

Law & Policy Group

# Global Legislative Update

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# 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.

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Americas (continued)	
<b>US (continued)</b>	<a href="#">Law restricts abortions, requires fully insured plans to cover contraceptives in South Carolina</a> <a href="#">Data protection law enacted in Tennessee</a> <a href="#">Employers providing paid family medical leave eligible for state tax credits in 2024 and 2025 in Tennessee</a> <a href="#">Prescription drug requirements enacted in Texas</a> <a href="#">New law facilitates multiple employer welfare arrangements, adds participant protections in Texas</a> <a href="#">Gender transition services restricted in Texas</a> <a href="#">Hair nondiscrimination law enacted in Texas</a>
Asia Pacific	
<b>Australia</b>	<a href="#">Fair Work Commission's annual wage review published</a> <a href="#">Funds asked to review multifactor authentication coverage</a> <a href="#">Federal budget includes health, wealth and employment measures</a> <a href="#">Regulator issues final prudential standards and guides</a> <a href="#">First assessment of Modern Slavery Act 2018 published</a> <a href="#">Flexible work and leave changes now effective</a> <a href="#">Input requested on reforms to anti-money-laundering, counterterrorism financing regime</a> <a href="#">Australian Prudential Regulation Authority releases updated standard SPS 310</a>
<b>Hong Kong</b>	<a href="#">Mandatory pension fund offsetting to end from May 2025</a>
<b>Malaysia</b>	<a href="#">Grace period for employers to register with social security program ends June 30, 2023</a>
Europe, Middle East and Africa (EMEA)	
<b>European Union (EU)</b>	<a href="#">Pay transparency law approved</a>
<b>Greece</b>	<a href="#">Companies must appoint whistleblowing officer by May 11, 2023</a> <a href="#">Guidance on workforce heat exposure prevention issued</a>
<b>Hungary</b>	<a href="#">Unused funds on SZÉP cards will be taxed</a>
<b>Luxembourg</b>	<a href="#">Guaranteed interest for pension products changed</a>
<b>Malawi</b>	<a href="#">Pension program reformed, coverage expanded</a>
<b>Netherlands</b>	<a href="#">Parliament agrees to significant occupational pension reforms</a> <a href="#">Minimum wage rates increased, hourly rate to be introduced</a>
<b>Spain</b>	<a href="#">Employees will be allowed to take sick leave due to 'incapacitating menstruation'</a>

**EMEA (continued)**

**United Kingdom (UK)**

Employees to be allowed neonatal care leave

Employees will be able to annually take carers' leave

Stronger job protection from redundancy to be given to employees on maternity leave

## 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 (new)	
Status	 <b>Currently effective</b>
Development	<b>Health</b> <b>Private prepaid health system fees increased</b> The cost of prepaid medicine increased by 5.49% from June 1, 2023, under Resolution 2577/2022, and Decree 743/2002 issued by the Ministry of Health.
Resources	<a href="mailto:graciela.magonza@mecermarshbeneficios.com">graciela.magonza@mecermarshbeneficios.com</a> <a href="#">Resolution 2577/2022</a> (Spanish) (Government); <a href="#">Decree 743/2022</a> (Spanish) and <a href="#">Announcement</a> (Spanish) (Government)
Argentina (previously covered, with upcoming effective date)	
Development	<b>Career — Health</b> <ul style="list-style-type: none"> <li><a href="#">Employers with collective bargaining agreement given temporary alternative to day care mandate</a> — key date: July 31, 2023</li> </ul>
Bermuda (previously covered, now effective)	
Status	 <b>Currently effective</b>
Development	<b>Career</b> <b>Minimum wage increased</b> Bermuda introduced a minimum wage that took effect June 1, 2023. The hourly wage is BMD\$16.40. The rate excludes tips voluntarily given to workers, and employers must pay any difference to ensure personal care employees and employees receiving gratuities and service charges receive the minimum hourly wage.
Resources	<a href="#">Employment (minimum hourly wage) Order 2023</a> (Government, March 23, 2023) and <a href="#">Labour day message — remarks by the Minister of Economy and Labour</a> (Government, Sept. 4, 2022)


Canada — British Columbia (previously covered, now effective)	
Status	 <b>Currently effective</b>
Development	<p><b>Career</b></p> <p><b>Minimum wage increased</b></p> <p>The general hourly minimum wage in British Columbia increased on June 1, 2023, to C\$16.75, up from C\$15.65. The increase is tied to British Columbia's average annual inflation rate which was 6.9% in 2022.</p>
Resources	<a href="#">Minimum wage increases to \$16.75 per hour on June 1</a> (Government, April 5, 2023)
Canada — Quebec (new)	
Status	 <b>Currently effective</b>
Development	<p><b>Career — Health — Wealth</b></p> <p><b>More French language requirements are effective</b></p> <p>Measures included in Bill 96 that significantly change the Charter of the French Language took effect in Quebec on June 1, 2023, and will impact workplaces and employment documentation. Bill 96 received Royal Assent on June 1, 2022, and includes varying effective dates. Examples of employment-related measures that are currently effective include:</p> <ul style="list-style-type: none"> <li>• The Office Québécois de la Langue Française (OQLF) will offer French language learning to businesses with as few as five employees in certain key industry sectors if employees are unable to communicate adequately in French. The language lessons will be delivered in classes, online and in the workplace.</li> <li>• Contracts of adhesion whose main clauses were stipulated by one party and were not subject to negotiation must be written in French, allowing the parties to jointly choose if they want to be bound by another language version. Contracts of adhesion may include some employment contracts and collective agreement.</li> <li>• Employment policies, training policies and procedures issued to employees before June 1, 2022, in a language other than French, must now be made available in French.</li> <li>• Documents created since June 1, 2022, must be in French, or in bilingual format (the French version must include terms at least as favorable). Such documentation includes job applications and postings, training policies and procedures, employee handbooks, benefits and equity plan documentation.</li> <li>• Employees whose individual employment contracts were issued before June 1, 2022, had until June 1, 2023, to request their employer to provide a French version as soon as possible at no cost. This provision does not apply to fixed-term contracts entered into before June 1, 2022, and which are due to expire no later than June 1, 2024.</li> </ul>
Resources	<a href="#">Bill 96</a> (Legislature)



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="#">Manitoba and Newfoundland and Labrador to join multijurisdictional pension agreement</a> — key date: July 1, 2023</li> <li>• <a href="#">Pension super priority federal legislation enacted</a> — key date: April 27, 2027</li> </ul>
Chile (new)	
Status	 <b>Currently effective</b>
Development	<p><b>Career</b></p> <p><b>Minimum wage increases confirmed</b></p> <p>The government approved a bill that increased the minimum wage retrospectively to 440,000 CLP on May 1, 2023, (up from 410,000 CLP for workers aged 16 or older and younger than 65 years). Further increases will take effect on Sept. 1, 2023, to 460,000 CLP and on July 1, 2024, to 500,000 CLP. From January 2025, the monthly minimum wage also will be adjusted in line with the Consumer Price Index registered between July and December 2024.</p>
Resources	<p><a href="#">Notice</a> (Spanish) (Government, May 29, 2023)</p>
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>

Colombia (new)	
Status	 <b>Currently effective</b>
Development	<b>Wealth</b> <b>Additional contributions included in pension calculations</b> <p>The Supreme Court of Justice's ruling in December 2022, revised the formula used by the pension administrator (Colpensiones) to calculate the old-age pension of individuals who contribute for more than 1,800 weeks. Until the ruling, the regulator included a maximum of 1,800 weeks of contributions in the calculation, but the court held that all contributions must be considered.</p>
Resources	<a href="mailto:juan.yepes@mercer.com">juan.yepes@mercer.com</a> <a href="#">Ruling</a> (Spanish) (Supreme Court of Justice)
Colombia (new)	
Status	 <b>Pending claims</b>
Development	<b>Wealth</b> <b>Claim for eligibility rules for old-age pension to include nonbinary individuals</b> <p>Colombia's Constitutional Court is considering several claims to expand the old-age pension (Law 100 of 1993) to include nonbinary individuals, as well as individuals who identify as men or women. The claims seek to revise the requirements to obtain the old-age pension; the transition regime; persons excluded from the Individual Savings with Solidarity Regime; old-age pension in the Individual Savings with Solidarity Regime; minimum old-age pension guarantee; the value of pension bonds; and pension penalty.</p>
Resources	<a href="mailto:juan.yepes@mercer.com">juan.yepes@mercer.com</a>
Dominican Republic (previously covered, with upcoming effective date)	
Development	<b>Career — Health</b> <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	<b>Career — Health</b> <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>



Jamaica (previously covered, now effective)	
Status	 <b>Currently effective</b>
Development	<b>Career</b> <b>Minimum wage rate increased</b> <p>Starting June 1, 2023, Jamaica's weekly minimum wage generally increased to JM\$13,000, up from JM\$9,000, calculated on a 40-hour week. The revised rates were announced in the budget on March 17, 2023.</p>
Resources	<a href="#">National minimum wage moves to \$13,000 June 1</a> (Government, March 17, 2023)
US (new)	
Status	 <b>Currently effective</b>
Development	<b>Career</b> <b>Noncompete provisions violate labor law except in limited circumstances</b> <p>The proffer, maintenance and enforcement of noncompete provisions in employment contracts and severance agreements violates the National Labor Relations Act except in limited circumstances, the National Labor Relations Board's (NLRB's) General Counsel announced in Memorandum GC 23-08.</p> <p>Overbroad noncompete agreements are unlawful because they discourage employees from exercising their rights under Section 7 of the National Labor Relations Act, which protects employees' rights to take collective action to improve their working conditions, the memo said. "Noncompete provisions reasonably tend to chill employees in the exercise of Section 7 rights when the provisions could reasonably be construed by employees to deny them the ability to quit or change jobs by cutting off their access to other employment opportunities that they are qualified for based on their experience, aptitudes, and preferences as to type and location of work."</p> <p>However, in some cases noncompete agreements could be lawful if the provisions clearly restrict only an individual's managerial or ownership interests in a competing business, or true independent-contractor relationships. Also, there may be circumstances in which a narrowly tailored noncompete agreement's infringement on employee rights may be justified by special circumstances.</p> <p>The memo noted the NLRB's commitment to an interagency approach to restrictions on the exercise of employee rights, including limits to workers' job mobility. Last year, the NLRB entered into a memoranda of understanding with the Federal Trade Commission and the Department of Justice's Antitrust Division, both of which have addressed the anticompetitive effects of noncompete agreements.</p>
Resources	<a href="#">NLRB General Counsel issues memo on noncompetes violating the National Labor Relations Act</a> (NLRB, May 30, 2023) and <a href="#">Memorandum GC 23-08</a> (NLRB, May 30, 2023)



US (new)	
Status	 <b>Currently effective</b>
Development	<p><b>Career — Health</b></p> <p><b>Holidays might not factor into Family and Medical Leave Act leave calculation</b></p> <p>The Department of Labor's Wage and Hour Division (WHD) issued an opinion letter responding to a request as to how to calculate the amount of leave used when an employee takes leave under the Family and Medical Leave Act (FMLA) during a week that includes a holiday.</p> <p>Under the FMLA, the employee's normal workweek is the basis of the employee's leave entitlement. When a holiday falls during a week where employees use a full workweek of FMLA leave, the holiday does count against their job-protected leave. However, WHD says that if the employee works for part of the week and uses FMLA leave for part of the week, the holiday does not reduce the amount of the employee's FMLA leave entitlement unless the employee was required to report for work on the holiday. Therefore, if the employee was not expected or scheduled to work on the holiday, the fraction of the workweek of leave used would be the amount of FMLA leave taken (which would not include the holiday) divided by the total workweek (which would include the holiday).</p> <p>The WHD states that the opinion is based exclusively on the facts and circumstances described in the request.</p>
Resources	<a href="#">Opinion Letter</a> (WHD, May 30, 2023)
US (new)	
Status	 <b>Inspections must be completed by Aug. 30, 2023.</b>
Development	<p><b>Career</b></p> <p><b>Employers must conduct in-person employment identity as of Aug. 30</b></p> <p>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 — July 31, 2023), the Department of Homeland Securities (DHS) recently announced.</p> <p>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.</p>
Resources	<a href="#">ICE updates Form I-9 requirement flexibility to grant employers more time to comply with requirements</a> (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	 Planning phase
Development	<p><b>Career — Health</b></p> <p><b>White House launches plan to address workplace violence and harassment</b></p> <p>On May 25, 2023, the White House published the first-ever US National Plan to End Gender-Based Violence. The plan includes five recommended actions reflecting principles in the International Labour Organization’s Convention on Violence and Harassment in the World of Work (ILO Convention 190).</p> <p>The plan defines the “world at work” to include not only traditional workplaces but anywhere workers are paid, places where workers take rest breaks and receive training, and work-related communications. The plan highlights risks particularly associated with certain industry sectors, such as trucking, construction, agriculture, healthcare, restaurants, janitorial and domestic work, explaining that such risks can be due to occupational segregation, isolation and employment precariousness. Funding will be made available to support non-profit organizations to address gender-based violence and harassment in the workplace.</p> <p>The five areas for action include:</p> <ul style="list-style-type: none"> <li>• Change workplace norms and practices to prevent gender-based violence and support impacted employees</li> <li>• Establish the federal government as a model employer</li> <li>• Build capacity of employers, unions, workplaces and other worker organizations to prevent and respond to gender-based violence, focusing in particular on industry sectors, jobs and working arrangements where workers are more likely to experience it</li> <li>• Improve the economic security of individuals who have suffered gender-based violence</li> <li>• Increase access to, and awareness of, worker protections and policies to help individuals who have experienced such violence, or who are at risk for workplace violence.</li> </ul>
Resources	<p><a href="#">US national plan to end gender-based violence: Strategies for action</a> (White House, May 25, 2023) and <a href="#">Ending gender-based violence at work and beyond</a> (Department of Labor, May 25, 2023)</p>

US (updated)	
Status	 The PWFA is effective on June 27, 2023, and the PUMP Act was generally effective upon enactment
Development	<p><b>Career — Health</b></p> <p><b>Agencies provide guidance on pregnancy and nursing protections for employees</b></p> <p>Federal enforcement agencies have provided compliance guidance for the Providing Urgent Maternal Protections for Nursing Mothers Act (PUMP Act) and the Pregnant Workers Fairness Act (PWFA), both passed late last year with the omnibus spending bill. The PWFA requires temporary reasonable accommodations for pregnant workers, effective June 27. Enforcement for the PUMP Act — which requires break time and a private location for nursing workers to express milk — began in late April.</p>
Resources	<p><a href="mailto:katharine.marshall@mercer.com">katharine.marshall@mercer.com</a></p> <p><a href="#">PWFA and PUMP Act — overview and employer considerations</a> (Mercer, June 3, 2023)</p>
US — States	
Status	 Effective dates vary.
Development	<p><b>Career</b></p> <p><b>Roundup: Employer resources on states' recent equal pay laws</b></p> <p>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.</p> <p>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.</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 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	<p><b>Career</b></p> <p><b>Roundup: Employer resources on hairstyle nondiscrimination laws</b></p> <p>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.</p>
Resources	<a href="#">Roundup</a> , regularly updated
US — Arkansas (previously covered, now effective)	
Status	 Currently effective
Development	<p><b>Health</b></p> <p><b>Prescription drug laws enacted</b></p> <p>The Healthcare Insurer/Pharmacy Benefits Manager (PBM) Share the Savings Act (Act No. 333) requires fully insured plans and PBMs to reduce any participant cost sharing by 100% of all rebates at the point of sale. Another law (Act No. 302) expands the definition of a health benefit plan for purposes of PBM licensure and regulation to include plans issued outside the state if they cover Arkansas residents. The law is effective June 8, 2023.</p>
Resources	<p><a href="mailto:rich.glass@mercer.com">rich.glass@mercer.com</a></p> <p><a href="#">Act No. 333</a> (Legislature, March 21, 2023) and <a href="#">Act No. 302</a> (Legislature, March 16, 2023)</p>

US — Colorado (new)	
Status	 <b>Effective early August 2023</b>
Development	<p><b>Career — Health</b></p> <p><b>Paid sick leave law expanded</b></p> <p>SB 23-017 adds three reasons for the use of accrued paid sick leave:</p> <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@mercercor.com">rich.glass@mercercor.com</a> <a href="#">SB 23-017</a> (Legislature)
US — Florida (new)	
Status	 <b>Currently effective</b>
Development	<p><b>Health</b></p> <p><b>Law bans telehealth use to perform abortions</b></p> <p>A recently enacted law (Ch. 2023-21, SB 300) prohibits physicians and telehealth providers who are subject to state regulation from using telehealth to perform abortions.</p>
Resources	<a href="mailto:rich.glass@mercercor.com">rich.glass@mercercor.com</a> <a href="#">Ch. 2023-21, SB 300</a>
US — Florida (new)	
Status	 <b>Currently effective</b>
Development	<p><b>Career — Health</b></p> <p><b>Law bans state funding for sex-reassignment prescriptions and procedures, bars performing them on people younger than 18</b></p> <p>The main focus of Ch. 2023-90, SB 246 is a prohibition on sex-reassignment prescriptions and procedures for individuals under age 18. In addition, this law bans the use of state funds for sex-reassignment prescriptions and procedures, including the state group health insurance program and Medicaid managed care plan.</p>
Resources	<a href="mailto:rich.glass@mercercor.com">rich.glass@mercercor.com</a> <a href="#">Ch. 2023-90, SB 254</a> (Legislature)

US — Indiana (new)	
Status	 <b>Effective July 1, 2023</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.
Resources	<a href="mailto:rich.glass@mercer.com">rich.glass@mercer.com</a> <a href="#">2023 Pub. Law 98, SB 160</a> (Legislature)
US — Iowa (new)	
Status	 <b>Effective July 1, 2023</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 these 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 will take effect July 1.
Resources	<a href="mailto:rich.glass@mercer.com">rich.glass@mercer.com</a> <a href="#">HB 671</a> (Legislature) and <a href="#">What we're seeing with state telehealth legislation in 2023</a> (Mercer, June 1, 2023)
US — Maryland (updated)	
Status	 <b>Effective dates vary.</b>
Development	<b>Career — Health</b> <b>Paid family and medical leave revised</b> Recent amendments to Maryland's Time to Care Act delay paid family and medical leave contributions and benefits for one year. Contributions of up to 1.2% of wages will start Oct. 1, 2024, and benefits will become available on Jan. 1, 2026.
Resources	<a href="mailto:rich.glass@mercer.com">rich.glass@mercer.com</a> <a href="#">GRIST</a> , updated May 25, 2023

US — Minnesota (new)	
Status	 Contributions and benefits will start on Jan. 1, 2026.
Development	<p><b>Career — Health</b></p> <p><b>Paid family and medical leave law enacted</b></p> <p>A new law (2023 Ch. 59, HF 2) provides covered employees leave to bond with a new child, care for a family member, attend to a serious health condition, or manage a qualifying military exigency or for safety leave (i.e., domestic abuse, sexual assault or stalking). Highlights include:</p> <ul style="list-style-type: none"> <li>• <b>Applicability.</b> Employers with even one employee in the state are covered. Seasonal hospitality employees who work 150 days or less in any 52-week period are the only meaningful exclusion from the definition of covered employee. Covered family members include domestic partners, in-laws, grandparents/grandchildren and any individual whose relationship “creates an expectation and reliance that the applicant care for the individual, whether or not the applicant and the individual reside together.” Self-employed individuals are also eligible for PFML coverage.</li> <li>• <b>Funding.</b> Contributions are set at 0.7% (up to the Social Security maximum), split evenly between employer and employee. A lower contribution rate applies for employers with fewer than 30 employees.</li> <li>• <b>Duration.</b> Medical leave is for up to 12 weeks in a benefit year or 12 weeks minus the weeks used for family, military and safety leave plus eight weeks. Likewise, duration of family, military and safety leave is for up to 12 weeks or 12 weeks minus the weeks used for medical leave plus eight weeks. Stated another way, the leave maximum is 20 weeks per benefit year.</li> <li>• <b>Private plans.</b> Employers have a fully insured and self-funded option for either or both medical and family leave. State family benefit contributions are 0.3% of wages for employers with approved private medical leave. State medical benefit contributions are 0.4% of wages for employers with approved private family leave.</li> </ul>
Resources	<a href="mailto:rich.glass@mercer.com">rich.glass@mercer.com</a> <a href="#">2023 Ch. 59, HF 2 (Legislature)</a>

## US — Minnesota (new)

### Status



Effective Jan. 1, 2024

### Development

#### Career — Health

##### **Paid sick and safe leave mandated**

Paid sick and safe leave (PSSL) will be required as a result of inclusion in a state appropriations bill (2023 Ch. 53, SF 3035). SF 3035 requires at least one hour of sick and safe time for every 30 hours worked, capped at 48 hours annually. Highlights include:

- **Applicability.** Covered employees must work at least 80 hours per year in Minnesota. Covered family members include domestic partners, grandparents/grandchildren, uncles/aunts, nieces/nephews, any individual related by blood or with a close association and up to one annually designated individual.
- **Carryover.** The cap for unused accrued leave is 80 hours. Alternatively, frontloading negates the carryover requirement, either by frontloading 48 hours with a payout of unused time at year end or frontloading the full 80 hours with no payout.
- **Local laws.** SF 3035 does not preempt more generous local leave laws. Currently, four Minnesota cities have PSSL laws: Bloomington, Duluth, Minneapolis and St. Paul. All four have the same or less generous accrual rates than SF 3035. Only Duluth (at 64 hours) has a higher annual cap.

### Resources

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[2023 Ch. 53, SF 3035](#) (Legislature)

## US — Montana (new)

### Status



Oct. 1, 2023

### Development

#### Health



##### **Licensing reciprocity extended to more professionals**



Effective Oct. 1, 2023, licensing reciprocity extends to out-of-state professional counselors, addition counselors, marriage and family therapists, and behavioral health peer support specialists.

### Resources

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

[HB 101](#) (Legislature)

US — Montana	
Status	 Effective Jan. 1, 2024
Development	<p><b>Health</b></p> <p><b>Diabetes self-management training and education services coverage required</b></p> <p>Instead of addressing insulin copay caps like other states, 2023 Ch. 520, HB 612 mandates coverage of diabetes self-management training and education services for fully insured plans. Specifically, plans must cover up to 20 visits (in an individual or group setting) for the initial year and up to 12 visits in later years, if the 20-visit limit is exhausted. Montana does not apply its laws on an extraterritorial basis to fully insured plans located in another state. HB 612 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. 520, HB 612 (Legislature)</a></p>
US — Nevada (new)	
Status	 Effective Jan. 1, 2024
Development	<p><b>Health</b></p> <p><b>Step therapy restricted</b></p> <p>With the passage of 2023 Ch. 151, SB 194, fully insured plans must establish and communicate an exemption and appeals process for step-therapy protocols. Applicable guidelines must be based on medical or scientific evidence, where available. This law applies to plans in the individual and group markets (including small group), as well as nonprofit hospital, medical and dental service corporations, Health Maintenance Organizations and managed care plans subject to state law.</p> <p>Medicaid managed care organizations and certain state governmental plans are exempt from these requirements. Self-funded group health plans also are not subject to SB 194, which will take effect Jan. 1, 2024. Nevada does not apply its insurance laws on an extraterritorial basis to fully insured plans issued in other states.</p>
Resources	<p><a href="mailto:rich.glass@mercer.com">rich.glass@mercer.com</a></p> <p><a href="#">2023 Ch. 151, SB 194 (Legislature)</a></p>

US — New York (previously covered, soon to be effective)	
Status	 <b>Effective on or about June 28, 2023.</b>
Development	<p><b>Health</b></p> <p><b>Prescription price transparency law now effective</b></p> <p>A new law requires insurers or pharmacy benefit managers in the state to furnish required cost, benefit and coverage data on the request of a participant, a participant's healthcare provider or an authorized third party considered a HIPAA business associate. The law takes effect on or about June 28, 2023.</p>
Resources	<p><a href="mailto:rich.glass@mercer.com">rich.glass@mercer.com</a></p> <p><a href="#">Ch. 63, AB 2200</a> (Legislature, March 3, 2023)</p>
US — New York (previously covered, now effective)	
Status	 <b>Currently effective</b>
Development	<p><b>Career — Health</b></p> <p><b>Rights of nursing employees to express breast milk expanded</b></p> <p>On Dec. 9, 2022, New York's governor signed legislation (S4844-B/A.1236-A) to expand accommodations for breastfeeding in the workplace as of June 7, 2023. The law amends Section 206-c of the labor law and requires all New York employers to ensure that pumping spaces for all nursing employees are convenient and private, and include seating, access to running water and electricity, and a working space. There is an undue hardship exemption, but efforts must still be made to provide a room or other location, other than a restroom or toilet stall, that is in close proximity to the work area, for an employee to express breast milk in privacy. Under the old law, employers had to give reasonable break times and make reasonable efforts to provide a space for employees to pump breast milk, but this standard fell below the existing requirements for government employees.</p> <p>The new law also requires employers to develop and implement a written policy regarding employee rights when breastfeeding in the workplace. Employers must provide the written policy to each employee upon hire and annually thereafter, as well as to employees returning to work after the birth of a child.</p>
Resources	<p><a href="#">Governor Hochul signs legislation to expand accommodations for breastfeeding in the workplace</a> (Governor, 9 December 2022) and <a href="#">S4844</a> (Legislature)</p>



## US — Oregon (updated)

### Status



Effective dates vary.

### Development

#### Health — Career

##### **Paid family medical leave recoupment rules revise, benefit limits changed**

In advance of Oregon's September 3, 2023, start date for paid family and medical leave (PFML) benefits, a new law (2023 Pub. Law 120, SB 912) addresses rules on benefit recoupment and ineligibility, penalties for employer equivalent plans and delinquent contribution. Highlights include:

- Benefit recoupment. If a covered individual is overpaid PFML benefits, the state employment department may deduct the amount from any future payments within five years, even if the error was not the employee's fault. After five years, this debt will be cancelled in most situations.
- Benefit ineligibility. Individuals convicted of fraud in obtaining benefits shall remain ineligible for any future payments until they have reimbursed what is owed in full.
- Penalties for employer equivalent plans. SB 912 provides a new penalty scheme specific to violations of rules for equivalent plans: \$1,000 (first violation) and \$2,000 (second and subsequent violations).
- Delinquent contributions and grant repayments. This law adds to three more situations where the employment department may impose a lien and pursue other legal remedies:
  - A self-employed individual or tribal government fails to remit contributions.
  - A small employer (fewer than 25 employees) must repay employer assistance grant moneys for which the employer was not eligible.
  - An individual or an employer is liable for any amounts due under the PFML law.



The first three of the above provisions will take effect Sept. 3, 2023. The last provision is effective retroactively to Jan. 1, 2023 (related to liens) and prospectively on Sept. 3, 2023 (other legal remedies).



Also, the state employment department revised the state's average weekly wage, which in turn changes the PFML benefit limits. The weekly minimum increases from \$61 to \$63.48, and the weekly maximum increases from \$1,469 to \$1,523.63. These changes technically will take effect on July 1, 2023, but again PFML benefits start on September 3. Contribution rates and the benefit calculation remain unchanged.

### Resources

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[2023 Pub. Law 120, SB 912](#) (Legislature) and [Employment department announces weekly benefit amounts for unemployment insurance and Paid Leave Oregon](#) (Government, June 1, 2023)

US — Oregon (new)	
Status	 Potential delay
Development	<p><b>Career — Health</b></p> <p><b>Potential delay of paid family and medical leave benefits</b></p> <p>As a result of 2023 Ch. 66, SB 31, the Oregon Employment Department (OED) will have the authority to delay the launch of PFML benefits (due to start Sept. 3) if the Paid Leave Oregon trust fund isn't solvent. The OED Director has until August 11 to make this call and could delay benefits until Dec. 3, 2023, or even later.</p>
Resources	<p><a href="mailto:rich.glass@mercer.com">rich.glass@mercer.com</a></p> <p><a href="#">2023 Ch. 66, SB 31</a> (Legislature)</p>
US — South Carolina (new)	
Status	 Effective Jan. 1, 2024
Development	<p><b>Health</b></p> <p><b>Comprehensive pharmacy benefit manager reforms enacted</b></p> <p>SB 520 requires pharmacy benefit manager (PBM) disclosure of alternatives when participants are steered to an affiliated pharmacy. This law imposes an “any willing pharmacy” requirement (with exceptions for specialty and high-cost drugs) and a good faith and fair-feeling standard on PBMs. SB 520 also bans retroactive adjudication of Rx claims, except in limited situations. This law does not appear to apply to self-funded ERISA plans. All provisions of SB 520 take effect on Jan. 1, 2024, except for a provision related to examinations by the South Carolina Department of Insurance, which takes effect one year later.</p>
Resources	<p><a href="mailto:rich.glass@mercer.com">rich.glass@mercer.com</a></p> <p><a href="#">SB 520</a> (Legislature)</p>

US — South Carolina (new)	
Status	 <b>Currently effective</b>
Development	<b>Health</b> <b>Law restricts abortions, requires fully insured plans to cover contraceptives</b> <p>The Fetal Heartbeat and Protection from Abortion Act (2023 Act No. 70, SB 474) restricts abortions once a fetal heartbeat has been detected, except for medical emergencies, rape, incest or fatal fetal anomalies. In addition, fully insured individual and group health plans must cover contraceptives, with an exception for individuals or entities asserting a sincerely held religious belief. SB 474 also prohibits the state health insurance plan from using employer contributions to reimburse abortion expenses, except for medical emergencies, rape, incest or fatal fetal anomalies. This law was effective on enactment on May 15, 2023.</p>
Resources	<a href="mailto:rich.glass@mercer.com">rich.glass@mercer.com</a> <a href="#">2023 Act No. 70, SB 474 (Legislature)</a>
US — Tennessee (new)	
Status	 <b>Effective 1 July 2025</b>
Development	<b>Health</b> <b>Data protection law enacted</b> <p>The Tennessee Information Protection Act (2023 Ch. 408, HB 1181/SB 73) is a comprehensive data protection law that provides a list of consumer rights related to personal information rights, broadly defined to include employment-related information. However, specifically exempted from the law's scope is protected health information subject to federal HIPAA, so the law will have a limited impact on group health plans.</p>
Resources	<a href="mailto:rich.glass@mercer.com">rich.glass@mercer.com</a> <a href="#">2023 Ch. 408, HB 1181/SB 73 (legislature)</a>
US — Tennessee (new)	
Status	 <b>2024 and 2025 tax years</b>
Development	<b>Health</b> <b>Employers providing paid family medical leave eligible for state tax credits in 2024 and 2025</b> <p>The Tennessee Works Tax Act (HB 323) implements a large tax cut for state residents, including a PFML tax credit. For the 2024 and 2025 tax years, employers can receive a combined franchise and excise tax credit if they provide PFML that complies with §45S of the federal Internal Revenue Code. Details are available in a Tennessee Department of Revenue notice.</p>
Resources	<a href="mailto:rich.glass@mercer.com">rich.glass@mercer.com</a> <a href="#">HB 323 (Legislature)</a> and <a href="#">Tennessee Department of Revenue Notice (Department of Revenue, May 2023)</a>

## US — Texas (new)

### Status



Effective for plan years starting in 2025.

### Development

#### Health

##### Prescription drug requirements enacted

SB 622 requires fully insured group health plans, self-funded professional employer organization plans and all types of multiple-employer welfare arrangements to provide Rx disclosures to plan participants and their prescribing providers upon request. This disclosure must include information on:

- Eligibility
- Cost sharing
- Utilization management requirements


In addition, affected plans may not restrict or prohibit prescribing providers from telling participants about lower cost options or clinically alternative drugs.



This law will take effect for plan years starting 2025. Insurers with fewer than 10,000 enrollees may request a 12-month extension of the effective date and also request a temporary exception from the requirements. Texas applies its insurance laws on an extraterritorial basis to fully insured plans issued in other states to the extent they cover Texas residents.



### Resources

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[SB 622](#) (Legislature)

US — Texas (new)	
Status	 Applies to MEWAs obtaining an initial certificate of authority on or after Jan. 1, 2024.
Development	<p><b>Health</b></p> <p><b>New law facilitates multiple-employer welfare arrangements, adds participant protections</b></p> <p>A new law (HB 290) makes it easier for employers to form association health plans (AHPs), which are a type of multiple-employer welfare arrangement (MEWA). Highlights include:</p> <ul style="list-style-type: none"><li>• Employer-related changes. Previously, a MEWA required five or more businesses in the same trade or industry. Now, commonality can be established if each employer has a principal place of business in the same region, which does not exceed Texas boundaries or a metropolitan statistical area (e.g., El Paso, Texarkana). For MEWA purposes, working owners can qualify as both an employer and an employee. The two-year seasoning requirement is waived if a MEWA meets the requirements in HB 290.</li><li>• Participant-related changes. MEWAs are subject to major insurance law provisions, including required levels of reserves, asset protections, network adequacy, utilization review and out-of-network claim dispute resolution.</li></ul> <p>This law applies to MEWAs obtaining an initial certificate of authority on or after Jan. 1, 2024.</p>
Resources	<p><a href="mailto:rich.glass@mercer.com">rich.glass@mercer.com</a></p> <p><a href="#">HB 290</a> (Legislature)</p>

US — Texas (new)	
Status	 <b>Effective Sept. 1, 2023</b>
Development	<p><b>Health</b></p> <p><b>Gender transition services restricted</b></p> <p>SB 14 prohibits healthcare providers from providing services for the purpose of gender transition of children under the age of 18:</p> <ul style="list-style-type: none"> <li>• Sterilization surgery</li> <li>• Mastectomy</li> <li>• Dispensing or prescribing of drugs that induce transient or permanent infertility</li> <li>• Removal of an otherwise healthy or non-diseased body part</li> </ul> <p>Other services (like counseling and psychotherapy) related to gender dysphoria are still permitted. This law provides treatment exceptions for these situations:</p> <ul style="list-style-type: none"> <li>• Normalizing puberty for those experiencing precocious puberty</li> <li>• Appropriate and medically necessary treatment for a genetic disorder</li> <li>• The course of treatment started before June 1, 2023, and the child attended at least 12 therapy sessions.</li> </ul> <p>In addition, state governmental funding (including Medicaid and CHIP) for the above services is prohibited. SB 14 does not address gender transition coverage for fully insured plans or self-funded plans, and the “healthcare provider” definition does not include group health plans. This law will take effect September 1.</p>
Resources	<p><a href="mailto:rich.glass@mercer.com">rich.glass@mercer.com</a></p> <p><a href="#">SB 14</a> (Legislature)</p>
US — Texas (new)	
Status	 <b>Effective Sept. 1, 2023</b>
Development	<p><b>Career</b></p> <p><b>Hair nondiscrimination law enacted</b></p> <p>Texas’ governor signed legislation that prohibits racial discrimination based on hair texture or protective hairstyle. Under the law, discrimination because of race or on the basis of race includes discrimination because of or on the basis of a person’s hair texture or protective hairstyle commonly or historically associated with race. An employer, labor union, or employment agency will commit an unlawful employment practice if they adopt or enforce a dress or grooming policy that discriminates against a hair texture or protective hairstyle commonly or historically associated with race. “Protective hairstyle” includes braids, locks and twists. Texas becomes the 20th state to enact CROWN legislation.</p>
Resources	<p><a href="#">HB 567</a> (Legislature) and <a href="#">Roundup: Employer resources on hairstyle nondiscrimination laws</a>, regularly updated</p>

US — Washington	
Status	 <b>Effective July 1, 2023</b>
Development	<b>Health</b> <b>Rules address paid family medical leave, long-term care insurance requirements</b> 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.
Resources	<a href="mailto:rich.glass@mercer.com">rich.glass@mercer.com</a> <a href="#">Rules</a> (Government, May 17, 2023)
US — Washington (updated)	
Status	 <b>Contributions begin July 1, 2023.</b>
Development	<b>Health</b> <b>Long-term care contribution mandate to begin July 1</b> The WA Cares Fund recently updated its employer toolkit and additional resources related to the long-term care (LTC) contribution mandate taking effect July 1. Here are some important reminders: <ul style="list-style-type: none"> <li>• Employers with employees in the state (regardless of number) must start withholding a contribution equal to 0.58% of gross wages, starting July 1, for every affected 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	<a href="mailto:rich.glass@mercer.com">rich.glass@mercer.com</a> <a href="#">Toolkits &amp; resources</a> (Government) and <a href="#">GRIST</a> , April 13, 2022

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

### Development

### Career

- [Hourly minimum wage to increase in Los Angeles, California](#) — key date: July 1, 2023
- [Minimum wage rate to increase in San Francisco, California](#) — key date: July 1, 2023
- [Minimum wage rate to increase in Portland metro area, Oregon](#) — key date: July 1, 2023
- [Hourly minimum wage to increase in Washington, DC](#) — key date: July 1, 2023
- [Enforcement of law on automated employment decision tools delayed in New York City](#) — key date: July 5, 2023
- [Hair nondiscrimination legislation enacted in Minnesota](#) — key date: Aug. 1, 2023
- [Salary ranges required in job postings in New York](#) — key date: Sept. 17, 2023
- [Insurance law requires third-party payments to apply toward cost sharing in Delaware](#) — key date: Jan. 1, 2024
- [Final SEC clawback rule requires significant changes to policies](#) — key date: early in 2024
- [Minimum wage rate to increase in Maryland](#) — key date: Jan. 1, 2024
- [Right-to-work law repealed in Michigan](#) — key date: March 30, 2024
- [Two-tier minimum wage system to be eliminated in Nevada](#) — key date: July 1, 2024
- [Hourly minimum wage to increase to \\$18 in Hawaii](#) — key date: Jan. 1, 2026

### Career — Health

- [Benefit law enacted in Indiana](#) — key date: July 1, 2023
- [Voluntary family medical leave program announced in Vermont](#) — key date: July 1, 2023
- [Organ donation law enacted in Virginia](#) — key date: July 1, 2023
- [Equal pay, benefit and employment rights granted to New Jersey's temporary employees](#) — key date: Aug. 5, 2023
- [Employment discrimination based on nonworkplace cannabis use barred in California](#) — key date: Jan. 1, 2024
- [Paid leaving coming to Illinois](#) — key date: Jan. 1, 2024
- [Voluntary paid family leave law enacted in Tennessee](#) — key date: Jan. 1, 2024
- [Paid family medical leave calculations changed in Washington](#) — key date: Jan. 1, 2024
- [App-based workers entitled to accrue sick and safe time in Seattle, Washington](#) — key date: Jan. 13, 2024
- [Paid family medical leave program legislation enacted in Delaware](#) — key date: 2025



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

### Health


- [Telehealth law enacted in Idaho](#) — key date: July 1, 2023
- [Utilization review requirements extended to self-funded health plans in Arkansas](#) — Key date: July 6, 2023
- [Voters approve ballot initiative that expands Medicaid eligibility in South Dakota](#) — key date: July 1, 2023
- [Pharmacy benefit manager law enacted in South Dakota](#) — key date: July 1, 2023
- [New requirements for insurance carriers enacted in Virginia](#) — key date: July 1, 2023
- [Long-term care law changes enacted in Washington](#) — key date: July 1, 2023
- [Benefit laws enacted in Washington](#) — key date: July 23, 2023
- [Paid family and medical leave law enacted in Maryland](#) — 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
- [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
- [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


### Wealth

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

# Section 4

## Asia Pacific

Australia (new)	
Status	 July 1, 2023
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 rates will take effect on July 1, 2023. The new rates are as follows:</p> <ul style="list-style-type: none"><li>• The National Minimum Wage (NMW) will increase to AU\$882.80 per week (or AU\$23.23 per hour). The weekly rate is based on a 38-hour week for a full-time employee.</li><li>• The minimum wages in modern awards will increase by 5.75% from July 1, 2023, and will apply 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 (new)	
Status	 Review
Development	<p><b>Wealth</b></p> <p><b>Funds asked to review multifactor authentication coverage</b></p> <p>Following several high-profile cyberattacks in Australia, the Australian Prudential Regulation Authority (APRA) contacted all APRA-regulated entities asking them to review the use of multifactor authentication (MFA) in their operating and technology environments, drawing attention to the Prudential Standard CPS 234 Information Security (CPS 234) and the associated guidance in CPG 234. MFA is one of the most effective controls an organization can implement to prevent an adversary from gaining access to a device or network and accessing sensitive information, APRA said.</p> <p>According to APRA, some entities have applied MFA only on an opt-in basis with their customers, or granted exceptions for customers without mobile phones or who live in areas without reliable phone reception. In other cases, remote access is provided to third-party staff without associated MFA.</p> <p>Where gaps in MFA coverage have the potential to materially affect — financially or nonfinancially — the entity or the interests of fund members or other customers, APRA said it would consider this to be a material security control weakness; under paragraph 36 of CPS 234, entities must notify APRA.</p> <p>APRA plans to review CPS 234 in due course, including clarifying its expectations on information security controls and the provision of additional guidance for industry.</p>
Resources	<p><a href="mailto:paul.shallue@mercero.com">paul.shallue@mercero.com</a></p> <p><a href="#">Use of multi-factor authentication</a> (APRA, May 26, 2023)</p>

## Australia (new)

### Status



Effective dates vary.

### Development

#### Career — Health — Wealth

##### Federal budget includes health, wealth and employment measures


The 2023/24 Federal Budget was announced on May 9, 2023. Highlights include:


- Confirmation of the proposed additional earnings tax on some super balances exceeding AU\$3 million. Estimated revenue is AU\$2.3 billion in 2027/28 in the first full year of receipts.
- Confirmation that the Payday Super initiative will require employers to pay from July 1, 2026, their employees' super contributions at the same time as their salary and wages. The budget indicates that the new requirements will apply to Superannuation Guarantee contributions (Mercer thinks that it should also apply to salary sacrifice super contributions and post-tax employee super contributions deducted from pay). A consultation will be issued during the second half of 2023, with the final design to be considered as part of the 2024-2025 budget.
- Amendment of the problematic non-arm's length income (NALI) tax provisions. The government announced that amendment of non-arms' length income fund expenditure (NALE) provisions will include exempting large Australian Prudential Regulation Authority regulated funds from the NALI provisions for general and specific expenses of the fund (the consultation had proposed it would apply only to general expenses). The NALE provisions will continue to apply to self-managed super funds and small Australian Prudential Regulation Authority funds, subject to a new cap on the income taxed as NALI due to non-arm's length income general expenditure and the exclusion of contributions from fund income taxable as NALI.
- Review of defined benefit (DB) notional contributions methodology. The budget announced an unexpected proposed review of the methodology that would result in increased notional contributions and tax revenue. Currently, notional contributions are used for DB members for concessional cap purposes and Division 293 tax.
- More than 300 Pharmaceutical Benefits Scheme medicines will be dispensed in larger amounts. From Sept. 1, 2023, some patients will receive two months' worth of medicine to treat a stable, chronic health condition, reducing patient visits to their medical practitioner and pharmacy, and out-of-pocket expenses by AU\$1.6 billion over a four-year period. Additional funding (AU\$358.5 million) for Medicare Urgent Care Clinics, including the establishment of eight new clinics by the end of 2023. Mental health services and the suicide prevention system will receive AU\$556.2 million of funding over a five-year period.
- The Government's previously announced Cheaper Child Care and Paid Parental Leave changes will take effect from July 2023
- Changes to the migration strategy include allocating 70% of the permanent Migration Program to skilled migrants, and increasing the Temporary Skilled Migration Income Threshold to AU\$70,000.

### Resources


[paul.shallue@mercer.com](mailto:paul.shallue@mercer.com) and [darren.downie@mercermarshbenefits.com](mailto:darren.downie@mercermarshbenefits.com)

[2023/24 Federal Budget](#) (Government, May 2023) and [Australian Federal Budget 2023-24](#) (Mercer)


Australia (new)	
Status	 Effective dates vary.
Development	<p><b>Wealth</b></p> <p><b>Regulator issues final prudential standards and guides</b></p> <p>The Australian Prudential Regulation Authority (APRA) issued final versions of new prudential standards and guides that aim to ensure all APRA-regulated entities have recovery and exit plans for responding to severe financial stress. The standards and guides are:</p> <ul style="list-style-type: none"> <li>• Cross-industry Prudential Standard CPS 900 Resolution Planning and accompanying Prudential Practice Guide CPG 900 Resolution Planning. These guides define the steps that banks, insurers and superannuation funds must take to prepare for crisis responses. CPS 900 will take effect on Jan. 1, 2024, but APRA will inform individual entities when they must apply the standard (implementation is not required unless notified by APRA). APRA is currently running a pilot program on customized resolution planning covering a small number of entities from all industry sectors. APRA plans to release periodic updates; the first is due in the next 12 months.</li> <li>• Prudential Practice Guide CPG 190 Recovery and Exit Planning to accompany new cross-industry Prudential Standard CPS 190 Recovery and Exit Planning. Finalized in December 2022, CPS 190 will take effect on Jan. 1, 2025, for super trustees. Regulated entities — including superannuation trustees — will have to develop and maintain credible plans for stress management, including actions needed to stabilize and restore financial resilience and enable an orderly and solvent exit from regulated activity. APRA will engage with entities on their implementation approach before Jan. 1, 2025, and will continue to consult on related superannuation industry reforms concerning the transfer of members into, and out of, their fund.</li> </ul>
Resources	<p><a href="mailto:paul.shallue@mercero.com">paul.shallue@mercero.com</a></p> <p><a href="#">Strengthening crisis preparedness</a> (APRA, May 18, 2023)</p>


Australia (new)	
Status	 Assessment
Development	<p><b>Career — Health — Wealth</b></p> <p><b>First assessment of Modern Slavery Act 2018 published</b></p> <p>Thirty recommendations are included in the first assessment of Australia's Modern Slavery Act 2018 during its first three years of operation. Published on May 25, 2023, the government will now consider the recommendations, many of which align with its package of election commitments on Tackling Modern Slavery. The recommendations:</p> <ul style="list-style-type: none"> <li>• Reduce the consolidated revenue threshold for reporting to AU\$50 million, down from AU\$100 million</li> <li>• Introduce penalties for noncompliance with statutory reporting requirements</li> <li>• Tailor reporting guidance for smaller companies to help them report voluntarily or to comply with the reduced revenue threshold</li> <li>• Require entities to report on modern slavery incidents or risks</li> <li>• Amend the Act to require entities to put a due diligence system in place</li> <li>• Strengthen the administration of the Act through proposed legislative amendments and expanded administrative guidance</li> <li>• Propose functions for the federal Anti-Slavery Commissioner in relation to the Act</li> <li>• Publish an annual list of entities that submitted statements published on the register</li> <li>• Amend the Act to allow the minister or anti-slavery commissioner to make a written declaration to highlight high modern slavery risks arising in a region, location, industry, product, supplier or supply chain</li> <li>• Allow a further review to be undertaken in another three years by a person appointed by the minister</li> </ul>
Resources	<p><a href="mailto:paul.shallue@mercero.com">paul.shallue@mercero.com</a></p> <p><a href="#">Review of Australia's Modern Slavery Act 2018</a> (Attorney General, May 26, 2023)</p>

Australia (previously covered, now effective)	
Status	 <b>Currently effective</b>
Development	<p><b>Career — Health</b></p> <p><b>Flexible work and leave changes now effective</b></p> <p>Changes to Australia’s workplace laws received Royal Assent on Dec. 6, 2022, and amend the Fair Work Act 2009. Certain provisions became effective on June 6, 2023:</p> <ul style="list-style-type: none"> <li>• Employees can request flexible work arrangements if they are pregnant, or a member of their immediate family or household experience family or domestic violence. An employee can appeal their employer’s decision to refuse a flexible work request if the employer does not follow certain procedures.</li> <li>• New procedures for considering employee requests to extend unpaid parental leave will apply, and will require employers to provide reasons for refusing employees’ requests. The Fair Work Commission (FWC) can arbitrate disputes about refusals if they cannot be resolved at the workplace level.</li> </ul>
Resources	<a href="#">Fair Work Legislation Amendment (Secure Jobs, Better Pay) Act 2022</a> (Fair Work Ombudsman, updated June 6, 2023)
Australia	
Status	 <b>Consultation is open through June 16, 2023.</b>
Development	<p><b>Wealth</b></p> <p><b>Input requested on reforms to anti-money-laundering, counterterrorism financing regime</b></p> <p>Comments on the first of two consultation papers proposing reforms to Australia’s anti-money-laundering and counterterrorism financing (AML/CTF) regime are invited through June 16, 2023. The reforms aim to modernize, simplify and align the regime with international standards. Key goals are to ensure that the regime is “fit for purpose” and protects Australian businesses and certain industry sectors from serious organized crime exploitation. Under the proposed changes, the regime would include additional ‘tranche two’ high-risk entities, such as lawyers, accountants, trust and company service providers, real estate agents, and dealers in precious metals and stones.</p> <p>The attorney general’s department will hold a roundtable discussion with key stakeholders in May and June 2023, and issue a second consultation paper in September 2023.</p>
Resources	<p><a href="mailto:paul.shallue@mercer.com">paul.shallue@mercer.com</a></p> <p><a href="#">Consultation on major reform of Australia’s anti-money-laundering and counterterrorism financing laws</a> (Government, April 20, 2023)</p>

Australia (previously covered, soon to be effective)	
Status	 Audits ending June 30, 2023, and onward.
Development	<p><b>Wealth</b></p> <p><b>Australian Prudential Regulation Authority releases updated standard SPS 310</b></p> <p>The Australian Prudential Regulation Authority (APRA) released amended Prudential Standard SPS 310 Audit and Related Matters (SPS 310), which will apply to audits for the financial year ending June 30, 2023, and onwards. The main change is to require assurance over fund reporting under two new APRA reporting standards (rather than six as originally proposed).</p> <p>In an accompanying letter to trustees and auditors, APRA explained that the reduced scope of SPS 310 aims to address industry feedback as trustees continue to develop new reporting systems and processes to support more granular data reporting. The two reporting standards to the audit scope are SRS 550.0 on asset allocation, and SRS 706.0 on fees and costs disclosed.</p>
Resources	<p><a href="mailto:paul.shallue@mercer.com">paul.shallue@mercer.com</a></p> <p><a href="#">Prudential Standard SPS 310 Audit and Related Matters</a> (APRA, Dec. 7, 2022)</p>



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>Career — Health</b></p> <ul style="list-style-type: none"> <li>• <a href="#">Parental leave pay scheme expanded</a> — key date: July 1, 2023</li> </ul> <p><b>Wealth</b></p> <ul style="list-style-type: none"> <li>• <a href="#">Superannuation rates and thresholds updated for 2023/24</a> — key date: July 1, 2023</li> <li>• <a href="#">Tax regulator confirms transfer balance cap increase</a> — key date: July 1, 2023</li> </ul>
Hong Kong (updated)	
Status	<p> <b>Offsetting to end from May 1, 2025.</b></p>
Development	<p><b>Career — Wealth</b></p> <p><b>Mandatory pension fund offsetting to end from May 2025</b></p> <p>Hong Kong's Chief Executive of the Special Administration Region confirmed on April 28, 2023, that the Mandatory Pension Fund (MPF) offsetting system will be abolished on May 1, 2025. The Employment &amp; Retirement Schemes Legislation (Offsetting Arrangement) Act 2022 had included the abolition, but not the effective date. Currently, employers can reduce the cost of long service payments (LSP) and severance payments (SP) to employees by offsetting them against the employers' mandatory and voluntary contributions to the MPF and occupational retirement schemes under the Occupational Retirement Schemes Ordinance (ORSO). Highlights of the changes:</p> <ul style="list-style-type: none"> <li>• From May 1, 2025, employers' mandatory contributions to MPF and ORSO can no longer be used to offset LSP and SP accrued after May 2025, but voluntary contributions can still be used.</li> <li>• A 25-year government subsidy scheme (HK\$33.2 billion) will help to alleviate employers' additional costs.</li> <li>• The threshold for an employer's total expenses of LSP/SP in a year is HK\$500,000. Specified share ratios/capped amounts are set for cases that fall within, and exceed, the threshold.</li> <li>• Where the accumulated expenses of LSP/SP are within the threshold, a capped amount will apply per case in respect of the LSP/SP payable by an employer for the initial nine years. If the shared amount payable by an employer calculated according to the share ratio exceeds the capped amount, the employer only needs to pay the capped amount. The remaining amount of LSP/SP will be subsidized by the government.</li> <li>• For cases where the accumulated expenses of LSP/SP exceed HK\$500,000, the amount payable by an employer is calculated according to the share ratio with no capped amount. The remaining amount of SP/LSP will be subsidized by the government.</li> </ul>
Resources	<p><a href="mailto:virginia.tang@mercer.com">virginia.tang@mercer.com</a></p> <p><a href="#">MPFA welcomes the announcement of the effective date of the abolition of the offsetting arrangement</a> (MPFA, April 28, 2023) and <a href="#">Employment and retirement schemes legislation (Offsetting arrangement) (Amendment) Ordinance 2022</a> <a href="#">Gazetted today</a> (Government of the Hong Kong Special Administrative Region, June 17, 2022)</p>

<b>Hong Kong (previously covered, with upcoming effective date)</b>	
Development	<b>Career</b> <ul style="list-style-type: none"> <li><a href="#">Gender board diversity, corporate governance required</a> — key date: Dec. 31, 2024</li> </ul>
<b>India (previously covered, with upcoming effective date)</b>	
Development	<b>Career — Health — Wealth</b> <ul style="list-style-type: none"> <li><a href="#">Labor and employment laws reformed</a> — key date: effective date delayed</li> </ul>
<b>Japan (previously covered, with upcoming effective date)</b>	
Development	<b>Career</b> <ul style="list-style-type: none"> <li><a href="#">Gender pay disclosures will be required for most companies</a> — key date: July 8, 2023</li> </ul> <b>Wealth</b> <ul style="list-style-type: none"> <li><a href="#">Defined contribution reforms enacted</a> — key date: Dec. 1, 2024</li> </ul>
<b>Malaysia (new)</b>	
Status	 <b>Grace period ends June 30, 2023</b>
Development	<b>Health — Wealth</b> <p><b>Grace period for employers to register with social security program ends June 30, 2023</b></p> <p>Employers in Malaysia have until June 30, 2023, to register their company with the social security program and to pay contributions for their employees under a grace period introduced (Malaysian) by the social security organization (SOCSO) that began in May. Registration will exempt previously unregistered employers from any penalties. From July 2023, the SOCSO will launch Investigation Operation 2023 that aims to ensure social security coverage for all Malaysia's employees. From 2019 to 2022, an estimated 8,734 summons were issued to employers, and more than RM 2.67 million in fines were collected.</p>
Resources	<a href="mailto:yong-teck.siew@mercer.com">yong-teck.siew@mercer.com</a> <a href="#">Release</a> (Malay) (Government, May 2, 2023)
<b>Malaysia (previously covered with upcoming effective dates)</b>	
Development	<b>Career</b> <ul style="list-style-type: none"> <li><a href="#">Minimum wage order postponed for small employers</a> — key date: July 1, 2023</li> </ul>

## 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

- [Medical cover for foreign workers enhanced](#) — key date: July 1, 2023
- [Paid paternity leave and unpaid infant care leave expanded](#) — key date: Jan. 1, 2024

#### Wealth

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


## South Korea (previously covered with upcoming effective dates)

### Development


#### Wealth


- [Deadline for implementation of defined contribution default investment option approaches](#) — key date: July 12, 2023


# Europe, Middle East and Africa (EMEA)

European Union (EU) (updated)	
Status	 Effective dates vary.
Development	<p><b>Career</b></p> <p><b>Pay transparency law approved</b></p> <p>Certain employers in the European Union (EU) will have to report annually on their organization's gender pay gap and will be prohibited from asking job applicants for their salary history prior to hiring, under measures included in EU directive 2023/970 that strengthens the principle of equal pay for equal work through pay transparency and enforcement mechanisms. Member states must implement the directive into national laws by June 7, 2026. Gender pay gap reporting will be phased-in depending on the organization's workforce size, and will begin in June 2027, based on the previous calendar year. Employers with 250 or more workers will have to submit their first annual gender pay gap report four years after the directive's entry into force date (June 7, 2027); employers with 150 to 249 workers must submit their report four years after the entry into force date (June 7, 2027), and every three years thereafter; and employers with 100 to 149 workers must submit their report eight years after the entry into force date (June 7, 2031), and every three years thereafter. The gender pay gap across the EU is 12.7% (as of 2021), with significant variations by member state.</p>
Resources	<a href="mailto:lea.lonsted@mercer.com">lea.lonsted@mercer.com</a> and <a href="mailto:lucye.provera@mercer.com">lucye.provera@mercer.com</a> <a href="#">GRIST</a> , May 30, 2023
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 30, 2026</li> </ul> <p><b>Career — 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>

France (previously covered, with upcoming effective date)	
Development	<p><b>Career</b></p> <ul style="list-style-type: none"> <li>• <a href="#">Pay-slip disclosure requirements enacted</a> — key date: July 1, 2023</li> <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>
Greece (new)	
Status	 <b>Effective dates vary.</b>
Development	<p><b>Career</b></p> <p><b>Companies must have appointed whistleblowing officer by May 11, 2023</b></p> <p>Companies with more than 249 employees were required to appoint, by May 11, 2023, an officer to receive, and follow-up on, whistleblowing reports. Companies with 50 to 249 employees have until Dec. 17, 2023, to appoint an officer. In both cases, companies must notify the labor inspectorate within two months of the officer's appointment. However, companies in certain industry sectors (finance, transport and environmental) must appoint a whistleblowing officer, regardless of their workforce size. The officer can be either an employee of the company or a third party, and the law provides their required competencies and responsibilities. The measures feature in Law 4990/2022, that implements the European Union directive on whistleblowing.</p>
Resources	<p><a href="mailto:maria.markopoulou@marsh.com">maria.markopoulou@marsh.com</a></p> <p><a href="#">Law 4990/2022</a> (Greek) (Government)</p>
Greece (new)	
Status	 <b>Currently effective</b>
Development	<p><b>Career — Health</b></p> <p><b>Guidance issued on workforce heat exposure prevention</b></p> <p>Circular 52903/26-5-2023 outlines measures that employers must take to minimize heat exposure of their employees during the summer period. They include the recording of local environmental data (such as temperature, wind speed, relative humidity and radiant heat), technical and organizational measures to reduce exposure, the provision of personal protective equipment, and measures to protect employees in high-risk sectors.</p>
Resources	<p><a href="mailto:maria.markopoulou@marsh.com">maria.markopoulou@marsh.com</a></p> <p><a href="#">Circular 52903/26-5-2023</a> (Greek) (Government)</p>

Gibraltar (previously covered, with upcoming effective date)	
Development	<b>Health — Wealth</b> <ul style="list-style-type: none"> <li><a href="#">Social security contribution rates change</a> — key date: July 1, 2023</li> </ul>
Hungary (new)	
Status	 <b>Currently effective</b>
Development	<b>Career</b> <p><b>Unused funds on SZÉP cards will be taxed</b></p> <p>A 15% charge was levied on May 31, 2023, for the first time, on unused funds transferred and credited to SZÉP card accounts before Oct. 15, 2022. The SZÉP card is a special type of fringe benefit in Hungary that can be used for accommodation, catering and leisure. The 15% charge is essentially a penalty on an individual's taxable income for the portion of SZÉP funds that remain unspent (the employer has already paid tax on the SZÉP card subsidy).</p> <p>Government Decree 381/2022 — issued during the COVID-19 emergency — allowed payment service providers to levy a one-off fee of 15% twice per year (on March 20 and September 20) on funds credited to SZÉP cards that remained unspent for 365 days or longer.</p>
Resources	<a href="#">Announcement</a> (Hungarian) (Government, May 12, 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>

Luxembourg (new)	
Status	 Currently effective
Development	<p><b>Wealth</b></p> <p><b>Guaranteed interest for pension products changed</b></p> <p>Luxembourg's insurance regulator, the "Commissariat aux Assurances" (CAA), increased the interest rate cap that insurance companies can guarantee for individual/group pension products, effective May 1, 2023. The Euro rate increased from 0% (this rate has been in force since Jan. 1, 2020) to 1.25% as of May 1, 2023. The new interest rate cap for products in other currencies (as of May 1, 2023 are: 1.25% CHF; 1% DKK; 1.5% GBP; 1.75% NOK; 1% SEK; and 1.75% USD.</p> <p>Premiums invested in traditional insurance products that allow for a guaranteed interest rate before or on April 30, 2023, will continue to use the prior rates, and those invested on or after May 1, 2023, will be subject to the new rates. Insurance companies may also allocate a discretionary profit sharing each year depending on their results, the economic environment, and the technical interest rates. Future changes to the technical interest rates are at the discretion of the CAA.</p>
Resources	<a href="mailto:thierry.laloux@mercer.com">thierry.laloux@mercer.com</a> <a href="#">Circulaire 23/4</a> (French) (CAA, March 13, 2023)

Malawi (new)	
Status	 <b>Currently effective</b>
Development	<p><b>Wealth</b></p> <p><b>Pension program reformed, coverage expanded</b></p> <p>Reforms to Malawi's National Pension Scheme (NPS) included in the Pensions Act 2023, recently took effect and aim to expand pension coverage, strengthen compliance and supervisory oversight. The NPS comprises the publicly managed National Pension Fund (NPF) and privately managed pensions funds registered with the government. Pension contributions are split between employers (minimum 10% of monthly pay to the NPF) and employees (5%, either to the NPF or to one of the registered private funds). Highlights of the reforms include:</p> <ul style="list-style-type: none"> <li>• Expanded mandatory coverage. All private sector employees must now participate in the mandatory pension fund — previously coverage was restricted to companies with more than five employees.</li> <li>• Stronger enforcement against employers. The regulator can now take legal action against employers who do not make full and timely pension contributions, impose fines of up to MWK150 million and force business closure. The Registrar of Financial Institutions may also issue compliance certificates.</li> <li>• Increased savings options. The introduction of personal pension funds and employer-sponsored supplemental retirement plans (provident funds) aim to provide more savings opportunities. Individuals who have a personal pension fund can allocate 40% to personal savings and 60% to pension benefits. The personal savings portion can be accessed within five years of starting contributions, and the entire balance (including pension benefits) after 10 years or as a lump sum on retirement. Employers do not have to offer provident funds in addition to the mandatory pension fund, but if they do, employees have no early access to their balance.</li> <li>• Increased lump sum withdrawal. Retirees can withdraw a 50% lump sum (up from 40%), and individuals with small pension balances can take 100% in certain circumstances. The balance is taken on retirement as an annuity and/or as scheduled withdrawals.</li> <li>• Early withdrawal of benefits by individuals nearing retirement. Members can withdraw up to 50% of their accrued pension benefits within five years of the normal retirement age (currently, retirement is permitted from age 50 until age 70).</li> <li>• Reduced waiting period for unemployed individuals. The waiting period for unemployed individuals to fully withdraw their accrued pension benefits is reduced to three months (down from six).</li> </ul>
Resources	<p><a href="mailto:tom.mwamadi@marsh.com">tom.mwamadi@marsh.com</a></p> <p><a href="#">Pensions Act 2023</a> (Government)</p>



**Netherlands (new)****Status****Effective dates vary.****Development****Wealth****Parliament agrees to significant occupational pension reforms**

On May 30, 2023, the senate agreed on significant reforms to the occupational pension system that implement the government and social partners' agreement in 2019. The Pensions Future Act takes effect on July 1, 2023, and abolishes defined benefit (DB) schemes, and from Jan. 1, 2028, only defined contribution (DC) schemes will be allowed with fixed (non-age-related) contribution rate. Highlights include:

- Existing pension plans will have to be amended during the period from July 1, 2023, through Jan. 1, 2028, so new pension accruals will be on a DC basis, with a flat contribution amount. Pension plan contributions are, in principle, capped at 30% of the pensionable salary — that will increase to 33% until 2038, to pay for any compensation costs due to the transition. The funding rules for pension plans will be relaxed to facilitate the transition — plans that use the funding relaxation must transition to the new system.
- Insured DB schemes in place before July 1, 2023, could still be converted — before Jan. 1, 2028 — into a DC scheme with a progressive contribution. After Jan. 1, 2028, scheme members as of Dec. 31, 2027, could continue to pay a progressive contribution until they leave the company's service, but DB promises must be changed to DC (these could be age-related) in respect of service accrued after Dec. 31, 2027. Funds also could offer collective DC arrangements to help smooth any investment volatility for scheme members.
- DB schemes in place with a pension fund could still be converted — before July 1, 2023 — into a DC scheme with a progressive contribution. After Jan. 1, 2028, scheme members as of Dec. 31, 2027, could continue to pay a progressive contribution until they leave the company's service.
- Accrued DB rights in pension funds (not insured contracts) must be converted, in principle, into the new pension contract. Employers and employee representatives must decide by Jan. 1, 2025 (to be confirmed, and could be delayed by one year) on their new pension plan's features, including if accrued past benefits transfer to the new benefit structure, the timing of the transition and its structure, and if compensatory payments will be paid to individuals whose pension accrual is reduced. Social partners' agreements must be converted into the new pension contract, and a request submitted to the pension fund. If the conversion would result in a disproportionate advantage for all (or some of) the stakeholders, the pension fund could decide not to convert. For pension schemes executed, for instance, by an insurance company, the deadline is Oct. 1, 2026.
- The social partners could request external mediation by Jan. 1, 2024, on an advisory basis, but if an agreement is not reached by Jan. 1, 2025, the parties can apply to the transition committee for mediation, and its decision will be binding. These dates are yet to be confirmed, and could be delayed by one year.
- Pension funds must file an implementation and a communication plan setting out how each plan will comply with the transition by July 1, 2025 (yet to be confirmed, and could be delayed by one year).



**Resources**

[pavel.der.kinderen@mercero.com](mailto:pavel.der.kinderen@mercero.com)

[Pensions Act](#) (Dutch) (Parliament); [Information on the reforms](#) (Dutch) (Government)

Netherlands (updated)	
Status	 <b>Effective dates vary.</b>
Development	<p><b>Career</b></p> <p><b>Minimum wage rates increased, hourly rate to be introduced</b></p> <p>The monthly gross minimum wage rates will increase on July 1, 2023, to €1,995 (up from €1,934.40) for employees aged 21 years or older. The gross weekly minimum wage will be €460.40 (up from €446.40), and the gross daily minimum wage will be €92.08 (up from €89.28).</p> <p>From Jan. 1, 2024, a minimum hourly rate of €10.60 will be introduced, calculated on a 36-hour workweek. However, benefits will still be calculated on a monthly minimum wage (€1,653). Currently, the monthly minimum wage is computed over a 36-hour workweek which means that the same monthly minimum wage is paid to full-time employees who work longer than 36 hours per week. From 2024, the pay of employees who work more than 36 hours per week will increase — the average minimum wage will increase by 4% and could particularly impact certain industry sectors (for example, construction and transportation).</p>
Resources	<a href="#">Announcement (Dutch)</a> (Government, May 23, 2023) and <a href="#">Amount of the minimum wage</a> (Government)
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> </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, with upcoming effective date)	
Development	<p><b>Career</b></p> <ul style="list-style-type: none"> <li>• <a href="#">Minimum wage to increase</a> — key date: July 1, 2023</li> </ul>
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 (previously covered, now effective)	
Status	 <b>Currently effective</b>
Development	<p><b>Career — Health</b></p> <p><b>Employees allowed to take sick leave due to ‘incapacitating menstruation’</b></p> <p>From June 1, 2023, women who suffer from secondary incapacitating menstruation can take three to five days of sick leave every month, under a regulation modifying the law on sexual and reproductive health and abortion. Statutory sick leave benefits are paid from the first day of absence, without requiring a minimum contribution period. To be eligible for the leave, women must have been medically diagnosed with secondary incapacitating menstruation (dysmenorrhea) and must have a medical certificate.</p>
Resources	<a href="#">Organic Law 1/2023 (Spanish)</a> (Official Bulletin, March 1, 2023)
Spain (previously covered, with upcoming effective date)	
Development	<p><b>Wealth</b></p> <ul style="list-style-type: none"> <li>• <a href="#">Changes to public pension system enacted</a> — key date: Jan. 1, 2024</li> </ul>
Switzerland (previously covered, with upcoming effective date)	
Development	<p><b>Wealth</b></p> <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>
UK (new)	
Status	 <b>Effective date unknown</b>
Development	<p><b>Career — Health</b></p> <p><b>Employees to be allowed neonatal care leave</b></p> <p>Employed parents with babies up to aged 28 days who are admitted to a hospital for seven days or longer will have the right to neonatal leave of up to 12 weeks, under measures included in the Neonatal Care (Leave and Pay) Act — the Act received Royal Assent on May 24, 2023, and could take effect in April 2024.</p> <p>Employees will be entitled to neonatal leave from the first day of employment, to be taken in in one block at the end of maternity and paternity leave. Employees with 26 weeks of service and earning more than the lower earnings limit (currently £123 per week) will be entitled to statutory neonatal pay. They will need to provide their employers with one week’s notice before taking leave, although short informal notice after a baby’s hospital admission will be acceptable. Secondary legislation will be published later in 2023 and will provide more detail about how the act will work in practice — such as how the right will work with shared parental leave.</p>
Resources	<a href="#">Worker’s rights wins for parents and carers</a> (Government, May 25, 2023) and <a href="#">Neonatal Care (Leave and Pay) Act</a> (Government)

UK (new)	
Status	 Effective date unknown
Development	<p><b>Career — Health</b></p> <p><b>Employees will be able to annually take carers' leave</b></p> <p>Employees who have a dependent with long-term care needs will be allowed to take five days of unpaid leave per year under measures included in the Carers' Leave Act that received Royal Assent on May 24, 2023 — the Act could take effect in April 2024.</p> <p>The leave can be used for a spouse, partner, child, parent or someone who lives in the same household, or a person who relies on the employee for care. Employees will be entitled to the carers' leave from the first day of their employment, and can self-certify their eligibility — they will not have to provide any evidence to their employer. The leave can be taken in a block of five days, or in individual or half-days. Secondary legislation will be published later in 2023 and will provide more detail about how the act will work in practice.</p>
Resources	<a href="#">Worker's rights wins for parents and carers</a> (Government, May 25, 2023) and <a href="#">Right to Carer's Leave</a> (CarersUK)
UK (new)	
Status	 Effective date unknown
Development	<p><b>Career — Health</b></p> <p><b>Stronger job protection from redundancy to be given to employees on maternity leave</b></p> <p>Employees on maternity, adoption or shared parental leave will have stronger protection from redundancy under measures included in the Protection from Redundancy (Pregnancy and Family Leave) Act — the act received Royal Assent on May 24, 2023, and could take effect in April 2024.</p> <p>Currently, employers facing a layoff situation must offer suitable vacancies (where they exist) to employees who are on maternity leave. Under the new law, protection will be expanded to employees from the day they inform their employer about their pregnancy to 18 months after the birth, and employees on adoption, shared or parental leave will also be protected. Secondary legislation will be published later in 2023 and will provide more information about how the act will work in practice.</p>
Resources	<a href="#">Worker's rights wins for parents and carers</a> (Government, May 25, 2023) and <a href="#">Protection from redundancy (Pregnancy and Family Leave) Act 2023</a> (Parliament)
UK (previously covered, with upcoming effective date)	
Development	<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>



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