

## US — Minnesota (new)

**Status**  **Effective for plan years starting in 2025.**


**Development** **Health**




### **Prescription cost-sharing limits law enacted**

As a result of 2023 Ch. 57, SF 2744, fully insured health plans must limit enrollee prescription drug cost sharing for chronic diseases (limited to diabetes, asthma and allergies requiring an epinephrine auto-injectors). Cost-sharing limits may not exceed \$25 for a one-month Rx supply and \$50 for one month of related medical supplies. Cost sharing is not subject to deductibles, except for HSA-eligible high-deductible health plans.



SF 2744 will take effect for plan years starting in 2025. Minnesota applies its laws on an extraterritorial basis to fully insured plans issued in another state if either the employer is based in Minnesota or has 25 or more employees residing in the state. This law does not apply to self-funded ERISA plans.


**Resources** [rich.glass@mercer.com](mailto:rich.glass@mercer.com)  
[2023 Ch. 57, SF 2744](#) (Legislature)

US — Minnesota (new)	
Status	 <b>Currently effective</b>
Development	<b>Health — Career</b> <b>Paid breaks for lactating employees expanded</b> <p>A provision in a jobs bill (2023 Ch. 53, SF 3035) amends existing law by removing a prior 12-month time limit after childbirth for employees needing to express milk during work hours. This law also eliminates an undue disruption of operations exception, requires notices, provides examples of reasonable accommodations, and clarifies that lactation rooms must be clean, private, and secure. A separate provision addresses covered employers under the state's parenting leave and accommodations law, making it applicable to all Minnesota employers. Both provisions took effect July 1, 2023.</p>
Resources	<a href="mailto:rich.glass@mercer.com">rich.glass@mercer.com</a> <a href="#">2023 Ch. 53, SF 3035</a> (Government)
US — Missouri (new)	
Status	 <b>Effective date is not yet known.</b>
Development	<b>Health</b> <b>Telehealth law enacted</b> <p>SB 70 authorizes the state to extend licensing reciprocity to out-of-state physicians and professional counselors, as well as various social workers, and join application compacts with other states. One goal is increase access to telehealth service providers. The physician and social worker compacts will take effect when the seventh state adopts it; the professional counselor compact will take effect when the tenth state adopts it.</p>
Resources	<a href="mailto:rich.glass@mercer.com">rich.glass@mercer.com</a> <a href="#">SB 70</a> (Legislature)

US — Nevada (new)	
Status	 <b>Effective for plan years starting on or after July 1, 2023.</b>
Development	<p><b>Health</b></p> <p><b>Gender-affirming care law enacted</b></p> <p>A new law requires fully insured plans to cover treatment of gender dysphoria and gender incongruence. As a result of 2023 Ch. 376, SB 163, covered plans must cover medically necessary gender-affirming care. Plans may impose limitations for children, including requirements for a provider recommendation and parental consent. SB 163 also prohibits plan discrimination based on actual or perceived gender identity. This law applies to individual and group fully insured plans, HMOs, managed care plans, fraternal benefit societies and nonprofit hospital, medical and dental service corporations, as well as Medicaid.</p> <p>Nevada does not apply its insurance laws on an extraterritorial basis to fully insured plans issued in another state. This law does not apply to self-funded ERISA plans. SB 163 will take effect for plan years starting on or after July 1, 2023.</p>
Resources	<p><a href="mailto:rich.glass@mercer.com">rich.glass@mercer.com</a></p> <p><a href="#">2023 Ch. 376, SB 163</a> (Legislature)</p>
US — Montana (new)	
Status	 <b>Effective for plan years starting in 2024.</b>
Development	<p><b>Health</b></p> <p><b>New fertility coverage mandate applies to fully insured plans</b></p> <p>Fully insured individual and group plans must cover medically necessary fertility services when a participant is diagnosed with cancer and treatment may cause infertility, per 2023 Ch. 782, SB 516. This law will take effect for plan years starting in 2024. Montana generally does not apply its insurance laws on an extraterritorial basis. This law does not apply to self-funded plans.</p>
Resources	<p><a href="mailto:rich.glass@mercer.com">rich.glass@mercer.com</a></p> <p><a href="#">2023 Ch. 782, SB 516</a> (Legislature)</p>
US — Nebraska (new)	
Status	 <b>Effective for plan years starting on or after Jan. 1, 2024.</b>
Development	<p><b>Health</b></p> <p><b>Insulin cost-sharing law enacted</b></p> <p>Among the provisions in a tax, insurance, and housing law (LB 92) is a \$35 insulin copay cap for a 30-day supply. This provision (effective for plan years starting on or after Jan. 1, 2024) applies to fully insured plans and self-funded plans not preempted by federal law (e.g., church plans, non-federal governmental plans).</p>
Resources	<p><a href="mailto:rich.glass@mercer.com">rich.glass@mercer.com</a></p> <p><a href="#">LB 92</a> (Legislature)</p>



US — Nevada (new)	
Status	 Effective Oct. 1, 2023
Development	<p><b>Health</b></p> <p><b>New law addresses prescription drug issues</b></p> <p>Pharmacy benefit managers (PBMs) must be licensed, and fully insured plans are limited as to drug formulary changes during a plan year under 2023 Ch. 429, SB 57. Insurers removing a prescription drug from a formulary may not add the drug back into the formulary in a higher cost tier in the same plan year, with limited exceptions.</p> <p>This law will take effect on Oct. 1. Nevada does not apply its insurance laws on an extraterritorial basis. This law does not apply to self-funded ERISA plans.</p>
Resources	<p><a href="mailto:rich.glass@mercer.com">rich.glass@mercer.com</a></p> <p><a href="#">2023 Ch. 429, SB 57</a> (Legislature)</p>
US — Nevada (new)	
Status	 Effective Jan. 1, 2024
Development	<p><b>Career — Health</b></p> <p><b>Unpaid domestic violence leave law amended to include incidents of sexual assault</b></p> <p>Nevada amended its unpaid domestic violence leave law to include incidents of sexual assault. As a result of 2023 Ch. 207, AB 163, sexual assault situations are now a qualifying reason for state-protected leave (paid or unpaid). Maximum duration for this leave — previously available only for incidents of domestic violence — is 160 hours per 12-month period. The definition of sexual assault is broadly defined in the criminal statute. Similar amendments were made to Nevada's laws related to an employer's reasonable accommodation duty and prohibition against retaliation and discrimination, as well as unemployment compensation. This law will take effect on Jan. 1, 2024.</p>
Resources	<p><a href="mailto:rich.glass@mercer.com">rich.glass@mercer.com</a></p> <p><a href="#">2023 Ch. 207, AB 163</a> (Legislature)</p>

US — Nevada (new)	
Status	 Effective July 1, 2023
Development	<p><b>Health</b></p> <p><b>New law restricts step therapy</b></p> <p>As a result of 2023 Ch. 269, SB 167, fully insured plans, HMOs, and state Medicaid may not use step therapy for a psychiatric condition if an authorized provider prescribes a drug and reasonably expects each drug in a step therapy protocol to be ineffective. Authorized providers include psychiatrists, their physician assistants, advanced practice registered nurses and certain primary care providers. SB 167 took effect on July 1. Nevada does not apply its insurance laws on an extraterritorial basis to fully insured plans issued elsewhere.</p>
Resources	<p><a href="mailto:rich.glass@mercer.com">rich.glass@mercer.com</a></p> <p><a href="#">2023 Ch. 269, SB 167</a>(Legislature)</p>

## US — New Jersey (previously covered, all provisions soon to be effective)

### Status



The notice and antiretaliation provisions took effect on May 7, 2023. Other provisions will take effect on Aug. 5, 2023.

### Development

#### Career — Health

##### Equal pay, benefit and employment rights granted to temporary employees

A recently enacted law (2023 Ch. 10, AB 1474) requires employers to pay temporary employees in certain labor classifications at least the “average rates of pay and average cost of benefits” provided to comparable employees in jobs requiring “equal skill, effort, and responsibility.” Alternatively, covered employers may pay a cash equivalent of benefits. Known as the “Temporary Workers’ Bill of Rights,” this law is limited to temporary employees who are placed by a staffing agency into any of nine occupational categories designated by DOL’s Bureau of Labor Statistics (BLS). Any successor BLS categories will be added automatically. An employer’s direct hire of a temporary employee is not subject to AB 1474. Some employment related protections that were included are:



- Greater oversight of temporary help service firms and third-party clients by the Department of Labor and Workforce Development (NJDOLE) and the Division of Consumer Affairs (DCA) within the Department of Law and Public Safety. DCA will oversee enhanced certification requirements for temporary help service firms. Contracting with uncertified firms will be prohibited for third-party clients. Enforcement actions will fall under NJDOLE’s purview.
- At the request of a temporary worker, temporary help service firms will have to hold daily wages and provide biweekly pay checks to avoid unnecessary check cashing fees.
- Pay deductions for meals and equipment that would reduce temporary workers’ pay below minimum wage will be prohibited.
- Firms and third-party clients will be prohibited from charging fees to transport temporary workers to their work sites.
- Temporary help services must provide temporary workers with common-sense information detailing key terms of employment in the workers’ primary languages, such as hours worked and rate of pay. They also have to keep certain records.
- Temporary service firms will be prohibited from restricting an employee from accepting another position with a permanent employer or a third-party client.
- Temporary help service firms or third-party clients will be prohibited from retaliating against any temporary worker by firing them or treating them unfairly in any other way for exercising their legal rights.



Covered workers include those employed in food preparation, construction, maintenance, repair, production, transportation, and others. Professional and clerical employees are excluded from the law.


### Resources




[rich.glass@mercer.com](mailto:rich.glass@mercer.com)



[Ch. 10, AB 1474](#) (Legislature, Feb. 6, 2023)

US — New York (new)	
Status	 <b>Currently effective</b>
Development	<p><b>Health</b></p> <p><b>Legal protections enacted for reproductive health service providers</b></p> <p>Under 2023 Ch. 138, SB 1066, the term “legally protected activities” includes acts and omissions by such providers and facilitators present in New York for various actions, including provision of insurance coverage for reproductive health services or care (including through telehealth), regardless of where a patient is located. SB 1066 law provides protection from extradition, arrest, and legal proceedings in other states. This law also prohibits insurers from taking adverse actions related to legally protected health activities for purposes of medical malpractice insurance coverage.</p> <p>SB 1066 took effect on June 23.</p>
Resources	<p><a href="mailto:rich.glass@mercer.com">rich.glass@mercer.com</a></p> <p><a href="#">2023 Ch. 138, SB 1066</a> (Legislature)</p>
US — New York — New York City (new)	
Status	 <b>Currently effective</b>
Development	<p><b>Career</b></p> <p><b>Guidance issued on New York City’s new artificial intelligence law</b></p> <p>New York City’s Department of Consumer and Worker Protection (DCWP) issued Frequently Asked Questions (FAQs) on the 2021 law (Local Law 144) regulating automated employment decision tools (AEDTs) on June 30 — just a few days before enforcement began on July 5, 2023. Final rules on the law were issued in May. The FAQs cover the following topics:</p> <ul style="list-style-type: none"> <li>• Overview of the law</li> <li>• General bias audit requirements</li> <li>• Data requirements</li> <li>• Independent auditors</li> <li>• Responsibility for bias audits</li> <li>• Notice requirements</li> <li>• Complaints.</li> </ul>
Resources	<p><a href="#">Automated employment decision tools: Frequently asked Questions</a> (DCWP, June 29, 2023) and <a href="#">Final Rules</a> (DCWP, April 2023)</p>



US — New York — New York City (new)	
Status	 Effective date is not yet known
Development	<p><b>Career</b></p> <p><b>Minimum pay for app-based food deliverers created</b></p> <p>New York City's mayor announced a minimum hourly pay rate for app-based food delivery workers. Under the final rule, the rate is \$17.96/hour until March 31, 2024, and then is scheduled to increase to \$18.96/hour as of April 1, 2024, and then to \$19.96 on April 1, 2025. The law's effective date was July 12, 2023, but a court ruling recently delayed the effective date due to an ongoing case to block the law.</p>
Resources	<a href="#">Mayor Adams, DCWP Commissioner Mayuga announce nation's first minimum pay rate for app-based restaurant delivery workers</a> (Mayor's office, June 11, 2023) and <a href="#">Final rule</a> (Department of Consumer and Work Protection)
US — New York (New York City) (new)	
Status	 Effective Nov. 22, 2023
Development	<p><b>Career — Health</b></p> <p><b>Employment discrimination based on height and weight banned</b></p> <p>New York City's mayor on May 26, 2023, signed a bill (Int. No. 0209-2022) that amends the New York City Human Rights Law to prohibit employment discrimination based on a person's height or weight as of Nov. 22, 2023. Employers can consider height or weight in employment decisions only where:</p> <ul style="list-style-type: none"> <li>• Required by federal, state, or local laws or regulations</li> <li>• The Commission on Human Rights permits such considerations because height or weight may prevent a person from performing essential requirements of a job and no alternative is available</li> <li>• This criteria is reasonably necessary for the normal operation of the business.</li> </ul> <p>Employers can still offer incentives that support weight management as part of a voluntary wellness program.</p>
Resources	<a href="#">Int. No. 0209-2022</a> (New York City Council, May 26, 2023) and <a href="#">Mayor Adams signs legislation to prohibit height or weight discrimination in employment, housing, and public accommodations</a> (Government, May 26, 2023)



US — Oregon (new)	
Status	 Effective dates vary.
Development	<p><b>Career — Health</b></p> <p><b>Unpaid family leave and paid family and medical law (PFML) requirements changed</b></p> <p>SB 999 made changes to the state’s PFML law (contributions started Jan. 1; benefits start Sept. 3). Highlights include:</p> <ul style="list-style-type: none"> <li>• Paid Leave Oregon is authorized to issue rules and create an attestation form as to family members, considering whether a significant personal bond exists.</li> <li>• If an equivalent position is unavailable upon return from leave, an employer must offer an equivalent position within 50 miles of the job site, if available. If several positions are available, the first offer must be at the location closest to the former job site.</li> <li>• Employers may deduct catch-up benefit contributions upon return to work, up to 10% of an employee’s gross pay.</li> <li>• An employee does not have the right to sue an employer if the state’s appeals process provides a remedy. This exception applies to both the state program and an equivalent employer plan.</li> </ul> <p>SB 999 also made changes to the state’s Family Leave Act (currently in effect for unpaid and paid family leave). Highlights include:</p> <ul style="list-style-type: none"> <li>• Domestic partner relationships are added to the “family member” definition. (They are already included for PFML purposes.)</li> <li>• The one-year period used for determining leave duration can be based on the 52-week period prior to the start of leave or a consecutive 12-month period (e.g., calendar year, fiscal year).</li> <li>• Family member definition requirements (applicable to the Bureau of Labor and Industries) mirror those for PFML described above.</li> <li>• Equivalent position requirements mirror those for PFML described above.</li> </ul> <p>The rule related to the Family Leave Act’s one-year period will take effect on July 1, 2024. All other provisions will take effect on Sept. 3, 2023.</p>
Resources	<p><a href="mailto:rich.glass@mercer.com">rich.glass@mercer.com</a></p> <p><a href="#">2023 Ch. 207</a>, <a href="#">AB 163</a> and <a href="#">SB 999</a> (Legislature)</p>


US — Oregon — Portland metro area (previously covered, now effective)	
Status	 <b>Currently effective</b>
Development	<b>Career</b> <b>Minimum wage rate increased</b> <p>Oregon's minimum wage in the Portland metropolitan area increased to \$15.45/hour (up from 14.75) on July 1, 2023. On the same date, the standard minimum wage for the state increased to \$14.20/hour (up from \$13.50), and the nonurban minimum wage is \$13.20/hour (up from \$12.50).</p>
Resources	<a href="#">Commissioner Stephenson announces Oregon minimum wage determination</a> (Bureau of Labor and Industries, April 14, 2023)
US — Rhode Island (new)	
Status	 <b>Effective for 2025 plan years</b>
Development	<b>Health</b> <b>Cost-sharing caps imposed on specialty drugs and epinephrine auto injectors (EpiPens)</b> <p>Under Pub. Act 233, SB 871, participants in fully insured plans may not pay more than \$150 for a 30-day supply of specialty drugs, as defined by law for Medicare Part D purposes (the Centers for Medicare and Medicaid Services set its specialty-drug tier threshold at \$830 for calendar year 2023). EpiPens are subject to a \$35 cap for a 30-day supply because of 2023 Pub. Act 263, SB 575.</p> <p>Both laws will take effect for plan years starting Jan. 1, 2025. Rhode Island applies its insurance laws on an extraterritorial basis to fully insured plans issued in another state, when applied to state residents. These laws do not apply for self-funded plans.</p>
Resources	<a href="mailto:rich.glass@mercer.com">rich.glass@mercer.com</a> <a href="#">Pub. Act 233, SB 871</a> (Legislature)
US — Rhode Island (new)	
Status	 <b>Currently effective</b>
Development	<b>Health</b> <b>Disability insurance rates increased</b> <p>The Department of Labor and Training raised the maximum weekly benefit for Temporary Disability Insurance (TDI) from \$1,007 to \$1,043. This TDI increase applies to leaves starting on or after July 1. The state's TDI and temporary caregiver law includes a dependent allowance, which increases benefits as much as 35% for up to five dependents. Accordingly, the maximum weekly TDI benefit for employees with five or more dependents increases from \$1,359 to \$1,408, also effective July 1.</p>
Resources	<a href="mailto:rich.glass@mercer.com">rich.glass@mercer.com</a> <a href="#">Press release</a> (Government, June 22, 2023) and <a href="#">GRIST</a> , Feb. 1, 2023

US — South Dakota (previously covered, now effective)	
Status	 <b>Currently effective</b>
Development	<b>Health</b> <b>Ballot initiative that expands Medicaid eligibility takes effect</b> In South Dakota, voters approved Constitutional Amendment D that expands Medicaid eligibility to adults ages 18 to 65 earning up to 138% of the federal poverty level. The measure, a state option available under the Affordable Care Act, took effect on July 1, 2023.
Resources	<a href="mailto:rich.glass@mercer.com">rich.glass@mercer.com</a> <a href="#">Constitutional Amendment D</a> (Secretary of State)
US — South Dakota (previously covered, now effective)	
Status	 <b>Currently effective</b>
Development	<b>Health</b> <b>Pharmacy benefit manager law enacted</b> HB 1135 increases PBM pricing transparency, including timely updates to the maximum allowable cost list, and limitations on steerage to affiliated pharmacies. It is unclear whether the law applies to self-funded plans. The law took effect on July 1, 2023.
Resources	<a href="mailto:rich.glass@mercer.com">rich.glass@mercer.com</a> <a href="#">HB 1135</a> (Legislature)



US — Texas (new)	
Status	 Effective Sept. 1, 2023
Development	<p><b>Career — Health</b></p> <p><b>Employers required to post a notice for reporting workplace violence or suspicious activity</b></p> <p>Texas recently enacted a law (HB 915) that will require employers to post notice to employees of the contact information to report instances of workplace violence or suspicious activity to the Department of Public Safety. The notice must also inform employees of the right to make a report to the Department of Public Safety anonymously. The notice must be posted:</p> <ul style="list-style-type: none"> <li>• In a conspicuous place in the employer's place of business</li> <li>• In sufficient locations to be convenient to all employees</li> <li>• In English and Spanish, as appropriate.</li> </ul> <p>While the law takes effect on Sept. 1, 2023, the Texas Workforce Commission has until March 1, 2024 to prescribe the form and content of the notice.</p>
Resources	<a href="#">HB 915 (Legislature)</a>
US — Texas (new)	
Status	 Currently effective
Development	<p><b>Health</b></p> <p><b>Regulation expands balance billing scope</b></p> <p>The Texas Department of Insurance finalized regulations related to the state's balance billing law applicable to fully insured plans. These rules confirm the law applies in these situations:</p> <ul style="list-style-type: none"> <li>• Insurers licensed and doing business in Texas</li> <li>• Group health plans issued to an out-of-state employer</li> <li>• Certificates of insurance delivered to Texas-resident employees of out-of-state employers</li> </ul> <p>Under the balance billing law, plans and out-of-network providers must use independent dispute resolution to mediate or arbitrate billing disputes. These rules took effect on July 12. These regulations do not apply to self-funded plans. However, a recent law (HB 1592) allows self-funded plans to opt into the program, effective September 1.</p>
Resources	<p><a href="mailto:rich.glass@mercer.com">rich.glass@mercer.com</a></p> <p><a href="#">Regulations</a> (Texas Department of Insurance)</p>

US — Texas (new)	
Status	 <b>Effective Sept. 1, 2023</b>
Development	<p><b>Career — Health</b></p> <p><b>New law will preempt local ordinances in several areas, including leaves and employment benefits</b></p> <p>A new law will preempt local ordinances in several areas, including leaves and employment benefits. HB 2127 prohibits municipal and county laws in nine areas, including those governed by the state's Insurance and Labor Codes. Practically, this puts a hard stop on efforts in recent years by Austin, Dallas, and San Antonio to enact paid sick and safe leave mandates.</p>
Resources	<p><a href="mailto:rich.glass@mercer.com">rich.glass@mercer.com</a></p> <p><a href="#">HB 2127</a> (Legislature)</p>
US — Texas (new)	
Status	 <b>Applies to services provided on or after Jan. 1, 2024; expires Sept. 1, 2025.</b>
Development	<p><b>Health</b></p> <p><b>Law applies balance billing restrictions to ground ambulance providers</b></p> <p>SB 2476 applies to HMOs, administrators of a health benefit plan offered by a nonprofit agricultural organization, preferred provider benefit plan administrators, and administrators of certain state governmental plans. These plans must pay for services by a nonnetwork emergency medical services provider or out-of-network emergency medical services provider at either a rate approved by the Texas Department of Insurance, the lesser of the provider's charge, or 325% of Medicare rates. An "emergency medical services provider" includes ground (but not air) ambulance. This law does not apply to self-funded ERISA plans.</p> <p>This law applies to services provided on or after Jan. 1, 2024 and expires Sept. 1, 2025. Texas applies its laws on an extraterritorial basis to fully insured plans issued in another state, when applicable to Texas residents.</p>
Resources	<p><a href="mailto:rich.glass@mercer.com">rich.glass@mercer.com</a></p> <p><a href="#">SB 2476</a> (Legislature)</p>

US — Texas (new)	
Status	 Effective dates vary.
Development	<p><b>Health</b></p> <p><b>Multiple benefit laws enacted</b></p> <p>Texas has enacted laws on a variety of issues, particularly related to prescription drugs. Texas applies its insurance laws on an extraterritorial basis to fully insured plans issued in another state, as applied to Texas residents. Except where otherwise indicated, these laws do not apply to self-funded ERISA plans and will take effect for the 2024 plan year:</p> <ul style="list-style-type: none"> <li>• HB 999 compels fully insured plans, HMOs and multiple employer welfare arrangements (MEWAs) to apply third-party Rx payments to a plan's cost sharing, including deductibles. This requirement applies only if a generic equivalent or interchangeable biologic does not exist, or if those types of drugs exist and a participant already went through prior authorization, step therapy or an exceptions/appeals process.</li> <li>• HB 1647 targets clinician-administered prescriptions Rx (so-called “white bagging”) covered under fully insured plans, HMOs and MEWAs. These plans may not require white bagging where a participant has a chronic, complex, rare or life-threatening medical condition. Other limitations also apply.</li> <li>• HB 1337 bars fully insured plans, HMOs and MEWAs from imposing step therapy protocols on prescriptions for serious mental illnesses in adults, except in limited situations.</li> <li>• HB 755 prohibits fully insured plans, HMOs and MEWAs from requiring more than one prior authorization for drugs treating an autoimmune disease, hemophilia, or Von Willebrand disease per plan year.</li> <li>• HB 2002 allows any participant's out-of-pocket cash payments to apply to a fully insured plan's deductible and out-of-pocket maximum. This typically occurs when a provider's cash price is less than a plan's negotiated rate.</li> <li>• HB 1649 mandates some coverage of fertility preservation services by fully insured plans, HMOs and MEWAs, where a participant's receipt of medically necessary cancer treatment may cause impaired fertility.</li> <li>• HB 711 prohibits four contractual provisions between a general contracting entity (i.e., an insurer) and a provider, related to networks: anti-steering, anti-tiering, gag, and most-favored-nation pricing. HB 711 took immediate effect, except for anti-steering and anti-tiering bans, which will take effect on the earlier of Dec. 31 or a contractual amendment eliminating one or both provisions.</li> <li>• HB 1996 establishes optional employer-sponsored insurance coverage for paid family leave, either through a separate policy or amendment/rider to a disability policy.</li> <li>• HB 1592 allows self-funded ERISA plans to opt into the state's extensive balance billing and OON dispute resolution procedures. The Department of Insurance must adopt rules by Dec. 1. This law will take effect on Sept 1.</li> <li>• HB 25 creates a wholesale prescription importation program from Canada, authorizing the state Health and Human Services Commission to obtain needed approvals from the federal Food and Drug Administration (FDA). For several years, the FDA has been working on a pathway for importation.</li> </ul>
Resources	<p><a href="mailto:rich.glass@mercerc.com">rich.glass@mercerc.com</a></p> <p><a href="#">HB 999</a>; <a href="#">HB 1647</a>; <a href="#">HB 1337</a>; <a href="#">HB 755</a>; <a href="#">HB 2002</a>; <a href="#">HB 1649</a>; <a href="#">HB 711</a>; <a href="#">HB 1996</a>; <a href="#">HB 1592</a> and <a href="#">HB 25</a> (Legislature)</p>

## US — Vermont (previously covered, partially effective)

### Status



Effective dates vary.

### Development

#### Career — Health

##### Voluntary family medical leave program announced

Vermont selected The Hartford to design and administer its voluntary paid family and medical leave insurance (VT-FMLI) program, which the state launched in stages starting on July 1, 2023. This program is a result of a request for proposal process that ended in August.

VT-FMLI provides covered employees 60% wage replacement for six weeks in a 12-month period, capped at the Social Security maximum taxable wage base. Qualifying events are:

- Birth/adoption/foster care placement of a child and care for a child within one year of birth
- Caring for a family member, including a spouse, civil union partner (under applicable state law), parent, foster child, or a ward living with an employee.
- Employee's serious health condition
- Qualifying exigency related to active military duty

The program's effective date will occur in three phases:



- July 1, 2023: state employees only
- Jan. 1, 2024: private and other governmental employers with two or more employees
- Jan. 1, 2025: eligible individual employees whose employers do not opt in and self-employed individuals.

Projected cost for state employees is about \$4.50 per week. Vermont joins New Hampshire and Virginia as states offering voluntary PFML programs.

### Resources

[rich.glass@mercer.com](mailto:rich.glass@mercer.com)

[Governor Phil Scott launches voluntary paid family and medical leave program](#) (Governor, Dec. 6, 2022) and [Request for Proposal for Vermont voluntary paid family and medical leave insurance](#) (Vermont Business Registry, July 1, 2022)

US — Virginia (previously covered, now effective)	
Status	 <b>Currently effective</b>
Development	<p><b>Career — Health</b></p> <p><b>Organ donation leave law enacted</b></p> <p>A new law (2023 Ch. 751, SB 1086) requires employers with 50 or more employees (apparently nationwide) to provide up to 12 weeks of unpaid organ donation leave in a 12-month period to eligible employees. Requirements for employee eligibility are:</p> <ul style="list-style-type: none"> <li>• At least 12 months of employment with the same employer</li> <li>• At least 1,250 hours of employment during the past 12 months</li> <li>• Documentation that an employee's organ or bone marrow donation is medically necessary.</li> </ul> <p>Most states require the organ donation leave only for state and local government employers.</p>
Resources	<p><a href="mailto:rich.glass@mercer.com">rich.glass@mercer.com</a></p> <p><a href="#">Ch. 751, SB 1086</a> (Legislature, April 12, 2023)</p>
US — Virginia (previously covered, partially effective)	
Status	 <b>Effective Jan. 1, 2024, and July 1, 2023, respectively</b>
Development	<p><b>Health</b></p> <p><b>New requirements for insurance carriers enacted</b></p> <p>HB 2354 requires insurance carriers to use a provider panel to establish continuity of care procedures and establishes a minimum 90-day period, or 180 days for life-threatening conditions. The law takes effect on Jan. 1, 2024.</p> <p>Also, two identical bills (HB 2201 and SB 1171) provide that insured association health plans may base premium rates on a community rating methodology that considers all participant claims while using each employer-member's specific risk to establish that employer-member's rates. The law takes effect July 1, 2023.</p>
Resources	<p><a href="mailto:rich.glass@mercer.com">rich.glass@mercer.com</a></p> <p><a href="#">HB 2354</a>; <a href="#">HB 2201</a> and <a href="#">SB 1171</a> (Legislature)</p>

US — Washington (previously covered, now effective)	
Status	 <b>Currently effective</b>
Development	<p><b>Career — Health</b></p> <p><b>Rules address paid family medical leave, long-term care insurance requirements</b></p> <p>The Employment Security Department adopted rules on reporting requirements, placement, elective coverage and designated representatives, related to both the paid family medical leave (PFML) and long-term care (LTC) law. The same reporting procedures applicable to PFML will apply to LTC through its WA Cares Fund. The law took effect on July 1, 2023.</p>
Resources	<p><a href="mailto:rich.glass@mercer.com">rich.glass@mercer.com</a></p> <p><a href="#">Rules</a> (Government, May 17, 2023)</p>
US — Washington (previously covered, now effective)	
Status	 <b>Currently effective</b>
Development	<p><b>Health</b></p> <p><b>Long-term care contribution mandate to begin July 1</b></p> <p>The WA Cares Fund recently updated its employer toolkit and additional resources related to the long-term care (LTC) contribution mandate which took effect on July 1. Here are some important reminders:</p> <ul style="list-style-type: none"> <li>• Employers with employees in the state (regardless of the number) must start withholding a contribution equal to 0.58% of gross wages, starting July 1, for every impacted worker who has not provided an approved exemption. Contributions are not capped at the Social Security withholding limit.</li> <li>• Employers are responsible for any missed deductions and may not retroactively deduct contributions.</li> <li>• While the private LTC policy exemption expired on Nov. 1, 2021, other exemptions are still available. However, exemption applications received by the WA Cares Fund on or after July 1 will not take effect until October 1.</li> </ul>
Resources	<p><a href="mailto:rich.glass@mercer.com">rich.glass@mercer.com</a></p> <p><a href="#">Toolkits &amp; resources</a> (Government) and <a href="#">GRIST</a>, April 13, 2022</p>
US — Washington (previously covered, soon to be effective)	
Status	 <b>Effective July 23, 2023</b>
Development	<p><b>Health</b></p> <p><b>Washington to join a mental health provider interstate compact</b></p> <p>Ch. 58, HB 1069 enables Washington to join a mental health provider interstate compact. Ch. 53, HB 1001 authorizes the state to join an audiology and speech-language pathology interstate compact. Both laws will take effect on July 23, 2023.</p>
Resources	<p><a href="mailto:rich.glass@mercer.com">rich.glass@mercer.com</a></p> <p><a href="#">Ch. 325, SB 5300</a> (Legislature, May 4, 2023); <a href="#">Ch. 58, HB 1069</a>, and <a href="#">Ch. 53, HB 1001</a> (Legislature, April 13, 2023)</p>

US — Washington, DC (previously covered, now effective)	
Status	 Currently effective
Development	<b>Career</b> <b>Minimum wage rate increased</b> The hourly minimum wage rate in Washington, DC increased to \$17/hour (up from \$16.10/hour) on July 1, 2023.
Resources	<a href="#">Office of wage-hour compliance</a> (Department of Employment Services)
US (previously covered, with upcoming effective dates)	
Development	<b>Career</b> <ul style="list-style-type: none"> <li>• <a href="#">Hair nondiscrimination law enacted in Texas</a> — key date: Sept. 1, 2023</li> <li>• <a href="#">Salary ranges required in job postings in New York</a> — key date: Sept. 17, 2023</li> <li>• <a href="#">Insurance law requires third-party payments to apply toward cost sharing in Delaware</a> — key date: Jan. 1, 2024</li> <li>• <a href="#">Final SEC clawback rule requires significant changes to policies</a> — key date: early in 2024</li> <li>• <a href="#">Minimum wage rate to increase in Maryland</a> — key date: Jan. 1, 2024</li> <li>• <a href="#">Right-to-work law repealed in Michigan</a> — key date: March 30, 2024</li> <li>• <a href="#">Two-tier minimum wage system to be eliminated in Nevada</a> — key date: July 1, 2024</li> <li>• <a href="#">Hourly minimum wage to increase to \$18 in Hawaii</a> — key date: Jan. 1, 2026</li> </ul>
	<b>Career — Health</b> <ul style="list-style-type: none"> <li>• <a href="#">Paid family medical leave recoupment rules revise, benefit limits changed in Oregon</a> — key date: Sept. 3, 2023</li> <li>• <a href="#">Employment discrimination based on nonworkplace cannabis use barred in California</a> — key date: Jan. 1, 2024</li> <li>• <a href="#">Paid leave coming to Illinois</a> — key date: Jan. 1, 2024</li> <li>• <a href="#">Paid sick and safe leave mandated in Minnesota</a> — key date: Jan. 1, 2024</li> <li>• <a href="#">Voluntary paid family leave law enacted in Tennessee</a> — key date: Jan. 1, 2024</li> <li>• <a href="#">Paid family medical leave calculations changed in Washington</a> — key date: Jan. 1, 2024</li> <li>• <a href="#">App-based workers entitled to accrue sick and safe time in Seattle, Washington</a> — key date: Jan. 13, 2024</li> <li>• <a href="#">Paid family and medical leave revised in Maryland</a> — key date: Oct. 1, 2024</li> <li>• <a href="#">Paid family medical leave program legislation enacted in Delaware</a> — key date: 2025</li> <li>• <a href="#">Paid family and medical leave law enacted in Minnesota</a> — key date: Jan. 1, 2026</li> </ul>

## US (previously covered, with upcoming effective dates) continued

### Health

- [Gender transition services restricted in Texas](#) — Sept. 1, 2023
- [Licensing reciprocity extended to more professionals in Montana](#) — key date: Oct. 1, 2023
- [Voters approve medical debt ballot initiative in Arizona](#) — key date: Jan. 1, 2024
- [New law requires annual behavioral health well check for insured plans in Delaware](#) — key date: Jan. 1, 2024
- [Sweeping pharmacy benefit manager law passed in Florida](#) — key date July 1, 2024
- [More health insurance mandates enacted in Illinois](#) — key date: Jan. 1, 2024
- [Law increases restrictions on pharmacy benefit managers in Maryland](#) — key date: Jan. 1, 2024
- [Voters approve medical loss ratio requirement for Massachusetts insured dental plans](#) — key date: Jan 1, 2024
- [Pharmacy benefit management legislation enacted in Michigan](#) — key date: Jan. 1, 2024
- [Diabetes self-management training and education services coverage required in Montana](#) — key date: Jan. 1, 2024
- [Step therapy restricted in Nevada](#) — key date: Jan. 1, 2024
- [Prescription benefit law enacted in New Mexico](#) — key date: Jan. 1, 2024
- [Diabetes insurance coverage and protections expanded in New Mexico](#) — key date: Jan. 1, 2024
- [Comprehensive pharmacy benefit manager reforms enacted in South Carolina](#) — key date: Jan. 1, 2024
- [Employers providing paid family medical leave eligible for state tax credits in 2024 and 2025 in Tennessee](#) — key date: 2024
- [New law facilitates multiple-employer welfare arrangements, adds participant protections in Texas](#) — key date: Jan. 1, 2024
- [Hearing aid coverage mandated in Vermont](#) — key date: Jan. 1, 2024
- [Abortion insurance coverage mandate enacted in Washington](#) — key date: Jan. 1, 2024
- [Prescription drug law enacted in West Virginia](#) — key date: Jan. 1, 2024
- [Prescription drug law enacted in Wyoming](#) — key date: Jan. 1, 2024
- [Expiration date for several health-related provisions extended in Vermont](#) — key date: March 31, 2024
- [New health data privacy law enacted in Washington](#) — March 31, 2024
- [Telehealth law extended in Washington](#) — key date: July 1, 2024
- [Prescription drug law enacted in Virginia](#) — key date: July 1, 2024
- [Health coverage mandates enacted in Colorado](#) — key date Jan. 1, 2025
- [Prescription benefit law enacted in North Dakota](#) — key date: Jan. 1, 2025
- [Prescription drug requirements enacted in Texas](#) — key date: Jan. 1, 2025
- [Benefit law enacted in Washington](#) — key date: Jan 1, 2025
- [Data protection law enacted in Tennessee](#) — key date: July 1, 2025



**US (previously covered, with upcoming effective dates) continued**

**Wealth**

- [SECURE 2.0 retirement reforms are now law](#) — key date: Jan. 1, 2024

## Section 4

# Asia Pacific

### Australia (new)

#### Status



**Deadline extended to Oct. 1, 2023.**

#### Development

#### Wealth

##### **Deadline for new financial advisor registration extended**

The Australian Securities and Investment Commission (ASIC) has announced it will extend the date by which financial advisers must be registered to Oct. 1, 2023 — the Government had delayed the date until July 1, 2023, to allow certain improvements to be made, however related legislation has not been finalized. ASIC said the further delay will allow time for:

- The legislation to pass
- ASIC to assist the financial advice industry to understand and comply with the registration requirement by issuing regulatory guidance and conducting webinars; and
- Australian financial service (AFS) licensees to understand the registration requirement and to make necessary applications to register their relevant providers with ASIC.

A central registration requirement is part of the new disciplinary system for financial advisers introduced by the 2021 “Better Advice” Hayne Royal Commission legislation. This new requirement is separate, and in addition to, the preexisting requirements for an AFS licensee to appoint a relevant provider to the Financial Advisers Register after they have been authorized.

#### Resources

[paul.shallue@mercero.com](mailto:paul.shallue@mercero.com)

[ASIC to extend for financial adviser registration requirement \(ASIC\)](#)

## Australia (new)

### Status



Currently effective

### Development

#### Wealth

##### Updated superannuation reporting standards issued


The Australian Prudential Regulation Authority (APRA) announced the determination of nine updated superannuation fund reporting standards following the finalization in March of “minor amendments” to these standards, which were developed under Phase 1 of APRA's Superannuation Data Transformation (SDT) project. The APRA determinations formally record the updated standards as legal instruments, enabling enforcement under the data collection legislation. The updated standards are:

- Reporting Standard SRS 101.0 Definitions
- Reporting Standard SRS 251.0 Insurance
- Reporting Standard SRS 332.0 Expenses
- Reporting Standard SRS 550.0 Asset Allocation
- Reporting Standard SRS 605.0 RSE Structure
- Reporting Standard SRS 606.0 RSE Profile
- Reporting Standard SRS 705.0 Components of Net Return
- Reporting Standard SRS 705.1 Investment Performance and Objectives
- Reporting Standard SRS 706.0 Fees and Costs

### Resources

[paul.shallue@mercero.com](mailto:paul.shallue@mercero.com)

[APRA determines reporting standards following Superannuation Data Transformation Phase 1 Minor Amendments \(APRA, May 29, 2023\)](#)

Australia (new)	
Status	 Effective date unknown
Development	<p><b>Wealth</b></p> <p><b>Your Future, Your Super performance test changes confirmed</b></p> <p>The government confirmed it will proceed with proposed exposure draft changes to regulations concerning the annual superannuation product investment performance test included in Your Future, Your Super (YFYS), subject to a few refinements. The updated performance test will apply to both MySuper products and, for the first time, to Trustee Directed Products (TDPs) in 2023. Regulations are expected shortly — funds will have to report data to be used in the 2023 Performance Test (test) by July 28, 2023, and the Australian Prudential Regulation Authority must complete the calculations — in line with the amended regulations — and announce the results by Aug. 31. The refinements are:</p> <ul style="list-style-type: none"> <li>• The median administration fees used in the test will be determined separately for platform and nonplatform TDPs</li> <li>• The minimum testing period will be increased progressively for all products to seven years, up from five — this will align with the progressive increase in the test lookback period to 10 years, up from eight.</li> <li>• The prescribed notification letter to be sent to members holding a Choice Product that fails the performance test “will be adjusted to flag cost considerations for certain members, taking into account the nature of different TDPs.”</li> <li>• Investment performance benchmarks will be updated per the consultation, with some exceptions.</li> </ul>
Resources	<p><a href="mailto:paul.shallue@mercer.com">paul.shallue@mercer.com</a></p> <p><a href="#">Raising the bar on superannuation performance test update 2023</a> (Treasury, June 16, 2023)</p>

## Australia (new)

### Status



Currently effective

### Development

#### Wealth

##### **Regulator calls on super trustees to deal appropriately with member contributions**

The Australian Securities and Investments Commission (ASIC) has called on superannuation trustees to meet their legal obligations for dealing with incoming money from consumers, if a new or increased interest in a super product cannot be issued by the next business day.

An ASIC review of 12 trustees found that all but one trustee had failed to meet their obligations relating to holding incoming money in trust for the sole benefit of the person entitled to it, until a product is issued or increased.

The deficiencies included:


- Use of a noncompliant account to hold money
- Money not being held for the required time
- Failure to identify money subject to the requirement
- Inadequate member disclosure.

ASIC also notified major auditing firms and industry bodies to reiterate the role auditors can play to help identify and address compliance issues in a timely manner.


### Resources

[paul.shallue@mercerc.com](mailto:paul.shallue@mercerc.com)


[ASIC calls on super trustees to appropriately deal with member money when it is first received \(Press release, June 26, 2023\)](#)


Australia (new)	
Status	 Expected to be adopted by end of 2023.
Development	<p><b>Wealth</b></p> <p><b>Government to adopt quality of advice recommendations</b></p> <p>The government confirmed it will adopt — in full or in principle — most of the Quality of Advice recommendations and will finalize the remaining measures by the end of 2023. The recommendations aim to simplify the regulatory framework to improve the accessibility and affordability of quality financial advice given to retail clients — including expanded advice that can be provided by super funds to their members.</p> <p>The government will launch three streams of work to determine the final Delivering Better Financial Outcomes reform package in consultation with industry by the end of 2023, with legislation to be developed during the first half of 2024. The streams will be (1) the removal of red tape, (2) expanded provision of personal advice by super funds to their members, and (3) the merits of expanded provision of personal advice by other financial institutions. Further information about the reform package is available on the Treasury website.</p>
Resources	<p><a href="mailto:paul.shallue@mercero.com">paul.shallue@mercero.com</a></p> <p><a href="#">Government response to the quality of advice review</a> (Treasury, June 13, 2023)</p>

Australia (new)	
Status	 <b>Currently effective</b>
Development	<p><b>Wealth</b></p> <p><b>Compensation scheme of last resort takes effect</b></p> <p>A package of bills to establish the Compensation Scheme of Last Resort (CSLR) as recommended by the Hayne Royal Commission received Royal Assent on July 3, 2023. The package is covered by a single Explanatory Memorandum and includes the:</p> <ul style="list-style-type: none"> <li>• Treasury Laws Amendment (Financial Services Compensation Scheme of Last Resort) Bill 2023</li> <li>• Financial Services Compensation Scheme of Last Resort Levy Bill 2023</li> <li>• Financial Services Compensation Scheme of Last Resort Levy (Collection) Bill 2023.</li> </ul> <p>The CSLR aims to improve confidence in the financial system's external dispute resolution framework. The scheme will provide industry-funded compensation where a determination by the Australian Financial Complaints Authority (AFCA) that relates to a financial product or service within the scope of the scheme remains unpaid. However, superannuation products and services are not in scope. Unpaid determinations will be capped at \$150,000 AUD and will cover claims accumulated since the beginning of the AFCA scheme (Nov. 1, 2018); historical claims will be funded through a one-off levy on Australia's 10 largest banking and insurance groups. The establishment of the scheme and supporting levy framework commenced on the day after Royal Assent. The Commonwealth will fund the establishment of the scheme and part of its initial operation in the first year (2023–24), and a levy imposed on the financial services industry to provide future funding.</p>
Resources	<p><a href="mailto:paul.shallue@mercer.com">paul.shallue@mercer.com</a></p> <p><a href="#">Explanatory Memorandum</a> (Legislature)</p>

Australia (new)	
Status	 Effective for the first quarter starting six months after June 30, 2023 (date of Royal Assent).
Development	<p><b>Wealth</b></p> <p><b>Protecting Worker Entitlements Bill receives Royal Assent, includes superannuation measures</b></p> <p>The Fair Work Legislation Amendment (Protecting Worker Entitlements) Bill 2023 received Royal Assent on June 30, 2023. The Bill includes amendments that will enable more workers to take legal action against an employer to recover unpaid Superannuation Guarantee (SG) contributions.</p> <p>Schedule 3 of the Bill includes amendments to the Fair Work Act 2009 to provide a new entitlement to SG contributions in the National Employment Standards (NES), in line with a government preelection commitment that was confirmed following the September 2022 Jobs and Skills Summit.</p> <p>The Minister for Workplace Relations said the change would allow workers to take direct legal action for the recovery of unpaid superannuation contributions if they are not already covered by a modern award or enterprise agreement that includes a right to superannuation.</p> <p>The amendments will apply from the first quarter starting six months after Royal Assent, and they will complement (but not replace) the Australia Taxation Office's broad regulatory powers to recover SG shortfalls.</p>
Resources	<p><a href="mailto:paul.shallue@mercer.com">paul.shallue@mercer.com</a></p> <p><a href="#">Fair Work Legislation Amendment (Protecting Worker Entitlements) Bill 2023</a> (Legislature)</p>



Australia (new)	
Status	 <b>Currently effective</b>
Development	<p><b>Wealth</b></p> <p><b>New financial reporting, auditing duties imposed on super funds</b></p> <p>The Treasury Laws Amendment (2022 Measures No. 4) Bill 2022 received Royal Assent and includes new financial reporting and auditing obligations on super funds, starting July 1, 2023. The bill's financial reporting obligations are the same as, or similar to, those applying to public companies and registered schemes. Primarily, the new measures concern the directors' reports and the requirement to submit various reports to the Australian Securities and Investments Commission (ASIC). Highlights of the super trustees' obligations include:</p> <ul style="list-style-type: none"> <li>• Preparation of a financial report for the fund and a directors' report for each financial year</li> <li>• Appointment of an auditor to audit the financial report and report on it</li> <li>• Lodging the three reports with ASIC, within three months of year-end</li> <li>• Making the reports publicly available on the fund's website</li> <li>• Including access details for the reports on the fund website with the notice of the Annual Members' Meeting (AMM)</li> <li>• Providing the reports for a specified financial year to a member upon request.</li> </ul> <p>Further related regulations — Treasury Laws Amendment (Financial Reporting and Auditing of Registrable Superannuation Entities) Regulations 2023 — were published on July 6, 2023 and prescribe matters such as the key remuneration details of key management personnel to be included in directors' reports and changes to the website disclosure requirements.</p>
Resources	<p><a href="mailto:paul.shallue@mercerc.com">paul.shallue@mercerc.com</a></p> <p><a href="#">Treasury Laws Amendment (2022 Measures No. 4) Bill 2022</a> (Legislature) and <a href="#">Treasury Laws Amendment (Financial Reporting and Auditing of Registrable Superannuation Entities) Regulations 2023</a> (Government)</p>

Australia (new)	
Status	 <b>Currently effective</b>
Development	<p><b>Wealth</b></p> <p><b>Regulator warns super trustees on duplicate account consolidation</b></p> <p>Super trustees must boost their efforts to consolidate duplicate member accounts after a review identified poor trustee practices resulting in consumer harm, warns the Australian Securities and Investments Commission (ASIC). ASIC reviewed the steps taken by nine super trustees to meet their obligation to annually identify and automatically consolidate duplicate member accounts to minimize payment of unnecessary fees. ASIC found deficiencies, such as, some trustees not having documented business rules relating to consolidations. ASIC's concerns include:</p> <ul style="list-style-type: none"> <li>• Lack of documented procedures for identifying duplicate accounts</li> <li>• Exclusion of some member cohorts from consolidation processes</li> <li>• Best interest assessments not undertaken</li> <li>• Lack of trustee oversight</li> </ul> <p>ASIC also noted that most trustees contacted their members about duplicate accounts even though they are not specifically required to do so. ASIC considers it is good practice to contact members when duplicate accounts are identified, and to remind them about duplicates on a regular basis because a member's situation or capacity to address the issue is likely to change over time. ASIC also encourages trustees to check for existing accounts on account creation.</p>
Resources	<p><a href="mailto:paul.shallue@mercero.com">paul.shallue@mercero.com</a></p> <p><a href="#">ASIC warns super trustees to boost efforts to consolidate duplicate member accounts (ASIC, June 29, 2023)</a></p>

## Australia (new)

### Status



Comments invited through July 21, 2023.

### Development

#### Wealth

##### Second consultation on climate-related financial risk disclosures released

The government released a second consultation paper on the development of new standards for disclosing climate-related financial risks and opportunities in Australia and invites comments through July 21, 2023. The paper presents proposed positions for the detailed implementation and sequencing of new standardized, internationally aligned disclosure requirements, and follows an initial consultation released in December 2022. It invites input on proposed positions for coverage, content, framework, and enforcement. The Investor Group on Climate Change (IGCC) has welcomed the government's proposals, saying they will help investors fund climate solutions by providing many of the elements that investors will need to efficiently allocate capital in the transition to a resilient, net zero economy. The IGCC also said that the recent publication by the International Sustainability Standards Board of its inaugural global sustainability disclosure standards will set a global baseline for standardized mandatory climate-related disclosures.

The associated government announcement indicates the proposals include:

- The start of mandatory reporting requirements from July 1, 2024, for Australia's largest listed and unlisted companies and financial institutions (including Australian Prudential Regulation Authority-regulated superannuation funds) and phased-in for other businesses.
- A three-year transition period, with regulator-only action against directors and reporting entities in relation to forward looking statements and Scope 3 emissions during this period.
- Broad alignment with international climate disclosure standards.

The government said the consultation paper builds on existing climate disclosure practices in Australia that aim to improve breadth, quality, and sophistication of climate disclosures across a wider range of companies. The proposals also would give companies time to build internal capability and expertise on climate disclosure.



The proposed climate reporting regime would form part of Australia's broader sustainable finance framework. This would include a sustainable finance taxonomy, together with other initiatives to tackle greenwashing and strengthen transparency of sustainability related financial products and markets.



Feedback from the consultation will help shape legislative changes and inform engagement with Australian standard setting bodies and regulators.


### Resources


[paul.shallue@mercer.com](mailto:paul.shallue@mercer.com)


[Climate-related financial disclosure: Second consultation](#) (Treasury)

Australia (previously covered, now effective)	
Status	 <b>Currently effective</b>
Development	<p><b>Career</b></p> <p><b>Fair Work Commission's annual wage review published</b></p> <p>Australia's Fair Work Commission published its annual wage review on June 2, 2023, and the rates took effect on July 1, 2023. The new rates are as follows:</p> <ul style="list-style-type: none"> <li>• The National Minimum Wage (NMW) increased to AU\$882.80/week (or AU\$23.23/hour). The weekly rate is based on a 38-hour week for a full-time employee.</li> <li>• The minimum wages in modern awards increased by 5.75% starting July 1, 2023, and applies to all modern award minimum wages, modern enterprise award wages and state reference public sector awards.</li> </ul>
Resources	<a href="#">Annual wage review 2022-23</a> (Fair Work Commission, June 2, 2023)
Australia (previously covered, now effective)	
Status	 <b>Currently effective</b>
Development	<p><b>Wealth</b></p> <p><b>Superannuation rates and thresholds updated for 2023–24</b></p> <p>The Australian Taxation Office has updated superannuation rates and thresholds for 2023–2024, applicable from July 1, 2023. Highlights include:</p> <ul style="list-style-type: none"> <li>• The general pension transfer balance cap increased to AU\$1.9 million, up from AU\$1.7 million. Individuals starting their first retirement phase income stream in 2023–2024 have an increased personal transfer balance cap of AU\$1.9 million.</li> <li>• Superannuation contribution caps are unchanged, except for the capital gains tax cap.</li> <li>• The maximum Superannuation Guarantee contribution base increased to AU\$62,270 per quarter (AU\$249,080 per year), up from AU\$60,220 per quarter (AU\$240,880 per year).</li> <li>• The income threshold for the government's maximum superannuation co-contribution increased to AU\$43,445, up from AU\$42,016.</li> <li>• The maximum co-contribution amount will be phased out for incomes up to AU\$58,445 (up from AU\$57,016).</li> <li>• As previously announced, the Superannuation Guarantee contribution rate increased to 11%, up from 10.5%, on July 1, 2023.</li> </ul>
Resources	<p><a href="mailto:paul.shallue@mercer.com">paul.shallue@mercer.com</a></p> <p><a href="#">Key super rates and thresholds</a> (Australian Taxation Office)</p>

Australia (previously covered, now effective)	
Status	 <b>Currently effective</b>
Development	<b>Career — Health</b> <b>Parental leave pay scheme expanded</b> <p>From July 1, 2023, Parental Leave Pay and Dad and Partner Pay is combined into a single 20-week payment for children born or adopted on or after July 1, 2023. The measures were announced in Budget 2022-2023 and include a commitment to expand Parental Leave Pay by two weeks per year starting on July 1, 2024, until it reaches 26 weeks on July 1, 2026. Currently, parents who are the primary carers are eligible for 18 weeks of Parental Leave Pay at the rate of the national minimum wage, and fathers and partners on unpaid leave or who are not working are eligible for two weeks of Dad and Partner Pay at the rate of the national minimum wage. Highlights include:</p> <ul style="list-style-type: none"> <li>• Either parent will be allowed to claim Parental Leave Pay.</li> <li>• Parents will be permitted to take Parental Leave Pay at the same time.</li> <li>• A family income limit of AU\$350,000 adjusted taxable income will apply, in addition to the current individual income limit of AU\$156,647.</li> <li>• The Parental Leave Pay must be taken within two years of the child's birth or adoption, and parents can take their leave in blocks of one or more days. The new scheme will include a "use or lose it" provision for each parent.</li> </ul>
Resources	<a href="#">Paid parental leave scheme</a> (Department of Social Services) and <a href="#">Boosting parental leave to enhance economic security, support and flexibility for Australia's families</a> (Government, Oct. 25, 2022)
Australia (previously covered, now effective)	
Status	 <b>Currently effective</b>
Development	<b>Wealth</b> <b>Transfer balance cap increased</b> <p>The general pension transfer balance cap increased to AU\$1.9 million — up from AU\$1.7 million, effective July 1, 2023. The transfer balance cap is the maximum superannuation amount that can be transferred into a retirement phase pension and is indexed to the CPI in increments of AU\$100,000. Individuals who already have started a retirement phase pension are subject to a complex partial indexation system.</p>
Resources	<a href="mailto:paul.shallue@mercer.com">paul.shallue@mercer.com</a> <a href="#">Transfer balance cap indexation</a> (ATO, Feb. 8, 2023)

Australia (previously covered, with upcoming effective dates)	
Development	<p><b>Career</b></p> <ul style="list-style-type: none"> <li>• <a href="#">Employer gender pay, equality reporting requirements expanded</a> — key date: April 1, 2024</li> </ul> <p><b>Wealth</b></p> <ul style="list-style-type: none"> <li>• <a href="#">Regulator issues final prudential standards and guides</a> — key date: Jan. 1, 2024</li> </ul>
Bangladesh (new)	
Status	<p> <b>Expected to launch in fiscal year 2023-2024</b></p>
Development	<p><b>Wealth</b></p> <p><b>Universal Pension Scheme to be introduced</b></p> <p>Legislative proposals to establish a voluntary, contributory old age pension scheme in Bangladesh — the Universal Pension Scheme (UPS) — passed parliament earlier in 2023 and will be administered by a new National Pension Authority (NPA). Details of the scheme and its commencement date have not yet been published, but the government reportedly confirmed it will launch in the fiscal year 2023-24. Currently, Bangladesh pays a noncontributory Old Age Allowance to men at age 65 and to women at 62 if they do not receive other pensions or allowances, and their annual income does not exceed 3,000 Takas. Highlights of the UPS include:</p> <ul style="list-style-type: none"> <li>• The UPS will be open to Bangladesh citizens aged 18 to 50 years who are employed in the private sector, including individuals who work abroad. Older individuals could also be eligible under certain conditions.</li> <li>• The NPA was formed on Feb. 13, 2023 and will manage the UPS. It will be overseen by an executive team and a board of directors that include government, employment, and employee representatives.</li> <li>• To receive a UPS pension, individuals must be aged 60 and have contributed for at least 10 years. UPS pension benefits will be calculated on accrued contributions. UPS contributions and pension benefits will be tax-free.</li> <li>• Employee contributions will be payable on a monthly or quarterly basis and could be paid in advance or in instalments; the contribution rate has not yet been announced. Employers could also choose to contribute, and the government may contribute for low-income employees.</li> <li>• Early pension withdrawals — up to 50% of the accrued UPS balance — will be allowed for employees younger than the retirement age.</li> <li>• Monthly pensions will be paid to designated beneficiaries if the account holder dies before age 75, and accrued pension contributions will be paid if the employee dies before contributing for 10 years.</li> <li>• Individuals will have one UPS account throughout their working life that will transfer when they change jobs.</li> </ul>

Hong Kong (previously covered, with upcoming effective date)	
Development	<p><b>Career</b></p> <ul style="list-style-type: none"> <li>• <a href="#">Gender board diversity, corporate governance required</a> — key date: Dec. 31, 2024</li> </ul> <p><b>Wealth</b></p> <ul style="list-style-type: none"> <li>• <a href="#">Mandatory pension fund offsetting to end</a> — key date: May 2025</li> </ul>
India (previously covered, with upcoming effective date)	
Development	<p><b>Career — Health — Wealth</b></p> <ul style="list-style-type: none"> <li>• <a href="#">Labor and employment laws reformed</a> — key date: effective date delayed</li> </ul>
Indonesia (new)	
Status	<p> <b>Currently effective</b></p>
Development	<p><b>Career</b></p> <p><b>Sexual violence prevention in the workplace guidelines issued</b></p> <p>Indonesia's Ministry of Manpower (MOM) issued Decree No. 88 Year 2023 regarding Guidelines for the Prevention and Handling of Sexual Violence in the Workplace on May 29, 2023. Highlights include:</p> <ul style="list-style-type: none"> <li>• A new obligation for companies to establish a task force for the prevention and handling of sexual violence in the workplace. The task force must comprise an odd number of members (at least three) and include employee and company representatives. The task force's duties are delineated in the guidance.</li> <li>• Companies must compensate victims as part of recovery actions and are obligated to take certain steps to rectify the situation, such as returning sick leave used, providing additional leave, and removing detrimental actions taken against the victim.</li> <li>• Companies can sanction the perpetrator in a variety of ways — from written warning letter to termination. Victims can still file criminal charges.</li> <li>• The guidelines distinguish between sexual violence and sexual harassment.</li> </ul>
Resources	<p><a href="mailto:astrid.suryapranata@mercer.com">astrid.suryapranata@mercer.com</a></p> <p><a href="#">Decree No. 88 Year 2023 regarding Guidelines for the Prevention and Handling of Sexual Violence in the Workplace (Indonesian) (Ministry of Manpower, May 29, 2023)</a></p>

Indonesia (new)	
Status	 Currently effective
Development	<p><b>Career</b></p> <p><b>Revised job creation law now effective</b></p> <p>A government regulation — Law No 2 — recently passed Indonesia's parliament and is now incorporated into the Manpower Law. The regulation revises certain aspects of Law No. 11 on Job Creation (or omnibus law) — the Constitutional Court had previously ruled that certain aspects of Law No. 11 on Job Creation were “unconditionally unconstitutional,” and ordered the government to amend the law. Highlights include:</p> <ul style="list-style-type: none"> <li>• Companies can outsource some of their work to another company through an outsourcing agreement. An implementing regulation will provide further details about what can be outsourced.</li> <li>• Simplification of the application procedures for expatriates' work permits.</li> <li>• Fixed-term employees can be hired for up to five years. The employee's compensation on expiration of the agreement will be calculated according to the period of service, but compensation is not payable to foreign nationals.</li> <li>• The minimum wage is now calculated based on economic growth, inflation, and other indexes. The government can change the minimum wage formula in certain circumstances.</li> <li>• Termination payments are reduced due to the introduction of a new calculation formula and removal of the housing allowance.</li> <li>• Employers must now give 14 working days' advance notice for employee terminations, and employees have seven working days to object. Previously, all terminations had to be approved by the labor court unless agreed to by the employee.</li> </ul>
Resources	<p><a href="mailto:astrid.suryapranata@mercer.com">astrid.suryapranata@mercer.com</a></p> <p><a href="#">Law No. 2</a> and <a href="#">Manpower law</a> (Legislature)</p>



## Japan (previously covered, now effective)

### Status



**Financial years ending on or after July 8, 2023**

### Development

#### Career



##### **Gender pay disclosures required for most companies**

Employers in Japan with 101 or more employees face annual gender pay disclosures for financial years ending on or after July 8, 2023. The first reporting period will cover the 2022 financial year (April 1, 2022 to March 31, 2023). The measures are included in the Act on the Promotion of Women's Participation and Career Advancement in the Workplace that took effect on July 8, 2022. Highlights include:

- Depending on their workforce size, employers must disclose information included in two categories. Category 1 includes the progress achieved by the organization in expanding the professional opportunities for female workers, including a report on the gender pay gap. Other topics include the percentage of female hires, the gender balance of job applicants, the percentage of women in different grades, the gender balance of different job types or roles, and the number of men and women employed as part of reemployment or mid-career hiring initiatives. Category 2 includes steps taken to improve employees' work-life balance. Other topics include the difference in average continuous service between men and women, the percentage of men and women continuously employed over the 10 years before and after hiring, the percentage of employees (by gender) taking parental leave, the average monthly overtime hours (by gender and by employment category), and the percentage of male and female workers taking paid leave (by employment category).
- Workforce size. Employers with 301 or more regular employees must disclose information on at least two items (including a gender pay gap analysis) featured in Category 1, and on at least one item from Category 2. Employers with 101 to 300 regular employees must disclose information from at least one item in each category.
- Employers with 301 or more regular employees must analyze the average wages of regular female workers as a percentage of the average wages of regular male workers (rounded to the first decimal place) for the total population, and for each employee category (full-time, part-time and fixed-term). Temporary agency workers are excluded from the act's scope. Pay includes base salary, overtime allowances and bonuses, but excludes retirement benefits and commuting allowances. Employers can voluntarily disclose additional gender pay gap information.
- Employers with 301 or more employees must include the gender pay gap analysis in their annual "general employer action plans," along with information about the measures taken to improve workplace gender equality, and an analysis of the employment situation of female employees. Employers must communicate their plan internally and externally and submit them to the prefectural labor bureaus. Though sanctions will not apply to noncompliant employers, the Ministry of Health, Labor and Welfare could publicly name those companies.

### Resources

[rina.bando@mercer.com](mailto:rina.bando@mercer.com) and [reiko.sasaki@mercer.com](mailto:reiko.sasaki@mercer.com)  
[GRIST](#), October 28, 2022

Japan (previously covered, with upcoming effective date)	
Development	<b>Wealth</b> <ul style="list-style-type: none"> <li>Defined contribution reforms enacted — key date: Dec. 1, 2024</li> </ul>
Malaysia (previously covered, now effective)	
Status	 <b>Currently effective</b>
Development	<b>Career</b> <p><b>Minimum wage order now effective for small employers</b></p> <p>Employers with fewer than five employees now must pay the minimum wage rate of 1,500 RM per month — the date had been postponed from Jan. 1, 2023, to July 1, 2023. The Minimum Wage Order Act 2022 took effect on May 1, 2022 and introduced a minimum wage rate of 1, 500 RM per month, payable by all industry sectors.</p>
Resources	<a href="mailto:yong-teck.siew@mercer.com">yong-teck.siew@mercer.com</a> <a href="#">Announcement</a> (Malay) (Ministry of Human Resources, Dec. 27, 2022)
New Zealand (new)	
Status	 <b>Currently effective</b>
Development	<b>Career</b> <p><b>Time period to bring a sexual harassment grievance significantly increased</b></p> <p>The timeframe for an employee to raise a personal grievance for sexual harassment has increased to 12 months — up from 90 days — under the Employment Relations (Extended time for personal grievance for sexual harassment) Amendment Bill, which received Royal Assent on June 12, 2023. New employment agreements will need to reference the 12-month period, and the 90-day period within which any other personal grievance must also be referenced.</p>
Resources	<a href="#">Time to raise a personal grievance due to sexual harassment increases to 12 months</a> (Government, June 13, 2023)

## Singapore (previously covered, partially effective)

### Status



Starting on July 1, 2023

### Development

#### Career — Health

##### Medical coverage for foreign workers enhanced

Enhanced mandatory medical insurance coverage for foreign workers will be implemented in two phases starting on July 1, 2023, and then on July 1, 2025, following a postponement from the end of 2022. The Ministry of Manpower has also issued related guidance reflecting input from employer groups, insurers, and industry partners. The enhanced medical coverage aims to help employers cover their foreign employees' large medical bills and will apply to new, extended, and renewed Work Permit and S Pass holders. Highlights of the guidance:

- From July 1, 2023, all medical insurance policies, renewals, or extensions must include an increased annual claim limit of SG\$60,000. Employers will have to make a copayment for claim amounts exceeding the first SG\$15,000.
- From 1 July 2025, other changes will apply to all policies (such as standardization of allowable exclusion clauses, age-differentiated premiums and direct reimbursement by insurers).

### Resources

[Implementation of enhanced medical insurance for foreign employees to better support employers](#) (Ministry of Manpower, March 31, 2023)

## Singapore (previously covered with upcoming effective dates)

### Development

#### Career

- [Bonus criteria required for work permits clarified](#) — key date: September 2023
- [Work pass framework to fill skills gaps expanded](#) — key date: September 2023
- [Employers will need to verify Employment Pass applicants' academic qualifications](#) — key date: September 2023

#### Career — Health

- [Paid paternity leave and unpaid infant care leave expanded](#) — key date: Jan. 1, 2024

#### Wealth

- [Budget increases CPF contributions](#) — September 2023

**South Korea (new)****Status****Currently effective****Development****Wealth****Upper and lower pay threshold for National Pension Service modified**

The upper threshold for the National Pension Service (NPS) standard monthly base pay increased to 5.9 million KRW, up from 5.53 million KRW, effective July 2023 to June 2024. The increased threshold reflects average pay raises for all NPS members during the previous three years (6.7%). The lower threshold for pension payout also increased to 370,000 KRW, up from 350,000 KRW. The increased standard monthly base pay threshold affects insurance and pension payments and increases members' pension benefits. The contribution rate (9% of income) remains unchanged for most NPS members.

**Resources**

[Release](#) (Korean) (Government, June 13, 2023)


**South Korea (previously covered, now effective)****Status****Currently effective****Development****Wealth****Implementation of defined contribution default investment option required**

Changes to the Employee Retirement Benefit Security Act (ERSA) that introduced default investment options for defined contribution (DC) pension plans became effective on July 12, 2022, and companies had until July 12, 2023, to implement the default option. Plan documents (or plan covenants) must be updated, with collective agreement, by then. Highlights include:


- The changes aim to improve the financial returns of DC assets predominantly invested in the short-term Principal Guaranteed Product.
- The qualified default options offered by pension service providers can be shortlisted by employers before DC participants choose their own default option.
- An automatic redeposit is also no longer possible upon maturity of term deposits. If DC participants do not direct their own investments upon maturity, the assets will be automatically invested in the default option designated by participants.
- All default options selected by employers must be specified in existing pension covenants. With a majority of employee consent, the amended covenants would have to have been approved by the Ministry of Employment and Labor before July 12, 2023.


**Resources**

[julia.lee@mercer.com](mailto:julia.lee@mercer.com) and [sunghye.yoon@mercer.com](mailto:sunghye.yoon@mercer.com)  
[Legislation](#) (Korean) (Legislature)

Vietnam (new)	
Status	 <b>Currently effective</b>
Development	<b>Career</b> <b>Minimum wage increased</b> Vietnam's general minimum wage (GMW) increased on July 1, 2023, to 1,800,000 VND, up from 1,490,000 VND for individuals working in the state sector. The GMW is also used to calculate the salary cap used to determine social and health insurance contributions for private sector employers and employees (20 times the GMW) and the capped trade union fees contributed by employers (10% of the GMW). Additionally, the GMW is used to compute activity and subsistence costs, deductions, and benefits.
Resources	<a href="#">Decree 24/23/ND-CP</a> (Vietnamese) (Government, May 14, 2023)

# Europe, Middle East and Africa (EMEA)



European Union (EU) (new)	
Status	 Currently effective
Development	<p><b>Career — Health — Wealth</b></p> <p><b>Social security coordination rules for cross-border teleworking revised</b></p> <p>From July 1, 2023, a new framework agreement on the social security coordination rules applies to certain types of cross-border remote work or telework in the European Union, European Economic Area and Switzerland, and aims to offer more flexibility and predictability. As background, EU Regulation 883/2004 allows individuals who work up to 25% of their working time in their home country to remain covered by the social security regime in their employer's member state. During COVID-19, the EU temporarily changed the rules to allow remote workers to remain covered by the social security regime in the employer's member state regardless of the amount of time worked in their home country. This temporary rule ended on June 30, 2023. Highlights of the new framework agreement:</p> <ul style="list-style-type: none"> <li>• Cross-border remote work or telework is defined as work done remotely using information and communication technology, and which requires the worker to be digitally connected to the employer's working environment.</li> <li>• Employers and employees who work up to 50% of their time in their home EU member state can agree that the employee remain covered by the social security regime of the member state where the employer has its registered office. Employers must apply for an "Article 16 agreement" to benefit from this arrangement.</li> <li>• To apply for an "Article 16 agreement" the employee's home country and the member state where the employer has its registered office must have signed the framework agreement. Signatory member states as of July 1, 2023, are Austria, Belgium, Czech Republic, Finland, Germany, Liechtenstein, Luxembourg, Malta, Netherlands, Norway, Poland, Portugal, Slovak Republic, Spain, Sweden, and Switzerland. More member states can sign up later, and the framework agreement will be effective from the date of their signature.</li> <li>• Retroactive requests for an "Article 16 agreement" are allowed (capped at three months), but transitional rules applicable until June 30, 2024 allow retroactive requests for up to 12 months, subject to the payment of social security contributions in the employer's member state.</li> <li>• Employees cannot habitually perform other types of work in their home country, and they must not habitually work in another member state other than their home country and their employer's country.</li> <li>• "Article 16 agreements" are generally capped at between one to three years, but member states can apply different caps. Extensions can be requested.</li> </ul>
Resources	<a href="#">Note of June 21, 2023 (AC 137/23)</a> (Europa) and <a href="#">EU Regulation 883/2004</a> (Europa)


EU (new)	
Status	 <b>Effective Nov. 18, 2023</b>
Development	<p><b>Career</b></p> <p><b>Reforms to Blue Card coming for highly skilled workers</b></p> <p>Reforms to the European Union's (EU) Blue Card on the entry and residence of highly skilled workers from outside of the EU will ease the admission conditions for, and enhance the rights of, Blue Card holders to and work in, and move around, EU member states. The measures feature in Directive (EU) 2021/1883 introduced under the EU's New Pact on Migration and Asylum. Highlights include:</p> <ul style="list-style-type: none"> <li>• The qualifying salary threshold will be reduced to between one and 1.6 the average gross annual national salary. Currently, Blue Card holders' annual gross salary must be at least 1.5 times the average national salary.</li> <li>• Blue Card applicants will need to have a work contract, or a binding job offer for a minimum period of six months (down from 12 months).</li> <li>• New rules will apply to the recognition of professional skills for occupations in the information and communication technologies sectors. Applicants with professional experience that is equivalent to a higher education qualification in some sectors will also be eligible to apply for a Blue Card.</li> <li>• Blue Card holders will have more flexibility to change employers. During the first 12 months, Blue Card holders will only have to complete a new labor market test if they wish to change position or employer, and they may have to notify a change in their situation to the relevant national authorities after this period. Currently, Blue Card holders generally cannot change jobs during the first two years.</li> <li>• Blue Card holders and their family members will be allowed to move to a second EU member state after 12 months of employment in the first member state — currently, this is permitted only after 18 months. Periods of time spent working in different member states will also be considered for individuals applying for EU long-term residency status.</li> </ul> <p>In 2021, 28,966 Blue Cards were granted. Citizens of India were granted the highest number of EU Blue Cards, followed by Russia, Belarus, Ukraine, and Turkey. The EU Blue Card applies to 25 of the 27 EU member states — it does not apply in Denmark and Ireland.</p> <p><b>Resources</b></p> <p><a href="#">Blue Card on the entry and residence of highly skilled workers</a> (European Commission); <a href="#">Directive (EU) 2021/1883</a> (Europa, Oct. 21, 2021) and <a href="#">New Pact on Migration and Asylum</a> (Europa)</p>

EU (previously covered, with upcoming effective date)	
Development	<p><b>Career</b></p> <ul style="list-style-type: none"> <li>• <a href="#">Directive on promoting statutory minimum wages finalized</a> — key date: Nov. 15, 2024</li> <li>• <a href="#">Law to improve gender balance on company boards approved</a> — key date: June 7, 2026</li> </ul> <p><b>Career — Health — Wealth</b></p> <ul style="list-style-type: none"> <li>• <a href="#">EU requires enhanced corporate sustainability disclosures</a> — key date: July 6, 2024</li> </ul>
Belgium (previously covered, with upcoming effective date)	
Development	<p><b>Wealth</b></p> <ul style="list-style-type: none"> <li>• <a href="#">Blue- and white-collar pension harmonization postponed</a> — key date: Jan. 1, 2027</li> </ul>
Egypt (new)	
Status	 <b>Currently effective</b>
Development	<p><b>Career</b></p> <p><b>Minimum wage increased for second time in 2023</b></p> <p>The minimum wage increased on July 1, 2023, to 3,000 EGP, up from 2,700 EGP for Jan. 1 to June 30, 2023. This is the second wage increase in six months. A monthly minimum wage for Egypt's private-sector employees took effect for the first time in 2021.</p>
Resources	<p><a href="#">News release</a> (Government, June 28, 2021)</p>
France (previously covered, now effective)	
Status	 <b>Currently effective</b>
Development	<p><b>Career</b></p> <p><b>Pay-slip disclosure rules for employers now effective</b></p> <p>Starting July 1, 2023, pay-slips issued in France must show the employee's social net salary after all social security charges are deducted. The measures were included in a decree published on Feb. 7, 2023, that aims to simplify the process for low-income individuals applying for government benefits like the activity bonus or the minimum income allowance. Previously, pay-slips had to indicate only the employee's gross salary, the withholding tax amount and the sum paid to the employee. Starting in 2024, employers will have to declare the social net amount to the authorities via the monthly social declaration (DSN).</p>
Resources	<p><a href="#">Decree</a> (French) (Government)</p>





France (previously covered, with upcoming effective date)	
Development	<p><b>Career</b></p> <ul style="list-style-type: none"> <li>• <a href="#">New gender quotas imposed for senior execs/management teams</a> — key date: March 1, 2026</li> </ul> <p><b>Career — Health</b></p> <ul style="list-style-type: none"> <li>• <a href="#">Metallurgy sector agrees on national CBA</a> — key date: Jan. 1, 2024</li> </ul>
Germany (new)	
Status	 <b>Effective Jan. 1, 2024</b>
Development	<p><b>Career</b></p> <p><b>Minimum wage to increase</b></p> <p>From Jan. 1, 2024, Germany's hourly minimum wage will increase to €12.41, and then to €12.82 on Jan. 1, 2025, the government announced. The announcement follows an independent commission's recommendation published on June 26, 2023. The current minimum wage is €12.</p>
Resources	<p><a href="#">Announcement</a> (German) (Government, June 26, 2023) and <a href="#">Announcement</a> (German) (Commission, June 26, 2023)</p>
Gibraltar (previously covered, now effective)	
Status	 <b>Currently effective</b>
Development	<p><b>Health — Wealth</b></p> <p><b>Social security contribution rates change</b></p> <p>Updated employer and employee social and security contribution rates were published in Legal Notice No. 231/2022. The employer contribution rate as of July 1, 2023, is 18% of gross earnings capped at £2,652 per year. The employee contribution rate as of July 1, 2023, is 10% of gross earnings capped at £1,924 per year. If the employee is 60 years of age or more, or has retired at age 55, only the employer's share of the contribution is payable.</p>
Resources	<p><a href="#">Legal Notice 231 of 2022</a> (Official Gazette, Aug. 5, 2022)</p>
Greece (previously covered, with upcoming effective date)	
Development	<p><b>Career</b></p> <ul style="list-style-type: none"> <li>• <a href="#">Companies with 50 to 249 employees must appoint whistleblowing officer</a> — key date: Dec. 17, 2023</li> </ul>



Hungary (new)	
Status	 <b>Payment can be made between Aug. 1 and Dec. 31, 2023</b>
Development	<p><b>Health</b></p> <p><b>SZÉP card use with a one-off payment expanded</b></p> <p>The amount that can be paid into the SZÉP card, and the uses to which the card can be put, expanded under a government decree. The SZÉP card (Széchenyi Recreation Card) is a special type of fringe benefit in Hungary that can be used for accommodation, catering, and leisure.</p> <p>Between Aug. 1 and Dec. 31, 2023, employers can pay a one-time amount of 200,000 HUF into a limited-purpose payment account opened for the purpose of the SZÉP card. The payment is subject to 15% personal income tax and 13% social contribution tax and is in addition to the annual 450,000 HUF SZÉP amount. Employees (or close relatives that have been given a companion card) can use the SZÉP card (including the new one-time payment) to pay for food purchases from Aug. 1 to Dec. 31, 2023, from food and beverage merchants that accept the card. The one-time benefit does not have to be prorated according to the employee's length of service (unlike the 450,000 HUF recreational limit). The expanded uses for the card apply to the one-time amount and to all funds on the card.</p>
Resources	<p><a href="mailto:kinga.korein@marsh.com">kinga.korein@marsh.com</a></p> <p><a href="#">Decree</a> (Hungarian) (Government, June 20, 2023)</p>
Ireland (new)	
Status	 <b>Currently effective</b>
Development	<p><b>Career — Health</b></p> <p><b>Breastfeeding breaks and medical care leave now effective</b></p> <p>New employment entitlements brought in as part of the recently passed Work Life Balance Act 2023 became effective July 3, 2023. Entitlements include:</p> <ul style="list-style-type: none"> <li>• Breastfeeding breaks are extended to two years up from six months.</li> <li>• Parents and carers are entitled to a new right to unpaid leave for medical purposes.</li> </ul> <p>The minister also announced that the domestic violence leave will be introduced this fall, and the flexible working right will be commenced following the preparation of a Code of Practice by the Workplace Relations Commission.</p>
Resources	<a href="#">Mister O’Gorman confirms introduction of new employment rights for parents</a> (Government, June 26, 2023)



Ireland (previously covered, with upcoming effective date)	
Development	<b>Career</b> <ul style="list-style-type: none"> <li><a href="#">Gender pay gap regulations to apply to smaller employers</a> — key date: 2024</li> </ul>
Italy (new)	
Status	 <b>Currently effective</b>
Development	<b>Career — Health</b> <b>Labor market reforms enacted</b> <p>Labor Decree 48/2023 was recently converted into Law 85/2023 and includes a temporary reduction of employees' social charges, employer incentives to hire younger workers, an increased nontaxable threshold for employee fringe benefits, simplified rules for fixed-term contracts and information on terms and conditions that must be given to new hires. Highlights include:</p> <ul style="list-style-type: none"> <li>Reduction in employees' social charge contributions from July 1 to Dec. 31, 2023, by 7% for those earning less than €25,000 gross, and by 6% or those earning less than €35,000.</li> <li>Between June 1 and Dec. 31, 2023, employers will be incentivized to hire workers under age 30 who are not in education or training and who are registered in the Youth Employment Initiative. The total amount of subsidy available for 2023 is capped at €80 million. From Jan. 1, 2024, employers will be exempt from paying contributions for hiring individuals who benefit from the "inclusion allowance" scheme. The exemption will last for a maximum period of 12 months and the total subsidy amount is capped.</li> <li>The non-taxable threshold for fringe benefits (and domestic utility costs) is increased to €3,000 (up from €258) until end of 2023 for employees with one or more dependent children.</li> <li>The information that must be given to employees on hiring has been simplified, and employers can provide, or make available, the relevant regulations or collective bargaining agreement to employees.</li> <li>The duration of fixed-term contracts is capped at 24 months, up from 12 months subject to meeting certain eligibility criteria.</li> <li>Employers must appoint a competent doctor if required by a risk assessment and provide training on the use for the safe use of specialized equipment.</li> </ul>
Resources	<a href="mailto:lisa.contini@mercer.com">lisa.contini@mercer.com</a> <a href="#">Law</a> (Italian) (Government, July 3, 2023)

Luxembourg (new)	
Status	 <b>Currently effective</b>
Development	<p><b>Career — Health</b></p> <p><b>Employees have the right to disconnect from work</b></p> <p>From July 4, 2023, employees in Luxembourg now have the right to disconnect from their workplace outside of working hours under a law that amends the labor code. However, penalties for breaches of the law will not apply until June 20, 2026. Highlights:</p> <ul style="list-style-type: none"> <li>• Employers must introduce a disconnection scheme, either at company or sectoral level. The scheme's details must be included in a collective or subordinate agreement or agreed to with the company's staff delegation.</li> <li>• Disconnection schemes in organizations with 150 or more employees must be mutually agreed to (and modified) by the employer and the staff delegation; in smaller organizations, employers must inform and consult their staff delegation.</li> <li>• Disconnection schemes must include the practical arrangements for employees to disconnect from digital devices, in addition to measures to raise awareness and train employees about the scheme.</li> <li>• Administrative fines (€251 to €25,000) will be levied for breaches that occur on or after June 20, 2026 — three years after the law's publication in the official journal.</li> </ul>
Resources	<a href="#">Law of 28 June 2023</a> (French) (Official Journal, June 20, 2023) and <a href="#">Labor Code</a> (French) (Official Journal)
Morocco (new)	
Status	 <b>Currently effective</b>
Development	<p><b>Health</b></p> <p><b>Insurance providers must balance tariff risks for health and compensation policies</b></p> <p>In 2023, the insurance regulator (ACAPS) instructed all insurance providers to balance the tariff risks for health and workers' compensation policies. Insurance providers can no longer compensate deficits in one branch by using profits from other branches, such as, general risks. This change will complicate negotiations with insurance companies for employee health and benefit policies.</p>
Resources	<a href="#">Circular</a> (French) (Official Bulletin, Aug. 8, 2022) <a href="mailto:ghyzlane.mikou@beassur-marsh.com">ghyzlane.mikou@beassur-marsh.com</a>


Netherlands (previously covered, with upcoming effective date)	
Development	<p><b>Career</b></p> <ul style="list-style-type: none"> <li>• <a href="#">Whistleblowing law revised</a> — key date: Dec. 17, 2023</li> <li>• <a href="#">30% tax rule for expat employees to change</a> — key date: Jan. 1, 2024</li> <li>• <a href="#">Hourly rate to be introduced</a> — key date: Jan. 1, 2024</li> </ul> <p><b>Wealth</b></p> <ul style="list-style-type: none"> <li>• <a href="#">Parliament agrees to significant occupational pension reforms</a> — key date: Jan. 1, 2025</li> </ul>
Nigeria (previously covered, with upcoming effective date)	
Development	<p><b>Health</b></p> <ul style="list-style-type: none"> <li>• <a href="#">Health insurance coverage to significantly expand</a> — key date: implementation date unknown</li> </ul>
Poland (previously covered, now effective)	
Status	<p> <b>Currently effective</b></p>
Development	<p><b>Career</b></p> <p><b>Minimum wage increased</b></p> <p>The minimum wage increased on July 1, 2023, to 3,600 PLN, or 23.50 PLN per hour — up from 3,490 PLN, or 22.80 PLN per hour.</p>
Resources	<p><a href="#">Announcement</a> (Polish) (Government, Sept. 13, 2022)</p>
Saudi Arabia (previously covered, with upcoming effective date)	
Development	<p><b>Career</b></p> <ul style="list-style-type: none"> <li>• <a href="#">Contracting with companies with regional headquarters outside of the kingdom to cease</a> — key date: Jan. 1, 2024</li> </ul>
South Africa (previously covered, with upcoming effective date)	
Development	<p><b>Career</b></p> <ul style="list-style-type: none"> <li>• <a href="#">Amended employment equity measures enacted</a> — key date: expected to take effect September 2023</li> </ul>


Spain (new)	
Status	 Currently effective
Development	<p><b>Career — Health</b></p> <p><b>Family leave entitlement expanded</b></p> <p>Employees in Spain are entitled to expanded leave entitlement and the possibility to reduce their working time under measures included in Royal Decree 5/2023 that took effect on June 30, 2023. The Decree aims to implement European Union directive 2019/1158. Highlights include:</p> <p><b>Paid leave</b></p> <ul style="list-style-type: none"> <li>• Five days' leave (up from two days) to care for a relative (up to the second degree of kinship), spouse or unmarried partner and any other person living with the employee in the same household and in need of care. Up to four days of leave per year for unforeseeable or urgent reasons arising from family illness or an accident that requires the employee's immediate presence. This leave can be calculated on an hourly basis.</li> <li>• Two to four days of leave for the death of a spouse, unmarried partner or relative (up to the second degree of kinship).</li> <li>• 15 days of leave for a civil partnership registration.</li> </ul> <p><b>Unpaid leave</b></p> <ul style="list-style-type: none"> <li>• Parents are entitled to up to eight weeks of parental leave to care for an adopted or fostered child (where the foster arrangement is for more than one year), up to age eight. The leave is nontransferable and can be taken continuously or discontinuously. This leave will be paid from Aug. 2, 2024.</li> <li>• Single parents can take leave of absence to care for a disabled child or if they have a multiple birth. The contract of employment is suspended for the duration of the leave.</li> <li>• Single parents can take up to 20 weeks of leave following the birth, adoption or fostering of a child with disabilities.</li> </ul> <p><b>Working time:</b> Employees can request working time reduction (with a corresponding salary reduction) to care for relatives (up to the second degree of kinship), children over the age of 12, unmarried partners and, in certain circumstances, their relatives due to an accident, illness or old age. The time period allowed for employers and employees to negotiate such working time changes is reduced to 15 days (down from 30) — the employee's request will be granted if the employer does not expressly object during this period.</p> <p><b>Postponement of leave by the employer:</b> Parents who work for the same employer could be required to postpone or adjust their leave (breastfeeding or for the care of a child), or reduced working time arrangements, where both parents care for the same child, and the arrangement would seriously disrupt the organization.</p> <p><b>Stronger sanctions:</b> The unfavorable treatment of women or men who exercise their rights under the decree will be considered as discrimination on grounds of sex and could result in legal claims and higher penalties.</p>
Resources	<p><a href="mailto:gloria.villar@mercer.com">gloria.villar@mercer.com</a></p> <p><a href="#">Royal Decree 5/2023</a> (Spanish) (Government, June 29, 2023)</p>

Spain (previously covered, with upcoming effective date)	
Development	<b>Wealth</b> <ul style="list-style-type: none"> <li><a href="#">Changes to public pension system enacted</a> — key date: Jan. 1, 2024</li> </ul>
Switzerland — Geneva (new)	
Status	 Effective date unknown
Development	<b>Career — Health</b> <b>Paid leave introduced</b> <p>A public referendum to give parents in the canton of Geneva eight weeks of paid parental leave in addition to the current maternity leave entitlement of 16 weeks was approved by voters on June 18, 2023. The eight weeks can be used by the parent who did not take maternity leave, but the remaining two weeks can be transferred between parents. The leave will be available to all parents, including same-sex couples and adoptive parents. The Grand Council of Geneva will have to issue legislation to give effect to the referendum result.</p>
Switzerland — Zurich and Winterthur	
Status	 Effective date unknown
Development	<b>Career</b> <b>Hourly minimum wage to be introduced</b> <p>Public referendums held in Zurich and Winterthur on June 18, 2023, approved the introduction of an hourly minimum wage. Zurich's minimum wage will be 23.90 CHF for employees who work mostly within the city limits. Winterthur's minimum wage will be 23 CHF.</p>
Resources	<a href="#">Information on Zurich's public referendum</a> (Germany) (Government) and <a href="#">Information on Winterthur's public referendum</a> (Germany) (Government)
Switzerland (previously covered, with upcoming effective date)	
Development	<b>Wealth</b> <ul style="list-style-type: none"> <li><a href="#">First-pillar pension scheme reforms approved</a> — key date: Jan. 1, 2024</li> <li><a href="#">Occupational pension reforms pass parliament</a> — key date: effective date unknown</li> </ul>

Turkey (new)	
Status	 <b>Currently effective</b>
Development	<p><b>Career</b></p> <p><b>Minimum wage increased</b></p> <p>Effective July 1, 2023, the gross minimum wage increased to 13,414 TRY, up from 10,008 TRY. The new net minimum wage is 11,402 TRY, up from 8,506.80 TRY.</p>
Resources	<a href="#">Release</a> (Turkish) (Government, June 20, 2023)
United Arab Emirates (new)	
Status	 <b>Deadline extended until Sept. 30, 2023</b>
Development	<p><b>Career</b></p> <p><b>Unemployment scheme registration deadline extended</b></p> <p>The deadline for most employees to register and start paying contributions for the UAE's new unemployment scheme has been extended by three months to Sept. 30, 2023. The scheme was announced in June 2022 to encourage private sector employment, and employees that don't register face possible financial penalties. For employment contracts entered into prior to May 30, 2023, the registration deadline is Sept. 30, 2023, and for employees who started after May 30, 2023, registration must take place within four months of the employment start date.</p> <p>The amount of benefit payable under the unemployment scheme will be 60% of salary, capped at 20,000 DHS for periods of up to three months. Individuals can claim for any period of unemployment, but the total coverage period cannot exceed 12 months during the individual's entire period of employment in the UAE. Payment of the benefit ceases if the individual is hired by another employer. Individuals will contribute to the scheme and must do so for at least 12 months before claiming the unemployment benefit. If employees are dismissed for disciplinary reasons, or for fraud or deceit, they are ineligible for the benefit.</p>
Resources	<a href="#">UAE Unemployment Insurance Scheme registration deadline extended by three months</a> (Government, June 15, 2023) and <a href="#">Federal Decree-Law No. 13 of 2022 Concerning Unemployment Insurance Scheme</a> (Government)



United Kingdom (new)	
Status	 <b>Deadline is Oct. 31, 2026</b>
Development	<p><b>Wealth</b></p> <p><b>Pension dashboard, connection deadlines change</b></p> <p>The UK pensions minister announced that the Pension Dashboard Regulations 2022 will be amended. The schedule of mandatory staging deadlines when schemes are required to connect to the Pensions Dashboard will be replaced by a single mandatory connection date of Oct. 31, 2026. Previously, the regulations required schemes to connect to the Dashboard between August 2023 and October 2025, depending on the type and size of scheme. Government guidance is now expected, following a period of consultation with the industry. This will set out a new staging schedule, replacing the previous schedule in the regulations. The guidance will not be mandatory, but there will be a strong expectation that schemes comply.</p> <p>The Pensions Dashboards initiative aims to allow individuals to access their pension information online, securely and all in one place. Schemes will need to connect to the Dashboards infrastructure and must be able to supply member data on request.</p>
Resources	<p><a href="mailto:glyn.bradley@mercer.com">glyn.bradley@mercer.com</a></p> <p><a href="#">Pensions Dashboards Update</a> (Parliament, June 8, 2023)</p>

UK (new)	
Status	 Consultation is open until Sept. 13, 2023
Development	<p><b>Career</b></p> <p><b>Financial Reporting Council considers remuneration changes to corporate governance code</b></p> <p>The United Kingdom's Financial Reporting Council (FRC) has launched a consultation on proposed changes to the Corporate Governance Code (the Code) that would simplify some of the disclosures included in remuneration policies, introduce a requirement to consider Environmental, Social, and Governance (ESG) performance when making decisions related to directors' remuneration, and require a fuller description of malus and clawback terms. The consultation extends to Sept. 13, 2023, with a revised version of the Code taking effect for financial years starting on or after Jan. 1, 2025.</p> <p>The consultation is in response to the government's proposed legislative and governance reforms described in "Restoring trust in audit and corporate governance." These changes are likely to have support from most companies and investors as they update the Code to reflect the evolution of corporate governance strategies, particularly in relation to ESG. The changes also introduce some welcome simplifications to reporting, as many companies have felt encouraged by the previous Code to include boilerplate disclosures to demonstrate their compliance.</p> <p>Currently, premium listed companies on the Main List of the London Stock Exchange must explain, in their annual report, how they applied the Code during the financial year, including its general principles and compliance with the Code's more detailed provisions — or explain their reasons for noncompliance.</p>
Resources	<a href="mailto:nicolas.stratford@mercer.com">nicolas.stratford@mercer.com</a> and <a href="mailto:peter.boreham@mercer.com">peter.boreham@mercer.com</a> <a href="#">GRIST</a> , June 21, 2023
UK (previously covered, with upcoming effective date)	
Development	<p><b>Career — Health</b></p> <ul style="list-style-type: none"> <li>• <a href="#">Employees to be allowed neonatal care leave</a> — key date: expected April 2024</li> <li>• <a href="#">Employees will be able to annually take carers' leave</a> — key date: expected April 2024</li> <li>• <a href="#">Stronger job protection from redundancy given to employees on maternity leave</a> — key date: expected April 2024</li> </ul> <p><b>Wealth</b></p> <ul style="list-style-type: none"> <li>• <a href="#">New rules on defined contribution pension illustrations published</a> — key date: Oct. 1, 2023</li> </ul>



**Mercer LLC**

1166 Avenue of the Americas

New York, NY 10036

[www.mercer.com](http://www.mercer.com)

Copyright © 2023 Mercer LLC. All rights reserved.