

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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Canada	British Columbia designates new statutory holiday
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Americas (continued)

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[Pay disclosure required in job listings, equal pay law expanded in Hawaii](#)
[Employers must notify remote workers electronically in Illinois](#)
[Law requiring pay transparency in job postings enacted in Illinois](#)

Americas (continued)	
US (continued)	<ul style="list-style-type: none">Equal pay and other rights provided for temporary workers in IllinoisPaid leave to be required for organ donations in IllinoisPharmacy benefit managers law enacted in IllinoisInsulin cost-sharing law enacted in IllinoisAbortifacient, hormonal therapy and HIV coverage mandated in IllinoisNew unpaid child bereavement leave law enacted in IllinoisPrescription drug law enacted in IllinoisTransportation benefits law enacted in IllinoisEqual pay law expanded to include race in MaineHealth care cost comparison website expanded to include ambulance services in MainePlan sponsors given greater access to claims information in MaineParental leave guidelines issued in MassachusettsFamily leave insurance regulations finalized in New JerseySalary ranges required in job postings in New YorkPaid family medical leave rules issued in OregonState-based exchange delivery to change in OregonGender-affirming treatment coverage mandate enacted in OregonUnpaid family leave and paid family and medical law requirements changed in OregonAppeals court confirms 2022 labor law reforms are null and voidNondisclosure, disparagement agreements prohibited in Rhode IslandEmployers required to post a notice for reporting workplace violence or suspicious activity in TexasGender transition services restricted in TexasHair nondiscrimination law enacted in TexasNew law preempts local ordinances in several areas, including leaves and employment benefits in TexasProvisions of universal paid leave program extended in Washington, DCFertility treatment law enacted in Washington, DC
Uruguay	<ul style="list-style-type: none">Common pension system established


Asia Pacific	
Australia	Regulator's cybersecurity study exposes gaps Regulator finalizes new remuneration disclosure requirements Investment governance guidance issued Retirement income covenant implementation report issued APRA finalizes Standard CPS 230 Operational Risk Management Regulator calls on super trustees to deal appropriately with member contributions Superannuation performance test changed for 2023 Regulator provides guidance to super trustees on 2023 performance test failures Input requested on review of Managed Investment Schemes regulatory framework Extension of modified design and distribution law proposed Change of control exemption for certain trustee directors finalized Regulators consider changes to Financial Accountability Regime Deadline for new financial advisor registration extended
China	Minimum wage standards for 31 provinces announced More commercial health insurance products to benefit from preferential individual income tax Preferential taxation policy for expatriates extended Preferential tax treatment for annual one-time bonus extended Permitted assisted reproductive services expanded in Beijing Maternity insurance coverage expanded; childbirth subsidy increased in Guangxi Maternity medical insurance coverage expanded in Guizhou Medical insurance coverage expanded in Shanghai Social insurance contribution base upper and lower limits updated in Shanghai Maternity insurance and maternity allowance expanded in X'ian
Japan	Minimum wage to increase
Laos	Minimum wage to increase
Singapore	Legislation to combat discrimination will be issued Bonus criteria required for work permits clarified Employers need to verify Employment Pass applicants' academic qualifications CPF monthly salary cap for calculating contributions increased

Asia Pacific	
South Korea	Minimum wage to increase
Taiwan	Employee protections from sexual harassment expanded
Europe, Middle East and Africa (EMEA)	
European Union (EU)	Sustainability reporting standards issued Second consultation on revision of transnational information and consultation rights launched
Belgium	Protection from discrimination on several protected characteristics expanded Federal government agrees on pension reforms
Channel Islands — Guernsey	Equality protections expanded Minimum wage, accommodation/food offsets increased
France	Parental presence leave law expanded
Greece	Sectoral collective labor agreement agreed to for insurance companies
Luxembourg	Meal voucher scheme adjusted Leave entitlements expanded, flexible working allowed for certain employees
Morocco	Insurance providers must balance tariff risks for health and compensation policies
Oman	Labor law, including benefits and equality provisions, revised
Poland	Minimum wage increased
Portugal	Parental leave entitlement expanded
Romania	Maximum value of tax-free meal tickets increased Employees granted new leave rights, flexible work entitlements and holidays
Saudi Arabia	Localization for certain professions to increase
Spain	Occupational pension plans promoted
Ukraine	Flexibility of maternity leave increased
United Arab Emirates	Unemployment scheme registration deadline extended
United Kingdom (UK)	Government asks for input on boosting occupational health coverage Visa fees and Immigration Health Surcharge to increase Law makes it easier to request flexible working requests Financial Reporting Council considers remuneration changes to corporate governance code

Section 2

Global


Reproductive rights	
Status	 Ongoing initiatives
Development	Health Global employer resources on reproductive rights post <i>Dobbs</i> ruling 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	Roundup , regularly updated
Minimum wage rates	
Status	 Ongoing initiatives
Development	Career Global employer resources on minimum wage increases 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	Roundup , regularly updated

Remote working	
Status	 Ongoing initiatives
Development	<p>Career — Health — Wealth</p> <p>Countries address remote-working issues</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	Roundup , regularly updated

Section 3

Americas

Argentina (new)	
Status	 Currently effective
Development	Health Private prepaid health system costs to increase The cost of prepaid medicine increased by 7.18% on Sept. 1, 2023; this follows an 8.72% increase on Aug. 1, 2023.
Resources	graciela.magonza@mercermarshbeneficios.com Information on health costs (Spanish) (Government)

Brazil (new)	
Status	 Currently effective
Development	<p>Career</p> <p>Pay transparency, enhanced equality measures introduced</p> <p>Measures that aim to increase pay transparency and equal pay between men and women in Brazil took effect on July 3, 2023. Law 14611/2023 modifies the labor code to expressly require equal pay for the same work or work of equal value and introduces a requirement for certain employers to publish salary transparency reports twice per year. The current gender pay gap in Brazil is 22%, and women hold around 37% of management roles. Highlights include:</p> <ul style="list-style-type: none"> • All employers must establish procedures to ensure wage transparency and use objective pay criteria. They must also establish dedicated channels for employees to report unequal pay, provide training programs to promote diversity and inclusion, and devise training and education programs aimed at improving female employment and career progression. • Employers with 100 or more employees must publish pay transparency reports twice per year. The reports must include anonymized data to enable objective salary comparisons, and the proportion of women and men in leadership, managerial and supervisory roles. The reports must also provide information that would help produce statistical data on race, nationality, ethnicity, origin and age. • Employers that report salary inequalities must set out remedial action plans that include goals and timeframes. Equal pay for work of equal value is required for employees who perform the same functions in the same location, regardless of their gender, origin, ethnicity, nationality and age. Employee representatives and trade unions must participate in the development of the action plans. • Stronger sanctions apply for discrimination on grounds of gender, nationality, ethnicity, origin or age, and unlawful pay inequality. Employers could be fined 3% of the payroll, capped at 100 times the minimum wage, and the sanctions will be doubled for repeat breaches. Additional sanctions, such as the payment of moral damages, could apply for equal pay breaches. • The government will issue updated labor market indicators and income disaggregated by gender. The indicators will include data on violence against women, the availability of daycare, access to technical and higher education, healthcare services and other sources of data that impact women's access to employment and income.
Resources	<p>joao.silva@mercer.com</p> <p>Law No. 14611/2023 (Portuguese) (Government, July 4, 2023)</p>

Canada — British Columbia (previously covered, soon to be effective)	
Status	 Begins Sept. 30, 2023
Development	<p>Career — Health</p> <p>New statutory holiday designated</p> <p>British Columbia has designated a new statutory holiday under the Employment Standards Act — the National Day for Truth and Reconciliation — to observe annually on Sept. 30, starting in 2023. The related legislation (Bill 2) received Royal Assent on Mar. 9, 2023. The public holiday aims to honor survivors of the residential schools, their families, and communities and ensure public commemoration of the history and legacy of those schools. The day is already a statutory holiday for federally regulated employers in all provinces, provincially regulated employers in Prince Edward Island, and territorially regulated employers in the Northwest Territories, Nunavut and the Yukon.</p>
Resources	National Day for Truth and Reconciliation (Government, Jan. 30, 2023), Bill 2 (Legislature, March 9, 2023) and List of federally regulated industries and workplaces (Government, Jan. 26, 2023)
Canada (previously covered, with upcoming effective date)	
Development	<p>Career</p> <ul style="list-style-type: none"> Minimum wage to increase in Ontario — key date: Oct. 1, 2023 <p>Health</p> <ul style="list-style-type: none"> Québec's 2023–2024 budget includes pension plan changes — key date: Jan. 1, 2024 <p>Wealth</p> <ul style="list-style-type: none"> Pension super priority federal legislation enacted — key date: April 27, 2027
Chile (previously covered, with upcoming effective date)	
Development	<p>Career — Health</p> <ul style="list-style-type: none"> Weekly working time to be reduced — key date: Beginning in 2024

Colombia (new)

Status



Currently effective

Development

Career

Congress approves equal opportunity measures for employees with family responsibilities


Law 2305 of 2023 aims to eliminate discrimination and inequality gaps through measures that support family life and gives effect to International Labour Organization (ILO) Convention 156 on equal opportunities for workers with family responsibilities. Highlights include:


- The incorporation of national policies that will enable individuals to combine work and family responsibilities
- New measures to promote equal opportunities between male and female workers, and the challenges faced by individuals that have family responsibilities
- Guarantee of an employee's reintegration into the workplace after an absence for family responsibilities. Family responsibilities should not be a justifiable cause for terminating the employment relationship.


Resources


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[Law 2305 of 2023](#) (Spanish) (Official Diary, July 31, 2023) and [ILO Convention 156](#) (ILO)



Colombia (new)	
Status	 Proposal
Development	<p>Career</p> <p>Proposed labor reforms advance</p> <p>The Ministry of Labor submitted revised labor reforms to Congress on Aug. 24, 2023, that, according to the government, will benefit workers. Although broadly similar to earlier proposals presented in March 2023, the 92 measures are controversial and would significantly increase employment costs in both the short- and long-term. The main changes include:</p> <ul style="list-style-type: none"> • Removal of the presumption of an employment contract for digital platform workers that featured in the March proposals • Clarification of how employers would have to contribute to the social security system for workers with several employment contracts • Introduction of a special work contract for people working in certain locations, such as supply centers and ports. • Night shift hours would start at 7 pm and end at 6 am • Gradual increase of the premium for working on Sundays from 75% to 100% • Introduction of a disciplinary procedure regulation • Make indefinite term employment contracts the general rule
Resources	david.vargas@mercer.com Information on proposed labor reforms (Spanish) (Presidents Office, August 2023)
Dominican Republic (previously covered, with upcoming effective date)	
Development	<p>Career — Health</p> <ul style="list-style-type: none"> • Minimum wage to increase — Feb. 1, 2024
El Salvador (previously covered, with upcoming effective date)	
Development	<p>Career — Health</p> <ul style="list-style-type: none"> • Large employers will be required to provide day care facilities — key date: June 2024
Mexico (previously covered, with upcoming effective date)	
Development	<p>Career — Health</p> <ul style="list-style-type: none"> • New safety and health standard for teleworkers published — key date: Dec. 5, 2023 • Large employers will be required to provide day care facilities — key date: June 2024


Peru (new)	
Status	 Currently effective
Development	Career New national holiday designated Peru has designated June 7 as a national holiday, and employees are entitled to paid time-off. Employees who work on that day are paid double their normal wage rate or receive a day off instead. The holiday is to celebrate the Battle of Arica and Flag Day.
Resources	Law No. 31788 (Spanish) (Official Diary, June 15, 2023)


US (new)	
Status	 Comments can be submitted for 60 days from the date of publication in the federal register.
Development	<p>Career</p> <p>Proposed rule would significantly expand overtime exemptions</p> <p>On Aug. 30, 2023, the Department of Labor (DOL) announced a proposed rule that would significantly expand overtime protections — guaranteeing overtime pay for most salaried workers earning less than \$1,059 per week (about \$55,000/year, up from \$35,568/year). The rule is controversial and will likely undergo revisions prior to being finalized. An Obama-era overtime rule was blocked in 2017 by a federal trial court, and business groups will also likely challenge this rule if finalized. The proposals would:</p> <ul style="list-style-type: none"> • Restore and extend overtime protections to low-paid salaried workers. The proposed rule would increase the salary threshold to about \$55,000, which the DOL says would affect 3.6 million salaried workers. The exact amount will be based upon the 35th percentile of full-time salaried workers in the lowest-wage census region (currently the South), using data available at the time of the final rule. A footnote in the proposal states that the amount could be as much as \$60,209 in the final rule, which has reportedly caused concern in the business community. • Increase the minimum salary level for an employee to qualify as exempt under the “highly compensated employee” exemption to \$143,988/year or more (up from \$107,432/year). This amount could also increase because it is based on data available at the time of the final rule. • Clarify which employees are executive, administrative or professional employees who should be overtime exempt. By doing so, the proposed rule would better ensure that those who are not exempt will gain more time with their families or receive additional compensation when working more than 40 hours a week. • Automatically update the salary threshold every three years to reflect current earnings data. The aim is to prevent a future erosion of overtime protections and ensure greater predictability. • Restore overtime protections for U.S. territories. From 2004 until 2019, the DOL’s regulations ensured that for U.S. territories where the federal minimum wage was applicable, the overtime salary threshold was applicable as well. <p>There are no proposed changes to the duties test “at this time.”</p> <p>FAQs are available on the proposed rule, which will be subject to a 60-day comment period upon publication in the Federal Register.</p>
Resources	Department of labor announces proposal to restore, extend overtime protections for 3.6 million low-paid salaried workers (DOL, Aug. 30, 2023)

US (new)	
Status	 Currently effective
Development	<p>Career</p> <p>Remote work verification option for new hires made permanent</p> <p>Employers who participate in E-Verify and are in good standing will have the option to conduct employment eligibility verification electronically and with a live video call interaction under a final rule issued by the Department of Homeland Security (DHS). This had been a temporary option during COVID-19 and was set to end on Aug. 30, 2023. Under the final rule, effective Aug. 1, 2023, participating employers no longer have to conduct the physical examination of Form I-9. E-Verify is a web-based system operated by DHS in partnership with the Social Security Administration that enables participating employers to electronically verify the employment eligibility of their employees. A new streamlined version of the I-9 was published on Aug 1. Among the improvements to the form is a checkbox employers enrolled in E-Verify can use to indicate they remotely examined identity and employment authorization documents.</p> <p>Employers who did not participate in E-Verify had until Aug. 30, 2023, to perform all required physical examination of identity and employment authorization documents for those individuals hired on or after March 20, 2020.</p> <p>The rule also provides DHS with the authority to conduct a pilot program that offers the remote examination option to a broader category of employers. Data from the pilot will inform future consideration of expanding the remote examination option to more employers.</p>
Resources	<p>I-9, Employment eligibility verification (US Citizenship and Immigration Services) Optional alternatives to the physical document examination associated with employment eligibility verification (Form I-9) (Federal Register, July 25, 2023) and DHS provides employers certainty and a new flexible option for employment eligibility verification (DHS, July 21, 2023)</p>

US (new)	
Status	 Proposed rules
Development	<p>Health</p> <p>Major mental health parity guidance signals continued focus for employers</p> <p>Recent publications from federal regulators forecast a heightened focus on employer compliance related to mental health and substance use disorder benefits for the foreseeable future. Earlier this week, the Departments of Labor (DOL), Health and Human Services (HHS) and Treasury (the departments) published long-awaited mental health parity enforcement information and guidance, including new proposed rules for compliance with the Mental Health Parity and Addiction Equity Act (MHPAEA). The departments seek to improve mental health and substance use disorder (MH/SUD) benefits in group health plans through enforcement and rulemaking, with a particular focus on expanding access to in-network MH/SUD providers.</p> <p>Two reports illustrate the departments' significant MHPAEA enforcement activities and efforts to work with employers, carriers and third-party administrators (TPAs) to correct potential compliance failures, while providing specific examples of noncompliance and corrections. The accompanying proposed rules, if finalized, provide a roadmap for future enforcement activities and would add strict new guidelines related to network adequacy, but potentially offer some relief in the form of "exceptions" for group health plans and insurers.</p>
Resources	<p>jennifer.wiseman@mercer.com</p> <p>Major mental health parity guidance signals continued enforcement focus for employers (Mercer, July 27, 2023)</p>
US (new)	
Status	 Currently effective
Development	<p>Career</p> <p>Final rule on procedures for identifying and remedying discrimination in federal contracting issued</p> <p>The Department of Labor's Office of Federal Contract Compliance Programs (OFCCP) has issued a final rule, "Pre-enforcement Notice and Conciliation Procedures," that strengthens OFCCP's ability to investigate and remedy employment discrimination by modifying a 2020 rule. According to OFCCP's director, the new final rule "restores flexibility to OFCCP's pre-enforcement and conciliation procedures, promotes efficiency in resolving cases, strengthens enforcement and promotes alignment of the standards of Title VII of the Civil Rights Act of 1964."</p> <p>OFCCP also issued Frequently Asked Questions that address the rule's scope and the changes from the 2020 rule.</p>
Resources	<p>OFCCP announces final rule on procedures for identifying and remedying discrimination in federal contracting (OFFCP); Department of Labor establishes final rule that promotes equal employment opportunity (Department of Labor blog, Aug. 3, 2023); Pre-enforcement notice and conciliation procedures (2023 final rule) and Frequently Asked Questions (OFCCP)</p>

US (new)	
Status	 Currently effective
Development	<p>Career — Health</p> <p>EEOC updates guidance on applying the ADA to job applicants and employees with visual disabilities</p> <p>The Equal Employment Opportunity Commission (EEOC) has published technical guidance explaining how the Americans with Disabilities Act applies to job applicants and employees with visual disabilities, and revising guidance issued in 2014. This guidance includes examples of steps that employers can take to ensure that applicants or employees with visual disabilities are not unfairly disadvantaged by algorithmic or artificial intelligence. Other issues covered in the guidance include the obtaining, use, and disclosure of medical information at all stages of employment; medical information confidentiality; the provision of reasonable accommodations to applicants and employees; concerns about safety; the prohibition of harassment; employer retaliation or interference; and how to file a charge of employment discrimination. The guidance does not have the force of law and aims to clarify current ADA and agency requirements. Please read this earlier summary of EEOC guidance on using AI in employment.</p>
Resources	Visual disabilities in the workplace and the Americans with Disabilities Act (EEOC, July 26, 2023)
US (new)	
Status	 Currently effective
Development	<p>Career</p> <p>National Labor Relations Board adopts new standard for assessing lawfulness of work rules</p> <p>On Aug. 2, 2023, the National Labor Relations Board (NLRB) issued a decision that adopted a new legal standard for evaluating employer work rules challenged as facially unlawful under the National Labor Relations Act. The decision overrules a 2017 and 2019 decision. The NLRB had invited input on whether the standard should be reconsidered. Under the new standard, the NLRB's General Counsel must prove that a challenged rule has a reasonable tendency to chill employees from exercising their rights. If the General Counsel does so, then the rule is presumptively unlawful. However, the employer may rebut the presumption by proving that the rule advances a legitimate and substantial business interest, and that the employer is unable to advance that interest with a more narrowly tailored rule. The old standard “gave too little consideration to the chilling effect that work rules can have on workers’ Section 7 rights.” The NLRB also rejected the categorical approach to work rules, under which certain types of rules were held to be always lawful, regardless of how they were drafted or what interests a particular employer cited in defense of the rule.</p>
Resources	Board adopts new standard for assessing lawfulness of work rules (NLRB, Aug. 2, 2023)

US (new)	
Status	 Currently effective
Development	<p>Career</p> <p>NLRB issues final rule on union election procedures</p> <p>The NLRB adopted a final rule that amends its procedures governing representation elections and largely reverses the amendments made by the 2019 election rule that introduced new delays in the election process. The new rule returns the NLRB's key election procedures to those put in place by a 2014 rule and will accelerate union representation elections and the certification process. Parts of the 2019 rule had already been struck down by the United States Court of Appeals for the District of Columbia Circuit.</p> <p>The NLRB says the new rule “will meaningfully reduce the time it takes to get from petition to election in contested elections and will expedite the resolution of any post-election litigation.” Highlights of the changes include:</p> <ul style="list-style-type: none">• Allowing pre-election hearings to begin more quickly• Ensuring that important election information is disseminated to employees more quickly• Making pre- and post-election hearings more efficient• Ensuring that elections are held more quickly. <p>The NLRB has issued a fact sheet on the new rule, which will take effect on Dec. 26, 2023 — four months after publication in the federal register.</p>
Resources	<p>National Labor Relations Board issues final rule to restore fair and efficient procedures for union elections (NLRB, Aug. 24, 2023); Final rule (Federal Register, Aug. 24, 2023) and Fact sheet: NLRB representation procedures (NLRB)</p>

US (new)	
Status	 Currently effective
Development	<p>Career</p> <p>NLRB simplifies union representation proceedings</p> <p>The NLRB announced a new framework for determining when employers are required to bargain with unions without a representative election in a recent decision. The NLRB says it “will both effectuate employees’ right to bargain through representatives of their own choosing and improve the fairness and integrity of Board-conducted elections.”</p> <p>Under the new framework, when a union requests recognition on the basis that a majority of employees in an appropriate unit have designated the union as their representative, an employer must either recognize and bargain with the union or promptly file a petition for election (RM). However, if an employer who seeks an election commits any unfair labor practice that would require setting aside the election, the petition will be dismissed, and — rather than re-running the election — the NLRB will order the employer to recognize and bargain with the union.</p> <p>The prior standard required an employer to bargain with a union unless it had a good-faith doubt of the union's majority status. Under the new standard, “an employer is free to use the Board’s election procedure but is never free to abuse it — it’s as simple as that.”</p>
Resources	Board issues decision announcing new framework for union representation proceedings (NLRB, Aug. 25, 2023) and Decision (NLRB, Aug. 25, 2023)

US (new)

Status



Currently effective

Development

Health

Pharmacy benefit manager law struck down by appeals court ruling

The 10th Circuit Court of Appeals, in *Pharmaceutical Care Management Association v. Mulready*, struck down a 2019 Oklahoma pharmacy benefit manager (PBM) law on ERISA preemption grounds. Illinois passed a law requiring certain employers in the Chicago area to offer a transportation plan by Jan. 1, 2024. The court struck down four requirements in the Patient's Right to Pharmacy Choice Act related to:


- Network access standards
- No steerage to mail order or specialty pharmacies
- Any willing provider mandate
- Prohibition on terminating pharmacy contract when pharmacist is on probation.


The court took a narrow view of the US Supreme Court's Rutledge opinion as applicable to laws regulating reimbursement rates. The Oklahoma Insurance Department (OID) and DOL had argued that ERISA preemption only applies when a plan directly engages in the activity restricted by a state law. The court rejected this view and concluded: "Our holding today adheres to Rutledge ... Oklahoma's network restrictions do more than increase costs ... attempting to "govern a central matter of plan administration" and "interfere with nationally uniform plan administration." OID may appeal the decision to the US Supreme Court or request a review by the entire 10th Circuit.


Resources


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[*Pharmaceutical Care Management Association v. Mulready*](#) (10th Circuit Court of Appeals, Aug. 15, 2023)

US (new)	
Status	 Comments can be submitted until Oct. 10, 2023.
Development	<p>Career — Health</p> <p>Proposed rule to implement the Pregnant Workers Fairness Act issued</p> <p>The Equal Employment Opportunity Commission (EEOC) has issued a proposed rule to implement the Pregnant Workers Fairness Act (PWFA). Comments may be submitted until Oct. 10, 2023 (60 days after publication in the Federal Register).</p> <p>The proposed rule explains how the EEOC proposes to interpret the PWFA and certain terms in the law, such as “temporary,” “essential functions,” and “communicated to the employer.” It also provides numerous examples of possible reasonable accommodations and seeks input on whether there should be more examples and for what additional different situations. In addition, the EEOC asks for information and comment on particular issues, including existing data quantifying the proportion of pregnant workers who need workplace accommodations, and existing data on the average cost of pregnancy-related accommodations.</p> <p>The PWFA is bipartisan legislation that was signed into law by President Biden on Dec. 29, 2022. The EEOC enforces the PWFA and began accepting charges on June 27, 2023, the day the law became effective. The PWFA requires the EEOC to issue regulations to implement the law by Dec. 29, 2023.</p>
Resources	<p>katharine.marshall@mercer.com</p> <p>EEOC issues proposed rule to implement the Pregnant Workers Fairness Act (EEOC, Aug. 7, 2023)</p>

US (new)	
Status	 Currently effective
Development	Career — Health Federal Trade Commission provides guidance on sensitive health data On July 25, 2023, the Federal Trade Commission (FTC) said, “there’s a lot at stake” and issued a list of key takeaways from its recent enforcement actions that relate to sensitive health data and violations of Section 5 of the FTC Act and the health breach notification rule. The takeaways are: <ul style="list-style-type: none">• Understand the breadth of “health information”• The obligation to protect the privacy of health information is a given• Don’t use behind-the scenes tracking technologies that contradict privacy promises or otherwise harm consumers• Do not share consumers’ health information improperly — and do not receive such information either• Insist technology people and compliance staff communicate the company’s privacy practices• “HIPAA compliant,” “HIPAA secure,” and similar claims may deceive consumers• Companies that provide HIPAA seals and certificates also may be liable for deceptive claims• Reserving the right to make big changes to privacy policy does not equal real consent for consumers• Hidden euphemisms should be avoided• Companies may be liable under the FTC Act for what they say and for what they don’t say• The FTC Act protects biometric data• Reproductive information should be protected.
Resources	Protecting the privacy of health information: A baker’s dozen takeaways from FTC cases (FTC, July 25, 2023) and Part 318 Health breach notification rule (Code of Federal Regulations)

US (new)	
Status	 Strategy
Development	<p>Career</p> <p>The White House launches federal cybersecurity strategy to boost skills and job opportunities</p> <p>A National Cyber Workforce and Education Strategy (NCWES) that aims to expand employment opportunities and boost skills in the cyber sector was published by the White House on July 31, 2023. The NCWES follows publication of the president's National Cybersecurity Strategy and was developed in conjunction with non-governmental stakeholder groups, private sector employers, government partners, etc. Highlights:</p> <ul style="list-style-type: none"> • Expand employment opportunities to individuals to enhance employee diversity in the cyber sector • Enable lifelong development of cyber skills so that employees in every industry sector have specific or occupation-specific cyber skills • Build collaboration around four pillars: 1) Provide all citizens with foundational cyber skills; 2) Transform cyber education to address the immediate skill shortages, improve cyber education in all levels of the education system and increase the affordability and accessibility of training; 3) Expand and enhance the national cyber workforce by working with stakeholders to adopt a skills-based approach to recruitment and development open to all citizens; and 4) Strengthen the federal cyber workforce by communicating the benefits of cyber careers • Provide financial awards to stimulate cybersecurity education and workforce development projects that will bring employers and educators together • Provide the Department of Labor with grants to develop and scale registered apprenticeship programs in cybersecurity and other critical sectors.
Resources	<p>Fact sheet: Biden-Harris administration announces national cyber workforce and education strategy, unleashing America's cyber talent (The White House, July 31, 2023)</p>

US (new)	
Status	 Effective 60 days after publication in the federal register
Development	<p>Career</p> <p>Department of Labor issues final rule to update prevailing wage rule for construction sector</p> <p>The Department of Labor's Wage and Hour Division (DOL) issued a final rule on Aug. 8, 2023, that updates the Davis-Bacon prevailing wage regulations for construction workers on federally-funded projects. The regulations have not been comprehensively updated for more than 40 years, and the changes will benefit more than one million construction workers. Highlights of the final rule:</p> <ul style="list-style-type: none"> • The restoration of the DOL's prevailing wage definition of used from 1935 to 1983 will be equivalent to the wage paid to at least 30% of workers — rather than 50% of workers — in a given trade in a locality. Currently, if the majority of workers in a given trade and locality do not earn a single wage rate, then the prevailing wage is determined by the average wage in a given trade in a locality. The change will increase the likelihood that workers will be paid a true prevailing wage. • The DOL's Wage and Hour Administrator will have the authority to adopt prevailing wages determined by state and local governments, issue wage determinations for labor classifications where insufficient data is received through the wage survey process and update outdated wage rates. Currently, the DOL surveys contractors and other parties to update prevailing wage rates, which is resource-intensive. • The DOL's enforcement powers will be strengthened to include a new anti-retaliation provision in contract clauses that will protect workers who raise concerns from being fired or punished. The DOL also could withhold money from a contractor to pay lost wages to employees. • The Biden administration has also issued a Fact Sheet on these changes. The final rule was placed on public inspection on August 10, 2023 and will take effect 60 days after publication in the federal register.
Resources	<p>US Department of Labor announces final rule to modernize Davis-Bacon Act (DOL, Aug. 8, 2023) and Fact Sheet: Vice President Harris announces action to raise wage standards over time for more than one million construction workers (White House, Aug. 8, 2023)</p>

US (new)	
Status	 Delayed until 2026, and comments are requested on further guidance by Oct. 24, 2023.
Development	<p>Wealth</p> <p>IRS delays SECURE 2.0's Roth catch-up mandate</p> <p>Newly released IRS guidance delays for two years the SECURE 2.0 Act's Roth catch-up mandate for high-earning employees. More than 225 employers (including Mercer) recently signed a letter to Congress and the Treasury Department urging a two-year delay.</p> <p>As reported earlier, this requirement was scheduled to take effect next year for employees whose 2023 FICA wages exceed \$145,000. However, Notice 2023-62 provides a two-year “administrative implementation period” that allows defined contribution plans to continue pretax catch-up contributions for all employees until 2026 — even for plans that already include Roth features.</p> <p>IRS also confirms that the agency will enforce the Internal Revenue Code’s catch-up rules as intended for 2024, despite a drafting error in the act. The notice concludes by previewing future guidance that IRS expects to issue on other elements of this SECURE 2.0 provision. The agency requests public comments by Oct. 24, 2023.</p>
Resources	<p>matthew.calloway@mercer.com</p> <p>GRIST, Aug. 29, 2023</p>

US (new)

Status



Comments can be submitted until Oct. 30, 2023

Development

Career — Health

Rule changes to clarify employee representation at workplace inspections proposed

On Aug. 29, 2023, the Department of Labor (DOL) announced a proposed rule to revise regulations regarding who employees can authorize to act as their representative to accompany the department's Occupational Safety and Health Administration (OSHA) compliance officers during physical workplace inspections. Comments can be submitted until Oct. 30, 2023. OSHA is also seeking public comment on the criteria and degree of deference OSHA should give to employees' choice of representative in determining whether a third party can participate in an inspection.


The proposal clarifies that:

- Employees may authorize an employee, or they may authorize a nonemployee third party if the compliance officer determines the third party is reasonably necessary to conduct an effective and thorough inspection.
- Third-party representatives are not limited to industrial hygienists or safety engineers — two examples included in the existing regulation. Third-party representatives may be reasonably necessary because they have skills, knowledge or experience that may help inform the compliance officer's inspection. This information may include experience with particular hazards, workplace conditions or language skills that can improve communications between OSHA representatives and workers.

The proposed revisions do not change existing regulations that give OSHA compliance officers the authority to determine if an individual is authorized by employees and to prevent someone from participating in the walkaround inspection if their conduct interferes with a fair and orderly inspection, or to limit participation to protect employer trade secrets.

Resources

[Department of Labor announces proposed changes to clarify regulations on authorized employee representation during workplace inspections](#) (DOL, Aug. 29, 2023)

US (new)	
Status	 Proposal
Development	<p>Health</p> <p>Agencies propose overhaul of fixed indemnity plan rules</p> <p>To further President Biden’s goal of strengthening the Affordable Care Act (ACA), the departments of Labor, Treasury, and Health and Human Services recently issued an array of proposed rules. This GRIST focuses on the proposals most pertinent to employers — specifically, proposed changes to fixed indemnity excepted-benefit coverage and the tax treatment of employer-provided accident and health plans. If finalized, the changes may require many employers to modify certain plan designs and administrative processes. In particular, employers could no longer offer a preventive services plan and a group hospital fixed-indemnity plan to the same group of employees.</p> <p>Although the proposed rules are not final, and any required changes would have a long lead time (the first plan year beginning on or after Jan. 1, 2027), employers currently offering fixed-indemnity policies should consider the potential need to make changes to satisfy the proposed excepted-benefit rules. Employers — especially those that pair fixed-indemnity coverage with a preventive services plan — should assess the impact on their long-term strategy if these rules are finalized as proposed. Employers considering offering fixed-indemnity policies should also be aware that these rules may limit options going forward.</p> <p>Employers should review how employees are currently taxed for fixed-indemnity and similar benefits and determine what changes will be required to comply with any revised tax rules, which could take effect as early as January 2024. Employers should also confirm that vendors are properly substantiating qualified medical expenses.</p>
Resources	<p>cheryl.hughes@mercer.com and jennifer.wiseman@mercer.com</p> <p>GRIST, July 18, 2023</p>

US (new)**Status****Delayed at least until 2024****Development****Wealth****Final required minimum distribution rule delayed, relief for SECURE Act given**

The Internal Revenue Service has again extended — this time until at least 2024 — the applicability date for final regulations on required minimum distributions (RMDs) under Internal Revenue Code (IRC) Section 401(a)(9). IRS recently announced the delay in Notice 2023-54, which also grants new RMD relief for both the SECURE 2.0 Act of 2022 (Div. T of Pub. L. No. 117-328) and the Setting Every Community Up for Retirement Enhancement Act of 2019 (Div. O of Pub. L. 116-94) (SECURE 1.0). Plans and participants won't face penalties for distributions made during the first seven months of 2023 and mistakenly treated as RMDs under the rules in effect before SECURE 2.0 increased the RMD start age. In addition, defined contribution (DC) plans and beneficiaries are getting an extra year of transition relief for post-death distributions subject to SECURE 1.0's "10-year rule."

Resources

brian.kearney@mercer.com and margaret.berger@mercer.com
[GRIST](#), July 19, 2023

US (new)**Status****Proposal****Development****Wealth****Bipartisan bill would promote autoreenrollment in DC plans**



New bipartisan House and Senate legislation, the Auto Reenroll Act of 2023 (HR 4924, S 2517), would encourage — but not require — employers sponsoring DC plans to automatically reenroll noncontributing employees at least once every three years. The proposed changes would apply for plan years beginning after the bill becomes law. Plans with existing reenrollment features would have relief from the new requirements for plan years starting before the bill's enactment. Whether those plans would need to make changes for plan years starting after the legislation's enactment isn't clear. While retirement bills rarely pass Congress on their own, the measure stands a good chance of getting included in any bipartisan package of reforms that might take shape.

Resources



geoff.manville@mercer.com
[GRIST](#), Aug. 24, 2023



US (new)	
Status	 Effective dates vary.
Development	Career Employer resources on noncompete restrictions <p>Noncompete agreements prevent former employees from working for a competing employer or starting a competing business for a certain time period after their employment ends. At the federal level, President Biden, the FTC, the NLRB and Congress have recently attempted to ban or limit the use of noncompete agreements. At the state level, four states — California, Minnesota, North Dakota and Oklahoma — have generally banned noncompete agreements, and New York is poised to do so if the governor signs approved legislation. Numerous other states have enacted restrictions, such as only allowing noncompete agreements for employees above a certain salary threshold. This roundup focuses on recent federal and state actions to restrict noncompete provisions and provides links to federal and state resources from organizations, government websites, third-party resources and news articles.</p>
Resources	Roundup , regularly updated
US (new)	
Status	 Currently effective
Development	Career Employer DEI resources after SCOTUS' ruling on affirmative action <p>On June 29, 2023, the US Supreme Court, in <i>Students for Fair Admissions, Inc. v. President and Fellows of Harvard College</i>, ruled colleges' use of race as a factor in student admissions is unconstitutional under the Fourteenth Amendment's Equal Protection Clause.</p> <p>Since the decision, there have been various viewpoints on the effect of this ruling on companies' diversity, equity and inclusion (DEI) programs. For example, the EEOC announced that the decision “does not address employer efforts to foster diverse and inclusive workforces or to engage the talents of all qualified workers, regardless of their background.” The EEOC said “[i]t remains lawful for employers to implement diversity, equity, inclusion, and accessibility programs that seek to ensure workers of all backgrounds are afforded equal opportunity in the workplace.” In July, state attorneys general wrote to Fortune 100 CEOs about the decision and took different positions based on political affiliation.</p> <p>To provide employers with some information about the decision and the varying aspects and issues to consider with respect to employers' DEI programs, this roundup provides links to government information, third-party analyses, news articles and viewpoints. The aggregated content in each section is organized in reverse chronological order and is by no means comprehensive. The content also does not necessarily reflect Mercer's or the authors' point of view on the subject.</p>
Resources	Roundup , regularly updated


US	
Status	 Effective dates vary.
Development	Wealth Resources for tracking state and local retirement initiatives This article summarizes state and local retirement initiatives for private-sector workers and rounds up relevant Mercer and third-party resources. This listing is updated periodically and may not always reflect the latest development in every locality.
Resources	margaret.berger@mercer.com and brian.kearney@mercer.com GRIST , regularly updated
US — States	
Status	 Effective dates vary.
Development	Career Roundup: Employer resources on states' recent equal pay laws The federal Equal Pay Act of 1963 requires that men and women in the same workplace receive equal pay for equal work. In April 2022, Mississippi became the last state to enact its own Equal Pay Act. In recent years, many states have taken further efforts to address equal pay, such as enacting laws that prohibit employers from asking job applicants about salary history, requiring disclosure of salary ranges and pay data, protecting employees who disclose their pay, expanding equal pay protections for characteristics other than sex, and broadening comparisons of work and pay. Stronger federal legislation — the Paycheck Fairness Act — first introduced in 1997, failed to pass after numerous attempts — most recently in June 2021. On March 15, 2022, the Biden administration announced commitments to advance pay equity. This roundup primarily focuses on recent state legislative initiatives pertaining to salary history bans and salary range disclosure requirements that affect private-sector employers and provides links to state resources from organizations, government websites, third-party resources, and news articles. Although certain cities have acted, those initiatives are generally beyond the scope of this roundup.
Resources	Roundup , regularly updated




US — States	
Status	 Effective dates vary.
Development	<p>Career</p> <p>Roundup: Employer resources on states' recreational marijuana laws</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	Roundup , regularly updated
US — States	
Status	 Effective dates vary.
Development	<p>Career</p> <p>Roundup: Employer resources on minimum wage increases</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	Roundup , regularly updated

US — States	
Status	 Effective dates vary.
Development	Career Roundup: Employer resources on hairstyle nondiscrimination laws <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	Roundup , regularly updated
US — California (new)	
Status	 Plan years starting in 2025
Development	Health New law to require dental plan disclosures <p>Plans will need to disclose whether dental covered is state regulated as a result of 2023 Ch. 125 (AB 952). This notice must appear on ID cards as well as the insurer's web portal. This law will take effect for plan years starting in 2025.</p>
Resources	rich.glass@mercer.com 2023 Ch. 125 (AB 952) (Legislature)
US — California (new)	
Status	 Effective Jan. 1, 2024
Development	Career Hourly minimum wage to increase to \$16/hour <p>California's Department of Finance has certified that the minimum wage will increase by 3.5% to \$16/hour for all employees on Jan 1, 2024 (up from \$15.50). Other cities and counties in California have higher hourly minimum wages. Also, in November 2024, voters will consider a measure that, if approved, would establish a statewide minimum wage of \$18/hour by Jan. 1, 2025, for employers with more than 25 employees and for all employers by Jan. 1, 2026.</p>
Resources	Minimum wage increase, Director of Finance determination and certification (Department of Finance, July 31, 2023)



US — Colorado — Denver (new)	
Status	 Effective Jan. 1, 2024
Development	<p>Career</p> <p>Hourly minimum wage to increase to \$18.29/hour</p> <p>The City and County of Denver's local minimum wage will increase to \$18.29/hour (up from \$17.29) beginning on Jan. 1, 2024. The minimum wage for tipped food and beverage workers will be \$15.27/hour provided they earn at least \$3.02/hour in actual tips. Colorado's hourly minimum wage is \$13.65 for 2023.</p>
Resources	Minimum wage information (Denver Labor)
US — Hawaii (new)	
Status	 Effective Jan. 1, 2024
Development	<p>Career</p> <p>Pay disclosure required in job listings, equal pay law expanded</p> <p>On July 3, 2023, the governor signed legislation (SB 1057) requiring employers with 50 or more employees to include pay or salary as part of a job listing — to increase pay transparency and equal pay for all employees. The law, effective Jan. 1, 2024, also expands the equal pay discrimination protections and will be applied prospectively.</p> <p>Hawaii is part of a trend as several states have enacted legislation requiring the disclosure of salary ranges and pay data in recent years. For example, in New York, an employer, employment agency, employee or agent thereof is required to include compensation or the compensation range when advertising a job, promotion or transfer opportunity that will physically (at least in part) be performed in New York. California, Connecticut, Maryland, Nevada, Rhode Island and Washington also require employers to disclose — voluntarily or upon request — information about salary ranges for open positions or promotions. Other states, such as Massachusetts, are considering similar legislation. In addition to states requiring disclosure of pay ranges, states such as Colorado are focused on increasing the visibility of job opportunities to employees and candidates. In addition to including pay information on postings, they want to ensure potential candidates are aware of such postings.</p>
Resources	<p>tauseef.rahman@mercer.com</p> <p>GRIST, July 18, 2023</p>

US — Illinois (new)	
Status	 Effective Jan. 1, 2024
Development	<p>Career</p> <p>Employers must notify remote workers electronically</p> <p>From Jan. 1, 2024, employees who do not regulatory report to a workplace, such as those who work remotely or travel for work, must receive all work-related notices electronically under HB 3733 signed by the governor on June 30, 2022. Employers will have to post the notices conspicuously on their website or send them by email. Examples include summaries of the minimum wage, equal pay, child labor and wage payment laws. The law also allows employees to request their personnel records by email and caps the employer's fee for providing them to the actual cost.</p>
Resources	HB 3733
US — Illinois (new)	
Status	 Effective Jan. 1, 2025
Development	<p>Career — Health</p> <p>Law requiring pay transparency in job postings enacted</p> <p>On Aug. 11, 2023, Illinois' governor signed House Bill 3129 amending its Equal Pay Act of 2003, which requires employers with 15 or more employees to include the pay scale and benefits for any job posting. The law will take effect Jan. 1, 2025, and will apply to job postings going forward.</p>
Resources	<p>tauseef.rahman@mercer.com</p> <p>GRIST, Aug. 28, 2023</p>

US — Illinois (new)	
Status	 Currently effective
Development	<p>Career — Health</p> <p>Equal pay and other rights provided for temporary workers</p> <p>On Aug. 4, 2023, Illinois' governor signed legislation (HB 2862) that significantly amends the Day and Temporary Labor Services Act and provides temporary workers with additional protections and rights — including equal pay. The law became effective July 1, 2023. Highlights:</p> <ul style="list-style-type: none"> • A day or temporary laborer (“laborer”) who has worked for more than 90 calendar days at a third-party client must be paid not less than the rate of pay and equivalent benefits as the lowest paid directly hired employee with the same level of seniority and performing the same or substantially similar work, the performance of which requires substantially similar skill, effort, and responsibility, and that are performed under similar working conditions. The agency may pay the hourly cash equivalent of the actual cost of benefits instead of benefits. • Upon request, a third-party client to which a laborer has been assigned for more than 90 calendar days must, in a timely manner, provide the day and temporary labor service agency with all necessary information related to job duties, pay, and benefits of directly hired employees to enable the agency to comply with the law. • No day and temporary labor service agency may send a laborer to a place where a strike, a lockout, or other labor trouble exists without providing, at or before the time of dispatch, a statement, in writing and in a language that the laborer understands, informing them of the labor dispute. The laborer can refuse the assignment without prejudice to receiving another assignment. • If an interested party has a reasonable belief that a day and temporary labor service agency or a third-party client is in violation of any part of the law, they may initiate a civil action in the county where the alleged offenses occurred, or where any party to the action resides. • Before assigning an employee to a worksite employer, a day and temporary labor service agency must inquire about the client company's safety and health practices and hazards at the actual workplace where the laborer will be working; provide training to the laborer for general awareness safety training for recognized industry hazards; transmit a general description of the training program; provide the Department of Labor's hotline number for the laborer to report safety hazards and concerns; and inform the laborer to whom they should report workplace safety concerns. • The Act changes the monetary amounts of registration fees and penalties. <p>Illinois becomes the second state (after New Jersey) to require equal pay for temporary workers.</p>
Resources	HB 2862 (Legislature)

US — Illinois (new)	
Status	 Effective Jan 1, 2024
Development	Career — Health Paid leave to be required for organ donations The Employee Blood Donation Leave Act was amended to include organ donations, requiring up to 10 days of paid leave per 12-month period to donate blood or an organ. This law applies to governmental employers and employers with 51 or more employees. HB 3516 appears to take effect Jan. 1, 2024.
Resources	rich.glass@mercer.com 2023 Pub. Act 103-0450 (HB 3516) (Legislature)
US — Illinois (new)	
Status	 Currently effective
Development	Health Pharmacy benefit managers law enacted This law prohibits pharmacy benefit managers (PBMs) operating on behalf of fully insured plans from retaliating against a pharmacy for disclosing information in a legal proceeding or to a government agency. HB 3631 took retroactive effect on July 1. This law does not apply to self-funded ERISA plans. Illinois does not apply its insurance laws on an extraterritorial basis to fully insured plans issued in another state.
Resources	rich.glass@mercer.com 2023 Pub. Act 103-0453 (HB 3631) (Legislature)
US — Illinois (new)	
Status	 Effective July 1, 2025
Development	Health Insulin cost-sharing law enacted This law reduces a fully insured plan's maximum insulin cost sharing from \$100 to \$35 for a 30-day supply. HB 2189 will take effect on July 1, 2025.
Resources	2023 Pub. Act 103-0429 (HB 2189) (Legislature)

US — Illinois (new)	
Status	 Effective starting with 2024 plan years
Development	Health Abortifacient, hormonal therapy and HIV coverage mandated The law expands an existing fully insured plan coverage mandate to include off-label use of abortifacients, hormonal therapy, HIV pre-exposure prophylaxis (PrEP) and post-exposure prophylaxis (PEP) when appropriated prescribed or ordered by a healthcare provider. The law will take effect starting with 2024 plan years. Illinois does not apply its insurance laws to fully insured plans issued in other states. The law does not apply to self-funded ERISA plans.
Resources	rich.glass@mercer.com 2023 Pub. Act 103-0462 (SB 1344) (Legislature)
US — Illinois (new)	
Status	 Effective June 1, 2023
Development	Career — Health New unpaid child bereavement leave law enacted The Child Extended Bereavement Leave Act creates a new unpaid bereavement leave requirement when a full-time employee experiences the loss of a child by suicide or homicide. Duration varies by employer size. Employers with 250 or more full-time Illinois employees must provide up to 12 weeks of leave; employers in the 50-249 range must provide up to six weeks of leave. Leave may be continuous or intermittent and must be completed within one year of the loss. SB 2034 expands upon existing requirements. The law appears to be effective June 1, 2024.
Resources	rich.glass@mercer.com 2023 Pub. Act 103-0466 (SB 2034) (Legislature)
US — Illinois (new)	
Status	 Effective Jan. 1, 2024
Development	Health Prescription drug law enacted Illinois has enacted the Pharmaceutical and Health Affordability: Restrictions on Manufacturers' Amoral Behavior through Reasonable Oversight Act. Under the Act, a drug manufacturer or wholesale drug distributor may not engage in price gouging in the sale of an essential off-patent or generic drug. The state attorney general has enforcement authority. The law will take effect Jan. 1, 2024.
Resources	rich.glass@mercer.com 2023 Pub. Act 103-0357 (HB 3957)

US — Illinois (new)	
Status	 Effective Jan. 1, 2024
Development	<p>Health</p> <p>Transportation benefits law enacted</p> <p>The Transportation Benefits Program Act (2023 Pub. Act 103-0291, HB 2068) requires covered employers in the Chicago area to offer a § 132(f) transportation plan or participate in program offered by the Chicago Transit Authority or Regional Transit Authority. Covered employers must have at least 50 full-time (35+ hours per week) working in Cook County or many townships (like Aurora, Joliet, and Naperville) at a location with one mile of a fixed-route transit service. Employers may have a 120-day waiting period for new hires. The requirements may be waived through a collective bargaining agreement. The law will take effect Jan. 1, 2024.</p>
Resources	<p>rich.glass@mercer.com</p> <p>Transportation Benefits Program Act (2023 Pub. Act 103-0291, HB 2068) (Legislature)</p>
US — Maine (new)	
Status	 Currently effective
Development	<p>Career</p> <p>Equal pay law expanded to include race</p> <p>Maine recently enacted legislation (LD 1703) that expands the Maine Equal Pay Law by prohibiting pay discrimination based on race. Under the law, an employer may not discriminate between employees in the same establishment on the basis of race by paying wages to any employee in any occupation in Maine at a rate less than the rate at which the employer pays any employee of another race for comparable work on jobs that have comparable requirements relating to skill, effort and responsibility. Previously, the equal pay law only applied on the basis of sex.</p>
Resources	LD 1073 (Legislature)

US — Maine

Status



Effective in 2024

Development

Health

Health care cost comparison website expanded to include ambulance services

As a result of 2023, Ch. 468 (LD 1602), fully insured plan reimbursement rates will change starting in 2024:

- INN through Dec. 31: 200% of Medicare rate for all ambulance services; after Dec. 31: 200% of Medicare for basic life support services, 100% of Medicare for advanced life support services
- OON through Dec. 31: 180% of Medicare rate for all ambulance services; after Dec. 31: 180% of Medicare for basic life support services, 100% of Medicare for advanced life support services

Insurers must adopt Centers for Medicare & Medicaid Services and Health & Human Services standards for medical necessity and reasonableness of covered services. In addition, Maine residents will soon be able to compare costs for ambulance services in the CompareMaine database, which has been in place for more than a decade.

Maine generally does not apply its insurance laws to fully insured plans issued in other states. The law does not apply to self-funded ERISA plans.

Resources

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[2023 Ch. 468](#) (LD 1602) (Legislature)

US — Maine (previously covered, soon to be effective)

Status



Effective on or about Sept. 16, 2023

Development

Health

Plan sponsors given greater access to claims information

As a result of 2023, Ch. 297, LD 1373, fully insured plan sponsors have greater access to claims information, including aggregate data for high-cost claimants (defined as participants with more than \$50,000 in claims in a 12-month period). Plan sponsors can request claims data for up to 24 months, broken down by month and medical vs. pharmacy spend. Former plan sponsors may obtain this data for up to 18 months after coverage termination.

This law will take effect on or about Sept. 16. Maine generally does not apply its insurance laws on an extraterritorial basis to fully insured plans issued in another state.

Resources

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[2023 Ch. 297, LD 1373](#) (Legislature)

US — Massachusetts (new)

Status



Currently effective

Development

Career — Health

Parental leave guidelines issued

The Massachusetts Commission against Discrimination (MCAD) issued guidelines and a brief guide on the state's Parental Leave Act, which provides up to eight weeks of unpaid leave for addition of child by birth or adoption.


Parental leave under this law runs concurrently with the state's paid family and medical leave (PFML) mandate and federal FMLA. This guidance largely confirms what is contained in the parental leave law (which at times varies from PFML):

- Employee eligibility. PFML and parental leave differ. PFML has a minimum earnings requirement and a seven-day waiting period to receive benefits. Parental leave has no earnings requirement and allows for an initial probationary period of up to three months. Both types of leave apply to parents, regardless of gender.
- Intermittent leave. Parental leave is available on an intermittent or reduced schedule basis with an employer's agreement, which may not be "unreasonably denied." PFML has no "unreasonably denied" requirement.
- Start of leave. Parental leave can start before the event as long as it is within a "reasonable timeframe," which cannot exceed one year after the event. PFML also limits duration to one year after the event.
- Employee notice. This guidance requires at least two weeks' notice, absent reasons beyond an employee's control; PFML requires at least 30 calendar days' notice, absent unusual circumstances.
- Vacation forfeiture policies. Non-state employees are entitled to their accrued vacation as of the leave start date, even if leave crosses over into a new year where an employer's policy would normally apply a use-it-or-lose-it approach.
- Multiple events. Unlike PFML and FMLA — which prescribe a maximum duration per benefit year for birth and adoption — the parental leave rules allow eight weeks of unpaid leave for each event. The guidance gives an example of twins. PFML would provide paid leave for the first 12 weeks; the employee could take an additional four weeks of unpaid leave.

Resources

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[Guidelines on the Massachusetts Parental Leave Act](#) (MCAD, May 17, 2023) and [Brief guide to the Massachusetts Parental Leave Act](#) (MCAD, May 17, 2023)

US — New Jersey (new)	
Status	 Currently effective
Development	Career — Health Family leave insurance regulations finalized New Jersey's Department of Labor and Workforce Development issued final regulations that make several changes to the state's family leave insurance program. Most of the changes simply ensure consistency between the regulations and changes from a 2019 law. The regulations clarify that employers may provide the required private plan notice via email or through an employer website designed for exclusive use by employees.
Resources	rich.glass@mercer.com 55 N.J.R. 1836(a) and GRIST , March 26, 2019

US — New York (previously covered, soon to be effective)**Status****Effective Sept. 17, 2023****Development****Career****Salary ranges required in job postings**



On Dec. 21, 2022, the governor signed S9427A-A.10477 amending the labor code to require a New York employer, employment agency, employee or agent thereof to include compensation or the compensation range when advertising a job, promotion or transfer opportunity. While the legislation is similar to the New York City salary disclosure law, it explicitly states it would not supersede or preempt any provisions of local law, rules or regulations. Therefore, New York City employers would need to comply with both laws. Highlights include:


- An employer is broadly defined as any person, corporation, limited liability company, association, labor organization or entity employing four or more employees in any occupation, industry, trade, business or service, or any agent thereof; and any person, corporation, limited liability company, association or entity acting as an employment agent or recruiter, or otherwise connecting applicants with employers. Temporary help firms will be exempt.
- Any advertisement for a job, promotion or transfer opportunity that could or would be performed, at least in part, in New York would be covered. Advertisements for jobs, promotions, or transfer opportunities paid solely on commission would need to include a general statement that compensation would be based on commission.
- To advertise a job, promotion or transfer opportunity, employers would need to disclose the compensation or a range of compensation for such job, promotion, or transfer opportunity; and the job description for such job, promotion, or transfer opportunity, if a description exists.
- The range for the listed minimum and maximum annual salary or hourly pay that the employer — in good faith — believes to be accurate at the time of posting would need to be included.
- Employers would be required to keep and maintain necessary records, including the history of compensation ranges for each job, promotion, or transfer opportunity and the job descriptions for such positions, if they exist.
- Employers could not refuse to interview, hire, promote or otherwise retaliate against individuals who exercise their rights under this legislation.
- Any person would be able to file a complaint with the Labor Commissioner for violations of the legislation. Noncompliant employers would face civil penalties under the labor law.
- The Labor Commissioner would enact procedural rules, and the Department of Labor would conduct a public awareness outreach campaign, including making information available on its website and otherwise informing employers of these requirements.

Resources

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[Governor Hochul signs legislation establishing statewide pay transparency law](#) (Governor, Dec. 21, 2022); [Senate Bill S9427A](#) (New York Senate) and [GRIST](#), June 9, 2022

US — Oregon (new)	
Status	 Currently effective
Development	<p>Career — Health</p> <p>Paid family medical leave rules issued</p> <p>The Oregon Employment Department (OED) finalized several PFML regulations. In advance of the Sept. 3 paid family and medical leave (PFML) start date, the OED issued regulations on these topics:</p> <p>Benefits and assistance grants. Employees on intermittent leave may work for another employer on days they are not taking leave. The additional two weeks of leave (beyond 12) is not available more than once per pregnancy. Employees must file weekly claims for either intermittent leave or leaves for more than one qualifying purpose. Paid Leave Oregon (PLO) benefit payments are through direct deposit or a stored value card (ReliaCard Visa); they are also subject to income tax withholding (10% federal, 8% state). Technical changes were made to the assistance grant process for employers with fewer than 35 employees.</p> <p>Contributions, recovery and self-employed. PLO benefits are not considered wages subject to PLO contributions. Employees are ineligible for PLO benefits if the reason for time off is other than a PFML-qualifying purpose. Examples include seasonal employees during the off-season and contract schoolteachers during summer break. The rules expand good cause reasons for employer contribution or reporting failures and clarify self-employed contributions.</p> <p>Equivalent plans. OED has the right to request all eligibility information. The rules also make technical changes for plan terminations and withdrawals.</p> <p>All regulations took effect on Aug. 1. As a reminder, OED still has until Friday, Aug. 11 to delay the benefits start date (although the prospect appears unlikely).</p>
Resources	<p>rich.glass@mercer.com</p> <p>ED 5-2023 Chapter 471 (Secretary of State, July 31, 2023); ED 4-2023, Chapter 471 (Secretary of State, July 31, 2023) and ED 3-2023, Chapter 471 (Secretary of State, July 31, 2023)</p>
US — Oregon (new)	
Status	 Effective Nov. 1, 2026
Development	<p>Health</p> <p>State-based exchange delivery to change</p> <p>Oregon will move its state-based exchange from healthcare.gov to its own technology platform. Currently, only Arkansas, Oregon and Virginia operate state-based exchanges on the federal platform. SB 972 authorizes the change, effective Nov. 1, 2026.</p>
Resources	<p>rich.glass@mercer.com</p> <p>SB 972 (Legislature)</p>

US — Oregon (new)	
Status	 Generally effective, but coverage-related provisions will take effect for plan years starting in 2024.
Development	<p>Career — Health</p> <p>Gender-affirming treatment coverage mandate enacted</p> <p>Generally effective on July 13, 2023, HB 2002 is a comprehensive law protecting individual rights related to gender-affirming care and reproductive healthcare:</p> <ul style="list-style-type: none">• Fully insured plans and MEWAs may not deny or limit coverage of medically necessary gender-affirming treatment, in accordance with accepted standards of care. Cosmetic or blanket exclusions for such care are prohibited.• Coverage of gender-affirming treatment is subject to network adequacy standards.• The exercise of reproductive health rights is afforded various legal protections, including against any discrimination by a state or local government agency.• Individuals are subject to criminal penalties for interfering with healthcare facilities. <p>Although generally in effect, coverage-related provisions will take effect for plan years starting in 2024. Oregon typically does not apply its insurance laws to fully insured plans issued in another state. The coverage-related provisions do not apply to self-funded plans.</p>
Resources	<p>rich.glass@mercer.com</p> <p>HB 2002 (Legislature)</p>

US — Oregon (previously covered, partially effective)

Status



Most provisions took effect on Sept. 3, 2023.

Development

Career — Health

Unpaid family leave and paid family and medical law requirements changed

SB 999 changed the state's paid family and medical law (PFML) law (contributions started Jan. 1; benefits start Sept. 3). Highlights include:

- Paid Leave Oregon is authorized to issue rules and create an attestation form as to family members, considering whether a significant personal bond exists.
- If an equivalent position is unavailable upon return from leave, an employer must offer an equivalent position within 50 miles of the job site, if available. If several positions are available, the first offer must be at the location closest to the former job site.
- Employers may deduct catch-up benefit contributions upon return to work, up to 10% of an employee's gross pay.
- An employee does not have the right to sue an employer if the state's appeals process provides a remedy. This exception applies to both the state program and an equivalent employer plan.

SB 999 also made changes to the state's Family Leave Act (currently in effect for unpaid and paid family leave).

Highlights include:

- Domestic partner relationships are added to the "family member" definition. (They are already included for PFML purposes.)
- The one-year period used for determining leave duration can be based on the 52-week period prior to the start of leave or a consecutive 12-month period (e.g., calendar year, fiscal year).
- Family member definition requirements (applicable to the Bureau of Labor and Industries) mirror those for PFML described above.
- Equivalent position requirements mirror those for PFML described above.



The rule related to the Family Leave Act's one-year period will take effect on July 1, 2024. All other provisions will take effect on Sept. 3, 2023.

Resources

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[2023 Ch. 207, AB 163](#) and [SB 999](#) (Legislature)

US — Puerto Rico (new)	
Status	 Currently effective
Development	Career — Health Appeals court confirms 2022 labor law reforms are null and void <p>Puerto Rico's laws will continue to be governed by 2017 employment law reforms following a decision by the US Court of Appeals for the First Circuit on Aug. 10, 2023. This ruling confirmed a federal district court's decision that declared null and void Act 41-2022, which reversed some of the 2017 labor reforms. The court said that the governor failed to obtain the approval of the Financial Oversight and Management Board that was established in 2016 to address the island's fiscal crisis.</p>
Resources	Ruling (US Court of Appeals for the First Circuit, Aug. 10, 2023)
US — Rhode Island (new)	
Status	 Currently effective
Development	Career Nondisclosure, disparagement agreements prohibited <p>On June 22, 2023, Rhode Island's governor signed legislation (S 0342) that prohibits the use of nondisclosure or nondisparagement agreements regarding civil rights abuses as a condition of employment. Any contract provision in violation is void as a violation of public policy. The law was effective immediately.</p>
Resources	S 0342 (Legislature)
US — Texas (previously covered, now effective)	
Status	 Currently effective
Development	Career — Health Employers required to post a notice for reporting workplace violence or suspicious activity <p>Texas recently enacted a law (HB 915) that will require employers to post notice to employees of the contact information to report instances of workplace violence or suspicious activity to the Department of Public Safety. The notice must also inform employees of the right to make a report to the Department of Public Safety anonymously. The notice must be posted:</p> <ul style="list-style-type: none"> • In a conspicuous place in the employer's place of business • In sufficient locations to be convenient to all employees • In English and Spanish, as appropriate. <p>While the law took effect on Sept. 1, 2023, the Texas Workforce Commission has until March 1, 2024, to prescribe the form and content of the notice.</p>
Resources	HB 915 (Legislature)

US — Texas (previously covered, now effective)	
Status	 Currently effective
Development	<p>Health</p> <p>Gender transition services restricted</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"> • Sterilization surgery • Mastectomy • Dispensing or prescribing of drugs that induce transient or permanent infertility • Removal of an otherwise healthy or nondiseased body part <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"> • Normalizing puberty for those experiencing precocious puberty • Appropriate and medically necessary treatment for a genetic disorder • The course of treatment started before June 1, 2023, and the child attended at least 12 therapy sessions. <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. The law took effect September 1.</p>
Resources	<p>rich.glass@mercer.com</p> <p>SB 14 (Legislature)</p>
US — Texas (previously covered, now effective)	
Status	 Currently effective
Development	<p>Career</p> <p>Hair nondiscrimination law enacted</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 is the 20th state to enact CROWN legislation.</p>
Resources	<p>HB 567 (Legislature) and Roundup: Employer resources on hairstyle nondiscrimination laws, regularly updated</p>

US — Texas (previously covered, now effective)

Status  **Currently effective**

Development **Career — Health**

New law preempts local ordinances in several areas, including leave and employment benefits

A new law preempts local ordinances in several areas, including leave and employment benefits. HB 2127 prohibits municipal and county laws in nine areas, including those governed by the state's Insurance and Labor Codes. Practically, this puts a hard stop on efforts in recent years by Austin, Dallas, and San Antonio to enact paid sick and safe leave mandates.

Resources rich.glass@mercer.com
[HB 2127 \(Legislature\)](#)

US — Washington, DC (new)


Status  **Currently effective**


Development **Health**

Provisions of universal paid leave program extended

Under a law that expired on July 26, 2023, universal paid leave (UPL) benefits may not be reduced by short-term disability benefits based on estimated or actual benefits received by participants. PR25-0337 extends the expiration date another 225 days from the date of enactment (on or about Feb. 21, 2024), while permanent legislation is pending.

Resources rich.glass@mercer.com
[PR25-0337 Short-term disability insurance benefit protection clarification emergency declaration resolution of 2023 \(DC Council\)](#)

US — Washington, DC (new)	
Status	 Effective for individual and large group health plans on Jan. 1, 2025.
Development	<p>Health</p> <p>Fertility treatment law enacted</p> <p>The DC mayor signed the Expanding Access to Fertility Treatment Amendment Act. The law is subject to a 30-day Congressional review period before it becomes law.</p> <p>DC Act 25-0173 (B25-0034) requires fully insured individual and large group health plans to cover infertility diagnosis and treatment, including in vitro fertilization and standard fertility preservation services, consistent with a medical provider's plan of care. This mandate also applies to coverage under the DC Healthcare Alliance program. In addition, the Department of Health Care Finance is authorized to seek CMS approval for inclusion in Medicaid.</p> <p>The effective date for individual and large group health plans is Jan. 1, 2025. The effective date for DC Health Care Alliance is Jan. 1, 2024, which is also the deadline for the Medicaid submission. Washington, DC defines large group market coverage as over 50+ employees. It also applies its insurance laws on an extraterritorial basis to fully insured plans issued in another state to the extent that DC residents are covered.</p>
Resources	<p>rich.glass@mercer.com</p> <p>DC Act 25-0173 (DC Council)</p>

Uruguay (new)	
Status	 Effective dates vary.
Development	<p>Wealth</p> <p>Common pension system established</p> <p>Uruguay has established a new Common Pension System under Law No. 20130. The reform measures were agreed to in April 2023, and several took effect on Aug. 1, 2023, while others are slated for Dec. 1, 2023. Highlights include:</p> <p>Effective Aug. 1, 2023:</p> <ul style="list-style-type: none"> • The retirement age increased to 65 (up from 60) and will be phased-in. For individuals born between 1973 and 1976, the state pension age will increase by one year based on their year of birth. For those born in or after 1977, it will increase from age 61 to 65. The number of minimum contribution years required for a full pension remains at 30 years. • Early retirement is allowed for individuals born in or after 1976, and who are aged 60 if they have a minimum of 38 years of contributions, and for individuals aged 64 who have a minimum of 35 years of contributions. Individuals born between 1973 to 1975 can retire early, subject to having 40 years of contributions. • Retirees can now receive pension benefits and continue to work, but they cannot work in their preretirement job. Individuals who had already retired before these reforms are also allowed to resume employment. • All workers must participate in the AFAP (the state-owned pension fund company) — under the old system, low earners did not have to contribute to the AFAP. <p>Effective Dec. 1, 2023:</p> <ul style="list-style-type: none"> • The contributions will be divided differently between the BPS (Banco de Previsión) and AFAP. The BPS will receive 66.7%, and AFAP 33.3% — previously, the contributions were shared equally. • All contributions on monthly earnings from 107,589 UYU up to 215,179 UYU will be deposited in individuals' AFAP accounts.
Resources	<p>itzel.gonzalez@mercer.com</p> <p>Press release (Spanish) (AFAP, July 28, 2023) and Law No. 20130 (Spanish) (IMPO, July 31, 2023)</p>

US (previously covered, with upcoming effective dates)

Development

Career

- [Minimum pay for app-based food deliverers created in New York City](#) — key date: Effective date unknown.
- [EEOC delays opening of 2022 EEO-1 Component 1 data collection](#) — Oct. 31, 2023
- [Hourly workers' overtime pay exempt from state income tax in Alabama](#) — key date: Dec. 31, 2023
- [Equal pay disclosure requirements amended in Colorado](#) — key date: Jan 1, 2023
- [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
- [Law bans age-related inquiries during hiring process in Colorado](#) — key date: July 1, 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

- [Reasons for taking paid sick leave expanded in Connecticut](#) — key date: Oct. 1, 2023
- [Employment discrimination based on height and weight banned in New York City](#) — key date: Nov. 23, 2023
- [Employment discrimination based on nonworkplace cannabis use barred in California](#) — key date: Jan. 1, 2024
- [Paid family medical leave regulations finalized in Colorado](#) — key date: Jan. 1, 2024
- [Paid leave coming to Illinois](#) — key date: Jan. 1, 2024
- [Medically necessary fertility preservation law enacted in Louisiana](#) — key date: Jan 1, 2024
- [Paid sick and safe leave mandated in Minnesota](#) — key date: Jan. 1, 2024
- [Unpaid domestic violence leave law changed to include sexual assaults in Nevada](#) — key date: Jan. 1, 2024
- [Voluntary paid family leave law enacted in Tennessee](#) — key date: Jan. 1, 2024
- [Voluntary family medical leave program announced in Vermont](#) — 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 and medical leave revised in Maryland](#) — key date: Oct. 1, 2024
- [Paid family medical leave program legislation enacted in Delaware](#) — key date: 2025
- [Paid family and medical leave law enacted in Minnesota](#) — key date: Jan. 1, 2026

US (previously covered, with upcoming effective dates) continued

Health

- [Telehealth law enacted in Missouri](#) — Effective date unknown
- [Licensing reciprocity extended to more professionals in Montana](#) — key date: Oct. 1, 2023
- [New law addresses prescription drug issues in Nevada](#) — key date: Oct. 1, 2023
- [Voters approve medical debt ballot initiative in Arizona](#) — key date: Jan. 1, 2024
- [Health insurance restrictions enacted in Connecticut](#) — July 1, 2024
- [Insurance law requires third-party payments to apply toward cost sharing in Delaware](#) — 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
- [Two telehealth laws enacted in Louisiana](#) — key date: 2024 plan year
- [Fully insured plans prohibited from applying cost sharing to abortion services in Maine](#) — 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
- [New fertility coverage mandate applies to fully insured plans in Montana](#) — key date: Jan 1, 2024
- [Diabetes self-management training and education services coverage required in Montana](#) — key date: Jan. 1, 2024
- [Step therapy restricted in Nevada](#) — key date: Jan. 1, 2024
- [Insulin cost-sharing law enacted in Nebraska](#) — key date: Jan. 1, 2024
- [Prescription benefit law enacted in New Mexico](#) — key date: Jan. 1, 2024
- [Diabetes insurance coverage and protections expanded in New Mexico](#) — key date: Jan. 1, 2024
- [Comprehensive pharmacy benefit manager reforms enacted in South Carolina](#) — key date: Jan. 1, 2024
- [Employers providing paid family medical leave eligible for state tax credits in Tennessee](#) — key date: 2024
- [Law eases multiple-employer welfare arrangements, adds participant protections](#) — key date: Jan. 1, 2024
- [Law applies balance billing restrictions to ground ambulance providers in Texas](#) — key date: Jan. 1, 2024
- [Multiple benefit laws enacted in Texas](#) — key date: 2024 plan year
- [Hearing aid coverage mandated in Vermont](#) — key date: Jan. 1, 2024
- [New requirements for insurance carriers enacted in Virginia](#) — 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

US (previously covered, with upcoming effective dates) continued

Health (continued)

- [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
- [High-deductible health plan COVID-19 testing predeductible flexibility ends](#) — key date: Jan 1, 2025
- [Third-party prescription drug payment law enacted in Colorado](#) — key date: 2025 plan year
- [Health coverage mandates enacted in Colorado](#) — key date Jan. 1, 2025
- [Prescription cost-sharing limits law enacted in Minnesota](#) — key date: Jan. 1, 2025
- [Prescription benefit law enacted in North Dakota](#) — key date: Jan. 1, 2025
- [Cost-sharing caps imposed on specialty drugs and EpiPens in Rhode Island](#) — key date: 2025 plan year
- [Prescription drug requirements enacted in Texas](#) — key date: Jan. 1, 2025
- [Benefit law enacted in Washington](#) — key date: Jan 1, 2025
- [Data protection law enacted in Tennessee](#) — key date: July 1, 2025
- [Telehealth law to expire in Hawaii](#) — key date: Dec. 31, 2025

Wealth

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

Section 4

Asia Pacific

Australia (new)

Status



Currently effective

Development

Wealth

Regulator's cybersecurity study exposes gaps

The Australian Prudential Regulation Authority (APRA) published on July 5, 2023, its initial findings from a cybersecurity and resilience study and advised that it will target entities' noncompliance with prudential standard CPS 234 Information Security. APRA is encouraging entities to review these early findings, together with the CPS 234 requirements, and to incorporate relevant strategies and plans to address shortfalls in their cyber security controls and governance policies. The second and third tranches of APRA's assessment are being conducted, with the fourth and final tranche expected to start later in 2023.

By the end of 2023, more than 300 banks, insurers and superannuation trustees will have participated in the independent tripartite cyber-assessment study, which requires APRA-regulated entities to appoint an independent auditor to assess their compliance with CPS 234.


To date, the most common control gaps identified in the first tranche of CPS 234 assessments (covering around a quarter of the entities) concern:


- Incomplete identification and classification for critical and sensitive information assets
- Limited assessment of third-party information security capability
- Inadequate definition and execution of control testing programs
- Incident response plans not regularly reviewed or tested
- Limited internal audit review of information security controls
- Inconsistent reporting in a timely manner to APRA of material incidents and control weaknesses.

Resources


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[Cyber security stocktake exposes gap](#) (APRA, July 5, 2023) [CPS 234/CPS234: Information Security](#) (APRA)


Australia (new)	
Status	 Effective dates vary.
Development	<p>Career — Wealth</p> <p>Regulator finalizes new remuneration disclosure requirements</p> <p>The APRA has published the final updates to Prudential Standard CPS 511 “Remuneration” concerning new remuneration disclosure requirements, together with a Consultation Response Paper. Under the CPS 511 updates, super funds and other APRA-regulated entities must annually publish information on their remuneration frameworks, design, governance and outcomes. Larger and more complex entities (generally these include trustees responsible for total super fund assets exceeding AU\$30 billion) must disclose additional quantitative information, including payments to top executives and the material weight applied to nonfinancial measures, such as risk management. Following feedback on the consultation in mid-2022, changes include:</p> <ul style="list-style-type: none"> • The new disclosure requirements will commence for all entities from their first full financial year following Jan. 1, 2024, (the current CPS 511 requirements commenced on July 1, 2023). • Annual remuneration disclosures will be required within six months of an entity’s financial year end and “as soon as possible” after filing annual financial statements with the Australian Securities and Investments Commission (this is within three months for 2023/24 and later income years, under recently passed legislative changes to super fund financial reporting requirements). • Removal of quantitative disclosure requirements for financial control personnel (RFCP) from the final CPS 511. Regulated entities will have to provide summary qualitative information on RFCP remuneration outcomes. However, if a senior manager has an RFCP role (for example, chief risk officer), the regulated entity must also provide quantitative data regarding that senior manager within the senior manager cohort. <p>Separately, APRA said it will soon publish the findings of an implementation review of CPS 511 to assist industry with the new requirements.</p> <p>APRA announced that its response to the earlier consultation on draft new Reporting Standard CRS 511 “Remuneration” will be delayed to later in 2023 to ensure that issues raised by industry are adequately addressed. The commencement date will be extended accordingly.</p>
Resources	<p>paul.shallue@mercero.com</p> <p>Remuneration requirements for all APRA-regulated entities (APRA)</p>


Australia (new)	
Status	 Currently effective
Development	<p>Wealth</p> <p>Investment governance guidance issued</p> <p>The APRA has released the final updated version of Prudential Practice Guide SPG 530 Investment Governance that provides trustees with guidance on the implementation of the strengthened Prudential Standard SPS 530, which commenced on Jan. 1, 2023. Highlights:</p> <ul style="list-style-type: none"> • Additional guidance on liquidity management, stress testing and valuations • Outline of APRA's expectations for how RSE licensees should consider material environmental, social and governance (ESG) risk factors as part of their overall investment risk management • Clarification of how SPS 530 will be applied, such as the frequency of stress testing (APRA expects trustees to consider the benefits that could arise from more frequent stress testing beyond the annual requirement in SPS 530) • Application of the enhanced guidance relating to valuations to assets held directly or indirectly • Clarification of the Board and management's governance requirements • Streamlined guidance that aligns SPG 530 with APRA's Modernising the Prudential Architecture (MPA) strategic initiative. <p>APRA confirmed that it does not expect that the delayed release of final SPG 530 will affect trustees' compliance with SPS 530.</p>
Resources	<p>paul.shallue@mercer.com</p> <p>APRA publishes final investment governance guidance (APRA, July 20, 2023)</p>


Australia (new)	
Status	 Report
Development	<p>Wealth</p> <p>Retirement income covenant implementation report issued</p> <p>The APRA and the Australian Securities and Investments Commission have released an Information Report with their joint review of superannuation trustees' implementation of the Retirement Income Covenant. The Covenant took effect on July 1, 2022, and requires trustees to formulate, implement and continuously improve a strategy to assist members in, or approaching, retirement.</p> <p>The joint review covered 15 trustees responsible for 16 industry, retail, corporate, and public sector superannuation funds, and it represents around half of total accounts and super balances of members aged older than 45. It aims to assess trustees' understanding of member needs, the assistance provided to members and the execution and oversight of strategies.</p> <p>According to the report, "trustees are improving their support for members in retirement" but "the quality of their approach varies and there is insufficient urgency." The key gaps concern data, the metrics used to assess performance, the assistance provided to members and the extent to which trustees' strategies are embedded in fund planning. The regulators expect all trustees to consider the report's findings and examples of better practices, in particular:</p> <ul style="list-style-type: none"> • Integrate the retirement income strategy with the broader business planning cycle. • Measure the success of using metrics that focus on member outcomes. • Address data gaps to support strategy formulation and the assistance provided to members. • Enhance modelling and analytics capabilities to consider how members needs change. • Tailor members' communications and assistance to accommodate different preferences and needs. • Identify metrics to assess the effectiveness of assistance offered and conduct regular testing. <p>APRA said it will update its prudential framework to reflect its key findings. Consultations on proposed enhancements are expected later in 2023.</p>
Resources	<p>paul.shallue@mercero.com</p> <p>Information Report (APRA, July 2023)</p>

Australia (new)	
Status	 Currently effective
Development	<p>Wealth</p> <p>Regulator finalizes Standard CPS 230 Operational Risk Management</p> <p>The APRA published finalized new cross-industry Prudential Standard CPS 230 Operational Risk Management, a Response to Consultation and a draft of the associated Prudential Practice Guide CPG 230 that will assist entities with the new standard's implementation. Submissions on the draft associated Prudential Practice Guide (CPG 230) will close on Oct. 13, 2023, and APRA expects to issue the final guide by year-end.</p> <p>Effective July 1, 2025, CPS 230 will require banks, insurers and superannuation trustees to:</p> <ul style="list-style-type: none"> • Strengthen operational risk management by identifying weaknesses in existing controls • Improve business continuity planning to address severe disruptions • Enhance third-party risk management. All material service providers on which regulated entities rely for critical operations, or that expose them to material operational risk, will be subject to the same requirements. CPS 230 will replace several current prudential standards, including SPS 231 Outsourcing and SPS 232 Business Continuity Management. APRA expects supervisors to engage with entities during the implementation period (until July 1, 2025) to assess their progress. APRA had proposed to finalize CPS 230 in early 2023 to commence on Jan. 1, 2024, but it revised the timeline following consultation feedback.
Resources	<p>paul.shallue@mercer.com</p> <p>Operational risk management (APRA, July 2023); Response paper — Operational Risk Management (APRA) and Draft CPG 230 Operational risk management (APRA, July 17, 2023)</p>

Australia (new)	
Status	 Currently effective
Development	<p>Wealth</p> <p>Regulator calls on super trustees to deal appropriately with member contributions</p> <p>The Australian Securities and Investments Commission (ASIC) has called on superannuation trustees to meet their legal obligations for dealing with incoming money from consumers if a new or increased interest in a super product cannot be issued by the next business day. An ASIC review of 12 trustees found that all but one trustee had failed to meet their obligations relating to holding incoming money in trust for the sole benefit of the person entitled to it, until a product is issued or increased. The deficiencies included:</p> <ul style="list-style-type: none"> • Use of a noncompliant account to hold money • Money not being held for the required time • Failure to identify money subject to the requirement • Inadequate member disclosure. <p>ASIC has also notified major auditing firms and industry bodies to reiterate the role that auditors can play to help identify and address compliance issues in a timely manner.</p>
Resources	<p>paul.shallue@mercero.com</p> <p>ASIC calls on super trustees to appropriately deal with member money when it is first received (ASIC, June 26, 2023)</p>

Australia (new)	
Status	 Currently effective
Development	<p>Wealth</p> <p>Superannuation performance test changed for 2023</p> <p>From 2023 onwards, an amended annual “Your Future, Your Super” (YFYS) superannuation performance test will apply to both MySuper products and Trustee-Directed Products (TDPs) under measures included in the Superannuation Industry (Supervision) Amendment (Your Future Your Super) Addressing Underperformance in Superannuation Regulations) 2023. In April 2023, the Government consulted on exposure draft changes to the regulations and announced the outcome of the consultation in June — the amendments apply from July 1, 2023. The Australian Prudential Regulation Authority (APRA) is required to complete the 2023 Performance Test calculations in line with the amended regulations and publish the results by Aug. 31, 2023.</p> <p>The 2023 test is expected to apply to around 60 MySuper products and, for the first time, to around 1,000 TDPs. Broadly, TDPs are accumulation choice products that have strategic asset allocations of at least 10% in more than one asset class, and the trustee or a connected entity is involved in the design or implementation of the product’s investment strategy.</p> <p>The regulations include amendments to the testing period, asset classes, return benchmarks and the notification letter that form part of the annual performance test requirements, as well as changes to better accommodate the extension of the test to TDPs.</p> <p>The regulations also amend the Electronic Transactions Regulations 2020 to allow APRA to give performance test notifications to trustees by means of electronic communication.</p>
Resources	<p>paul.shallue@mercer.com</p> <p>Raising the bar on superannuation performance test update 2023 (Treasury, June 16, 2023)</p>

Australia (new)	
Status	 Currently effective
Development	<p>Wealth</p> <p>Regulator provides guidance to super trustees on 2023 performance test failures</p> <p>The ASIC has written to all super trustees about their obligations if a product fails the 2023 annual performance test. The APRA must complete the 2023 Performance Test calculations in line with the amended regulations, notify trustees and publish the results by Aug. 31, 2023.</p> <p>The test applies to around 1,000 Trustee-Directed Products (TDPs) in 2023 for the first time, and to around 60 MySuper products for the third time. Broadly, TDPs are accumulation choice products with strategic asset allocations of at least 10% to more than one asset class, and where the trustee or a connected entity is involved in the design or implementation of the product's investment strategy. An investment product could therefore be a TDP for one trustee but not for a different trustee. The letter contains information that will be relevant if:</p> <ul style="list-style-type: none"> • One or more products the trustee offers fails the performance test; or • The trustee offers 'an investment option that, while not assessed as a TDP for you, fails the performance test for another trustee'. <p>The letter directs trustees to guidance available on the ASIC and APRA websites and also highlights certain obligations where ASIC feels further information is useful. This includes comments on:</p> <ul style="list-style-type: none"> • Requirements for fail notifications to members (including updated letter templates included in the recently amended regulations) • Administrative arrangements, such as for the closure to new members of (MySuper) products that fail for a second consecutive year • Website disclosure obligations • Implications and considerations for Product Disclosure Notices and Significant Event Notices • Design and Distribution Obligation implications. <p>ASIC strongly encourages all trustees to read its earlier guidance regarding performance test communications and to be member-centric and consistent in all their messaging.</p>
Resources	<p>paul.shallue@mercer.com</p> <p>Annual performance assessment 2023 (ASIC, Aug. 8, 2023)</p>

Australia (new)	
Status	 Consultation is open until Sept. 29, 2023.
Development	<p>Wealth</p> <p>Input requested on review of Managed Investment Schemes regulatory framework</p> <p>The government has released a consultation paper on the review of the regulatory framework for Managed Investment Schemes (MIS) that was previously announced in the 2022-23 budget in October 2022. The review will examine if the regulatory framework is fit for purpose, identify potential gaps and consider what enhancements could reduce undue financial risk for investors. Comments are invited through Sept. 29, 2023.</p> <p>The total value of MIS assets is approximately AU\$2.7 trillion — this is just over half of Australia's broader AU\$4.4 trillion managed funds. More than 55% of superannuation assets (excluding self-managed superannuation funds) are invested in managed funds, and retail clients are estimated to make up about 5% of overall direct investment in managed funds (retail investors also invest indirectly through intermediary structures or have indirect exposure through their superannuation fund).</p> <p>The consultation paper seeks feedback on the appropriateness of the existing regulatory settings for MIS and the opportunities for reducing the regulatory burden without detracting from consumer outcomes.</p>
Resources	<p>paul.shallue@mercer.com</p> <p>Review of the regulatory framework for managed investment schemes — consultation (Treasury)</p>

Australia (new)

Status



Proposal

Development

Wealth

Extension of modified design and distribution obligations law proposed

The feedback period on a proposal by the ASIC to extend the operation of the ASIC Corporations (Design and Distribution Obligations Interim Measures) 2021/784 (DDO) instrument for a further five years closed on Aug. 25, 2023. ASIC has assessed that the instrument is operating effectively and efficiently and continues to form a necessary and useful part of the legislative framework. It intends to extend the operation to retain certainty for industry ahead of any law reform.


The instrument was initially made for an interim period of two years to implement unlegislated changes to the DDO regime announced by the Treasury in September 2021. The DDO regime commenced on Oct. 5, 2021 and requires firms to design financial products to meet the needs of consumers, and to distribute their products in a more targeted manner. The changes, which have still not been legislated and are incorporated in the instrument, include:


- Removal of the requirement for distributors to make 'nil complaints' reports to issuers
- Expansion of the existing exemption allowing employers to provide employees with a Product Disclosure Statement (PDS) for the employer's default superannuation fund to cater for the superannuation stapling changes that commenced on Nov. 1, 2021
- Clarification that where a PDS is given in the course of providing personal advice as required by law, this conduct is excluded from the DDO, consistent with the original intention of excluded conduct.


Resources



paul.shallue@mercer.com




[ASIC Corporations \(Design and Distribution Obligations Interim Measures\) 2021/784](#) (Federal Register of Legislation) and [Update on the Design and Distribution Obligations](#) (DDO) regime (Treasury, September 2021)



Australia (new)	
Status	 Currently effective
Development	<p>Wealth</p> <p>Change of control exemption for certain trustee directors finalized</p> <p>Following consultation in April 2023, the APRA released its final instrument (Superannuation Industry (Supervision) Act exemption No. 1 of 2023) to exempt a certain class of Registrable Superannuation Entity (RSE) licensee (super fund trustee) directors from the legislative requirements under s29HA and s29JCB of the SIS Act 1993 to obtain approval to own or hold a controlling stake of more than 15% in an RSE licensee.</p> <p>The exemption applies to RSE licensee directors holding shares in the RSE licensee, where they are not entitled to a personal financial benefit from the shareholding. The instrument also prescribes a number of other conditions that must be satisfied for the application of the exemption.</p> <p>The response letter, final instrument and non-confidential submissions are available on the APRA website.</p>
Resources	<p>paul.shallue@mercero.com</p> <p>APRA releases final class exemption to own or control an RSE licensee (APRA, Aug. 15, 2023)</p>


Australia (new)	
Status	 Proposal
Development	<p>Wealth</p> <p>Regulators consider changes to Financial Accountability Regime</p> <p>The Financial Accountability Regime (FAR) will replace the Banking Executive Accountability Regime (BEAR) and impose an accountability framework on entities in the banking, insurance and superannuation industries, which are regulated by the APRA. FAR aims to promote a strong governance and risk culture by assigning more responsibilities to APRA-regulated entities (including superannuation trustees), directors, and senior and influential executives.</p> <p>On July 20, 2023, APRA and the Australian Securities and Investments Commission — the joint administrators of FAR — released a consultation package on the proposed regulator rules, transitional rules and the descriptions of key functions in banking entities (ADI) that aim to support FAR's timely implementation. The consultation closed on Aug. 17, 2023.</p> <p>The regulators will consult in due course on the list of specific key functions for insurance and superannuation entities. However, such entities may now wish to consider and review the proposed regulator rules — their key functions are likely to be similar to the list included for ADIs. The list of data items for inclusion in the FAR Register (as outlined in the regulator rules) is relevant to all accountable entities. Notably, the data items include personal and specific information such as date of birth, direct phone number, email address, employment status and reporting lines.</p> <p>Financial Accountability Regime Bill 2023 and Financial Accountability Regime (Consequential Amendments) Bill 2023 currently remain before the senate.</p> <p>Further industry engagement on FAR's implementation is expected after the legislation is passed by Parliament and receives Royal Assent. FAR is proposed to commence for super trustees 18 months after Royal Assent.</p>
Resources	<p>paul.shallue@mercer.com</p> <p>Financial Accountability Regime — Proposed regulator and transitional rules (APRA)</p>



Australia	
Status	 Deadline extended to Oct. 1, 2023.
Development	<p>Wealth</p> <p>Deadline for new financial advisor registration extended</p> <p>The ASIC has announced it will extend the date by which financial advisers must be registered to Oct. 1, 2023 — the Government had delayed the date until July 1, 2023, to allow certain improvements to be made, however related legislation has not been finalized. ASIC said the further delay will allow time for:</p> <ul style="list-style-type: none"> • The legislation to pass • ASIC to assist the financial advice industry to understand and comply with the registration requirement by issuing regulatory guidance and conducting webinars; and • Australian financial service (AFS) licensees to understand the registration requirement and to make necessary applications to register their relevant providers with ASIC. <p>A central registration requirement is part of the new disciplinary system for financial advisers introduced by the 2021 “Better Advice” Hayne Royal Commission legislation. This new requirement is separate, and in addition to, the preexisting requirements for an AFS licensee to appoint a relevant provider to the Financial Advisers Register after they have been authorized.</p>
Resources	<p>paul.shallue@mercer.com</p> <p>ASIC to extend for financial adviser registration requirement (ASIC)</p>
Australia (previously covered, with upcoming effective dates)	
Development	<p>Career</p> <ul style="list-style-type: none"> • Employer gender pay, equality reporting requirements expanded — key date: April 1, 2024 <p>Wealth</p> <ul style="list-style-type: none"> • Protecting Worker Entitlements Bill includes superannuation measures — key date: Jan. 1, 2024 • Regulator issues final prudential standards and guides — key date: Jan. 1, 2024
Bangladesh (previously covered, with upcoming effective date)	
Development	<p>Wealth</p> <ul style="list-style-type: none"> • Universal Pension Scheme to be introduced — key date: expected to launch in fiscal year 2023-2024

China (new)	
Status	 Currently effective
Development	<p>Career</p> <p>Minimum wage standards announced for 31 provinces announced</p> <p>The Ministry of Human Resources and Social Security has announced revised minimum wage amounts in 31 provinces. Shanghai has the highest monthly minimum wage (2,690 CNY per month) among the 31 provinces. In fifteen regions: Anhui, Beijing, Chongqing, Fujian, Guangdong (including Shenzhen), Hebei, Henan, Hubei, Jiangsu, Shaanxi, Shandong, Shanghai, Sichuan, Tianjin, and Zhejiang — the monthly minimum wage exceeds 2,000 CNY. At the lower end, Guangxi's minimum wage level (1,430 CNY per month) is slightly more than in Liaoning (1,420 CNY per month). Effective Sept. 1, 2023, Beijing's monthly minimum salary <u>increased</u> to 2,420 CNY, up from 2,320 CNY. The minimum hourly wage for part-time employees increased to 26.4 CNY, up from 25.3 CNY.</p> <p>The monthly minimum wage is paid to full-time employees, and the hourly minimum wage is paid to non-fulltime employees, such as part-time and temporary employees, whose working hours do not exceed four hours per day and 24 hours per week.</p>
Resources	<p>angela.li@mercer.com</p> <p>Announcement (Chinese) (Ministry of Human Resources and Social Security, July 3, 2023) and Announcement about Beijing (Chinese), (Beijing Municipal Human Resources and Social Security Bureau, July 14, 2023)</p>
China (new)	
Status	 Currently effective
Development	<p>Health</p> <p>More commercial health insurance products to benefit from preferential individual income tax</p> <p>The National Financial Regulation Administration announced that preferential individual income tax (IIT) policies has been extended to include more major commercial health insurance, effective Aug. 1, 2023. Highlights include:</p> <ul style="list-style-type: none"> • IIT now includes medical insurance, long-term care insurance and disease insurance. • For medical insurance, the insurance period or guaranteed renewal period must be no less than three years, and for long-term care insurance and disease insurance, the insurance period must not be less than five years. • Insured persons include the policyholder, their spouse, children or parents. • Medical insurance policies must provide cover to policyholders who have pre-existing health conditions. Insurance companies are also encouraged to develop long-term care and disease insurance products for people with pre-existing conditions and for older persons.
Resources	<p>angela.li@mercer.com</p> <p>Announcement (Chinese) (National Financial Regulation Administration, July 4, 2023)</p>



China (new)	
Status	 Extended for four years until Dec. 31, 2027.
Development	Career Preferential taxation policy for expatriates expanded The preferential individual income tax policy (IIT) policy applied to fringe benefits paid to expatriate employees working in China will be extended for four years until Dec 31, 2027; the IIT policy had been due to expire on Dec. 31, 2023. The extension was announced on Aug. 18, 2023, by the Ministry of Commerce and State Taxation Administration (STA). The tax-exempt fringe benefits include housing rental, education costs for children, language training, meal fees, laundry costs, relocation expenses, business travel and home leave expenses.
Resources	angela.li@mercer.com Announcement (Chinese) (Ministry of Commerce and State Taxation Administration, Aug. 31, 2023)
China (new)	
Status	 Extended for four years until Dec. 31, 2027.
Development	Career Preferential taxation policy for annual one-time bonus extended China's preferential individual income tax treatment (IIT) of annual one-time bonus payments will be extended until the end of 2027. This scheme allows taxpayers resident in China to opt for their annual bonus to be taxed separately and not combined with their comprehensive income. However, individuals could opt to for their annual bonus to be taxed as part of their comprehensive income (for example, this option could be more tax-effective for individuals earning lower basic salaries).
Resources	angela.li@mercer.com Announcement (Chinese) (Government, Aug. 18, 2023)
China — Beijing (new)	
Status	 Currently effective
Development	Career — Health Permitted assisted reproductive services expanded Sixteen therapeutic-assisted reproductive services, including intrauterine artificial insemination, embryo transfer and sperm selection, are now covered by Beijing's healthcare insurance system, effective July 1, 2023.
Resources	angela.li@mercer.com Announcement (Chinese) (Municipal Medical Insurance Bureau, July 1, 2023)

China — Guangxi (new)	
Status	 Currently effective
Development	<p>Career — Health</p> <p>Maternity insurance coverage expanded; childbirth subsidy increased</p> <p>Maternity insurance expanded in Guangxi province from Sept. 1, 2023. Highlights of the changes include:</p> <ul style="list-style-type: none"> • Single-birth easy deliveries and difficult deliveries. The reimbursement increased by 1,500 CNY to 4,500 CNY and 5,500 CNY respectively. • Multiple-birth easy deliveries and difficult deliveries. The reimbursement limit increased by 1,000 CNY to 5,000 CNY and 6,000 CNY respectively. • The reimbursement cap for miscarriages that occur earlier than four months into the pregnancy increased to 1,000 CNY up from 800 CNY. For miscarriages that occur after four months, the reimbursement cap increased to 2,000 CNY up from 1,500 CNY. • The reimbursement cap for fallopian tube recanalization surgery increased to 2,000 CNY up from 1,500 CNY. • Prenatal outpatient tests are now covered by maternity insurance and are capped at 1,500 CNY. • Childbirth subsidy payment expanded. For employees giving birth to their first or second child, the payment period for the childbirth subsidy increased to 128 days, and for employees giving birth to a third child or more, the payment period increased to 158 days. The childbirth subsidy is equivalent to the company's average monthly salary during the previous year.
Resources	angela.li@mercer.com Announcement (Chinese) (Government)
China — Guizhou (new)	
Status	 Effective Oct. 1, 2023
Development	<p>Career — Health</p> <p>Maternity medical insurance coverage expanded</p> <p>Maternity medical insurance in Guizhou province will expand from Oct. 1, 2023, to provide employees with flexible coverage. The annual reimbursement amount for prenatal tests will be capped at 1,200 CNY, and the reimbursement rate will be 90%. Claims by employees who exceed the annual cap can be paid for with outpatient reimbursement, or out of the individual account. No deductible applies until the month of the baby's due date.</p>
Resources	angela.li@mercer.com Announcement (Chinese) (Government)

China — Shanghai (new)	
Status	 Currently effective
Development	<p>Health</p> <p>Medical insurance coverage expanded</p> <p>Enhanced social medical insurance coverage took effect in Shanghai on July 1, 2023. Highlights include:</p> <ul style="list-style-type: none"> The deductible amount for employees reduced to 500 CNY, down from 1,500 CNY. The reimbursement ratio for outpatient treatment in first-, second- and third-tier hospitals increased respectively to 80%, 75% and 70%. The deductible amount paid by individuals who retired after Jan. 1, 2001, reduced to 300 CNY, and the reimbursement ratio for outpatient treatment in first, second and third hospitals increased respectively to 85%, 80% and 75%. For individuals who retired before Dec. 31, 2000, the deductible amount reduced to 200 CNY, and the reimbursement ratio increased to 90%, 85% and 80%. Employees' purchases in designated retail pharmacies are reimbursable, if the following criteria is satisfied a) provision of an electronic prescription from a designated hospital, b) the medicine is purchased from the medical insurance drug list, or c) the medicine is purchased from a designated retail pharmacy. The reimbursement rules are the same as for outpatient reimbursement. The annual reimbursement cap for unified accounts increased to 610,000 CNY, up from 590,000 CNY. For claims that exceed 610,000 CNY, the reimbursement ratio is 80%. Individual accounts are expanded to include the purchase of 32 new medical devices and consumables (such as neck/lumbar support, crutches, wheelchairs, blood pressure monitors, nebulizers, glucose meters, hearing aids, insulin injection pens, etc.). Eligible family members can share individual accounts to pay for purchases from designated retail pharmacies. <p>The calculation method applicable to individual account balances was updated on July 1, 2023: 2% of employees' contributions is now allocated to individual accounts, and employers' contributions are assigned to unified accounts. Individual account balances accrued before 2023 remain in employees' individual accounts. Retiree accounts remain unchanged from 2022 — for individuals aged 74 or younger, the amount allocated to individual accounts is 1,680 CNY, and for those older than 74, the amount is 1,890 CNY.</p>
Resources	<p>angela.li@mercer.com</p> <p>Law (Chinese) (Government, July 1, 2023)</p>

China — Shanghai (new)	
Status	 Currently effective
Development	Health — Wealth Social insurance contribution base upper and lower limits updated The upper limit of social insurance contribution base increased on July 1, 2023, to 36,549 CNY per month and the lower threshold increased to 7,310 CNY per month.
Resources	angela.li@mercer.com Law (Chinese) (Government)
China — X'ian (new)	
Status	 Currently effective
Development	Career Maternity insurance and maternity allowance expanded Measures that expand the maternity insurance and maternity allowance in Xi'an province took effect on Aug. 1, 2023. Highlights include: <ul style="list-style-type: none"> • The one-time subsidy for employee prenatal tests increased to 2,500 CNY, up from 1,000 CNY • Employees are now entitled to an additional subsidy for multiple births. Starting with the second child, an additional 300 CNY subsidy will be paid for each child • No deductible applies to inpatient delivery reimbursement • Insured employees receive the same outpatient subsidy and maternity allowance and the same inpatient reimbursement rules, regardless of the method of conception.
Resources	angela.li@mercer.com Announcement (Chinese) (Government)
Hong Kong (previously covered, with upcoming effective date)	
Development	Career <ul style="list-style-type: none"> • Gender board diversity, corporate governance required — key date: Dec. 31, 2024 Wealth <ul style="list-style-type: none"> • Mandatory pension fund offsetting to end — key date: May 2025

India (previously covered, with upcoming effective date)	
Development	Career — Health — Wealth <ul style="list-style-type: none"> Labor and employment laws reformed — key date: effective date delayed
Japan (new)	
Status	 Effective Oct. 1, 2023
Development	Career <p>Minimum wage increase to increase</p> <p>On Oct. 1, 2023, the minimum hourly wage will increase to ¥1,004 — exceeding the ¥41 increase proposed by the subcommittee of the Central Minimum Wages Council on July 28, 2023. The highest hourly minimum wage will be in Tokyo at ¥1,113 (a ¥41 increase). In the Kanagawa prefecture, the hourly minimum wage will be ¥1,112 (¥ 41 increase), and the lowest hourly minimum wage will be in Okinawa (¥896, up by ¥43).</p>
Resources	Announcement (Japanese) (Ministry of Health, Labour and Welfare, August 2023)
Japan (previously covered, with upcoming effective date)	
Development	Wealth <ul style="list-style-type: none"> Defined contribution reforms enacted — key date: Dec. 1, 2024

Laos (new)	
Status	 Effective Oct. 1, 2023
Development	Career Minimum wage to increase Effective Oct. 1, 2023, Laos's monthly minimum wage will increase to 1.6 million LAK, up from 1.3 million LAK. This is the third increase since June 2022.
Malaysia (new)	
Status	 Implementation is expected in April or May 2024.
Development	Career Progressive wage policy to be included in 2024 budget Malaysia's cabinet has approved the progressive wage policy (PWP) that aims to complement the minimum wage policy and reduce the economic gap between certain states. Details of the PWP will be included in the 2024 budget that will be issued in in October 2023, and implementation is expected in April or May 2024. The PWP will have accompanying guidelines setting out annual progressive salaries for every sector, occupation and level. Initially, the PWP will be voluntary for private sector employers. The government has prioritized the states as follows: <ul style="list-style-type: none"> • Priority states: Sabah, Sarawak, Kedah, Kelantan, Perlis and Terengganu • Progressive states: Federal Territory of Kuala Lumpur, Penang and Selangor • Moderate states: Johor, Negeri Sembilan, Melaki and Perak
Resources	yong-teck.siew@mercer.com Cabinet to fine-tune progressive salary policy for implementation (Prime Minister's Office, Aug. 7, 2023)

Singapore (new)	
Status	 Expected to be implemented in 2024.
Development	<p>Career</p> <p>Legislation to combat discrimination will be issued</p> <ul style="list-style-type: none"> The government recently confirmed that it will accept the 22 recommendations for combatting discrimination included in the Final Report issued by the Tripartite Committee on Workplace Fairness (tripartite committee). The recommendations follow an interim report published in February 2023, and they will be included in Workplace Fairness Legislation (WFL) to be implemented in 2024. The recommendations are grouped into four themes: strengthening protection against workplace discrimination; provisions to support business and organizational needs and national objectives; the processes for resolving grievances and disputes; and ensuring fair outcomes through redress for victims of discrimination, and penalties for breaches. The WFL will complement the current Tripartite Guidelines on Fair Employment Practices. Highlights: Employers with fewer than 25 employees will be exempt from the WFL. The exemption will be reviewed within a five-year period. Discrimination will be defined in law and will cover any adverse employment decision (from pre-employment through to the end of employment but will exclude benefits). The protected characteristics will be nationality, age, gender, marital status, pregnancy status (including breastfeeding and women who want to have children), caregiving responsibilities, race, religion, language, disability and mental health conditions. Employers will be allowed to consider a protected characteristic in an employment decision if there is a genuine and reasonable requirement for doing so. Inclusion of direct discrimination — not indirect discrimination — in the law. Retaliation against individuals who report workplace discrimination or harassment will be prohibited. Employers will have to post new roles on MyCareersFuture before hiring an Employment or S Pass holder — currently, this is not a legislative requirement. Employers will also be allowed to prefer the hiring of a Singaporean citizen or permanent resident over a foreign candidate. The “reasonable accommodation” for persons that have a disability will be included in a new tripartite advisory, but it will not be legally binding on employers. Employers will be encouraged to have grievance handling procedures, and discrimination claimants may also refer claims to the Tripartite Alliance for Fair and Progressive Employment Practices, subject to fulfilling certain criteria. Compulsory mediation will be required in certain circumstances. Compensation amounts will be between SG\$5,000 and SG\$30,000 for victims of discrimination, and the government will be allowed to impose a range of penalties against employers.
Resources	<p>manisha.mehta@mercer.com</p> <p>Government Accepts Tripartite Committee's Final Recommendations for WFL (Ministry of Manpower, Aug. 4, 2023)</p> <p>Building fairer and more harmonious workplaces (Ministry of Manpower)</p>

Singapore (previously covered, partially effective)**Status****Effective dates vary.****Development****Career****Bonus criteria required for work permits clarified**

The Ministry of Manpower has issued further details about the criteria for awarding bonus points that the Complementarity Assessment Framework (COMPASS) will use for decisions on issuing Employment Passes (EPs). From Sept. 1, 2023, COMPASS provides a points-based framework for evaluating foreign applicants for new EPs. The framework will extend to renewal EP applicants from Sept. 1, 2024. Bonus points are awarded to foreign applicants with required skills and to firms that can contribute to the country's strategic economic priorities. Highlights include:

- **Skills bonus (criterion 5).** EP applicants for an occupation included on the Shortage Occupation List (SOL) earn up to 20 bonus points on COMPASS. The Ministry of Manpower and the Ministry of Trade and Industry have issued the first SOL after consulting with sector agencies and tripartite partners. The SOL will be renewed every three years, but occupations could be annually delisted or added if market conditions require. Other factors include a sector agency's commitment to work with industry to develop the local talent pipeline to fill roles on the SOL. In addition, EP applicants' qualifications and work experience will be checked, and the deployment of EP holders to a different job will be subject to reassessment.
- **Strategic economic priorities bonus (criterion 6).** Eligible firms receive 10 bonus points on COMPASS, renewable every three years and subject to meeting certain criteria. The firms must participate in one of the programs run by the sector agencies or be supported by the National Trades Union Congress.

Resources

[Details of complementary assessment frame work \(COMPASS\) bonus criteria](#) (Ministry of Manpower, March 31, 2023)



Singapore (previously covered, partially effective)**Status****Partially effective****Development****Career****Employers need to verify Employment Pass applicants' academic qualifications**


From Sept. 1, 2023, employers in Singapore that sponsor foreign nationals must verify employees' academic credentials when applying for EPs and from Sept. 1, 2024, for EP renewals.

The measures aim to reduce fraudulent EP applications — EPs are designed for foreign professionals, managers and executives that have a job offer with a minimum monthly salary of SG\$5,000. In addition, a Complementarity Assessment Framework (COMPASS) will award points to EP applicants based on personal and employer criteria, including their academic qualifications, subject to verification by a background screening company.


Resources

[Documents required for Employment Pass](#) (Ministry of Manpower)


Singapore (previously covered, partially effective)	
Status	 Effective dates vary.
Development	<p>Wealth</p> <p>Central Provident Fund monthly salary cap for calculating contributions increased Singapore's 2023 budget announced changes to the Central Provident Fund (CPF) that aims to boost retirement savings, especially for middle-income earners. One of the changes was that the CPF monthly salary cap for calculating contributions will increase gradually to SG\$8,000 by 2026, up from SG\$6,000. The monthly base salary increased by SG\$300 in September 2023, SG\$500 in December 2024, SG\$600 in December 2025 and SG\$600 in January 2026.</p>
Resources	Budget 2023 (Ministry of Finance, February 2023)
Singapore (previously covered with upcoming effective dates)	
Development	<p>Career — Health</p> <ul style="list-style-type: none"> • Paid paternity leave and unpaid infant care leave expanded — key date: Jan. 1, 2024 <p>Wealth</p> <ul style="list-style-type: none"> • Budget increases CPF contribution rates for workers aged 50 to 55 years — Jan. 1, 2024
South Korea (new)	
Status	 Effective Jan. 1, 2024
Development	<p>Career</p> <p>Minimum wage to increase The 2024 minimum hourly wage will be 9,860 KRW across all industry sectors, up from 9,620 KRW in 2023 (a 2.5% increase). The hourly wage amounts to a monthly equivalent of 2,060,740 KRW for employees working the standard 40-hour work week. The new wage will take effect on Jan. 1, 2024 and will apply through Dec. 31, 2024.</p>
Resources	Minimum wage system (Minimum Wage Commission)


Taiwan (new)	
Status	 Effective March 8, 2024
Development	<p>Career</p> <p>Employee protections from sexual harassment expanded</p> <ul style="list-style-type: none"> • The protection of employees from sexual harassment will be expanded, and employers will have more responsibility to prevent and address sexual harassment from March 8, 2024, under measures included in the amended Act of Gender Equality in Employment. Highlights include: • The definition of sexual harassment will include actions that occur outside working hours or perpetrated by business associates in different business units. Sexual harassment will also include situations arising from those individuals in positions of power (such as supervisors and individuals in charge of others). • Employers must take steps to prevent sexual harassment and ensure that employees are trained accordingly. • Employers with 10 to 30 employees must establish, and publicize, their workplace complaints mechanism — currently, the workforce threshold is 30 for establishing this mechanism. • Any instances of sexual harassment — including those that are not notified using the complaints mechanism — must be investigated by the employer, and corrective measures taken, including the provision of medical assistance and counselling to the complainant. • The alleged perpetrator can be suspended or transferred to a different role, and individuals must receive back pay if the complaint is not substantiated. However, perpetrators could be terminated within 30 days because of their employer's investigation, or if the authority finds that severe sexual harassment had occurred. • Employers must notify local authorities about any sexual harassment complaint and the outcome of employer-led investigations. Employees could lodge complaints with the labor authority if their employer does not follow the correct procedures. • The statute of limitations for employees who are minors (younger than age 18), or who resigned from their roles, will be extended. Individuals will be allowed to file a complaint up to one year after their resignation, or 10 years after the sexual harassment ceased. • Penalties for breaches of the law will increase to NT\$1million if the perpetrator is a person in charge and is the employer. Damages will increase by five times the current amount. Criminal penalties will increase to three years for perpetrators of sexual harassment.
Resources	<p>echo.liu@mercer.com</p> <p>Act of Gender Equality in Employment (Chinese) (Government, July 31, 2023)</p>

Europe, Middle East and Africa (EMEA)

European Union (EU) (new)	
Status	 Effective dates vary.
Development	Career — Health — Wealth Sustainability reporting standards issued The European Sustainability Reporting Standards (ESRS) that companies must use to report certain sustainability information under the Corporate Sustainability Reporting Directive (CSRD) were issued by the European Commission (commission) on Aug. 1, 2023. The ESRS will be subject to a two-month scrutiny period by the European Parliament and the Council of Ministers — this period is extendable by two months. Under the directive, the first sustainability reports must be published by large organizations (including large non-European Union (EU) listed companies) in 2025 for the financial year starting on or after Jan. 1, 2024, and will be phased-in for smaller organizations (including other non-EU listed companies). The directive is expected to impact 50,000 companies.
Resources	GRIST , Aug. 4, 2023

EU (new)	
Status	 Consultation is open until Oct. 4, 2023.
Development	<p>Career</p> <p>Second consultation on revision of transnational information and consultation rights launched</p> <p>On July 26, 2023, the European Commission (commission) issued a second-stage consultation document of the EU social partners on revision of the European Works Council (EWC) Directive, which provides for transnational information and consultation rights in companies that have 1,000 or more employees in the EU and European Economic Area. The consultation period is open until Oct. 4, 2023, and following this, the EU social partners could decide to negotiate an agreement for legislative approval or acknowledge that they would be unlikely to reach agreement, leaving the commission to propose legislation. The commission suggests areas to consider:</p> <ul style="list-style-type: none"> • Phase-out of the exemptions for companies that had negotiated early EWC agreements so as to ensure the same information and consultation rights for all EWCs. • Adjustment of the definition of “controlling undertaking” to include independent undertakings that can influence another company’s operation and business decisions through contractual arrangements. • Establishment of a clear timeframe for EWC negotiations to commence and require company management to pay for all reasonable legal costs during such negotiations. • Clarification of the business issues that are transnational and subject to EWC information and consultation so as to enhance the effectiveness of the information and consultation process. This could include a requirement for management to provide a reasoned response to the EWC’s opinions on proposed measures, and clarity about the timing of consultation with respect to the company’s decision-making process and the resourcing of EWCs. • Clarification of companies’ use of confidentiality clauses or the nondisclosure of sensitive information to EWCs, including the duration of confidentiality restrictions, the objective criteria used by management to withhold information from the EWC and a requirement for nondisclosure to have administrative or judicial authorization. • Adjustment of the subsidiary requirements included in the Directive’s annex (for example, increasing the number of regular EWC annual meetings and stronger rights for employee representatives participating in select committee meetings). <p>The commission also suggests other aspects of EWC procedures that require “ongoing evidence gathering.” These include a possible reduction in the time allowed to negotiate an EWC agreement; enhanced support for employee representatives when negotiating an EWC agreement; the resources available to EWC employee representatives (including the payment of their legal costs); improved gender balance of EWC employee representatives; the coordination between EWCs and national employee representation bodies; and member states’ sanctions and remedies for law violations.</p>
Resources	Strengthening social dialogue: Second-stage consultation of social partners on European Works Council's Directive (European Commission, July 26, 2023)

EU (previously covered, with upcoming effective date)	
Development	<p>Career</p> <ul style="list-style-type: none"> • Directive on promoting statutory minimum wages finalized — key date: Nov. 15, 2024 • Reforms to Blue Card coming for highly skilled workers — key date: Nov. 18, 2024 • Law to improve gender balance on company boards approved — key date: June 7, 2026 <p>Career — Health — Wealth</p> <ul style="list-style-type: none"> • EU requires enhanced corporate sustainability disclosures — key date: July 6, 2024
Belgium (new)	
Status	 Currently effective
Development	<p>Career</p> <p>Protection from discrimination expanded on several protected characteristics</p> <p>Amendments to three equality laws in Belgium have expanded the protection of individuals from discrimination on the grounds of several protected characteristics and increased the applicable sanctions for breaches. Under the changes, individuals are protected from “cumulative discrimination” if they are discriminated against on grounds of several protected characteristics that are cumulative but can be separated, and from “intersectional discrimination” where they experience a difference of treatment based on several protected criteria that interact and which are inseparable.</p> <p>The protected characteristics included in the three laws are:</p> <ul style="list-style-type: none"> • Act of July 30, 1981 includes “nationality, race, skin color, descent or national or ethnic origin and gender, pregnancy, medically assisted procreation, birth, breast feeding, maternity, family responsibility, gender identity, gender expression, sexual characteristics and change of gender.” • Discrimination Act of May 10, 2007 includes “age, sexual orientation, civil status, birth, fortune, belief or conviction, political opinion, trade union opinion, language, health, disability, physical or genetic characteristic or social origin.” • Gender Act of May 10, 2007 includes “gender, pregnancy, medically assisted procreation, birth, breast feeding, maternity, family responsibility, gender identity, gender expression, sexual characteristics and change of gender.” • Employment tribunals can now impose increased sanctions and may combine lump sum compensation amounts for each protected characteristic involved in a claim for cumulative or intersectional discrimination.
Resources	Law (French) (Government, July 20, 2023)

Belgium (new)	
Status	 Effective dates vary.
Development	<p>Career — Wealth</p> <p>Federal government agrees on pension reforms</p> <p>The Belgian government reached an agreement that aims to increase pension benefits for individuals who work longer and reduce the overall pension cost. Among the measures impacting the state pension include:</p> <ul style="list-style-type: none"> • A net pension bonus of up to €22,645 payable to employees who agree to work up to three years longer than their earliest possible retirement age. This aims to incentivize older workers to work beyond the early retirement age, and the bonus will be paid tax-free on retirement or as an annuity. • A minimum of 20 years' service will be required to access the minimum pension benefit. • The equalization of civil servants' pensions will be capped. <p>The pension agreement also includes a supplementary pension measure, the so-called “Wijninckx contribution” This special social security contribution is paid for by employers if the total sum of an employee's supplementary pension (converted into an annuity) and the accrued state pension exceed the maximum public sector pension. The contribution rate will increase to 6%, up from 3%, from Jan. 1, 2028, and is calculated on the increase in the supplementary pension reserves in the year preceding the contribution year. Sigedis (the administrator of the second pillar database, DB2P) will continue to calculate the “Wijninckx contribution.”</p>
Resources	<p>lore.vanrespaille@mercer.com</p> <p>Press release on the agreement (French) (Prime Minister, July 10, 2023)</p>
Belgium (previously covered, with upcoming effective date)	
Development	<p>Wealth</p> <ul style="list-style-type: none"> • Blue- and white-collar pension harmonization postponed — key date: Jan. 1, 2027

Channel Islands — Guernsey (new)**Status**  **Effective Oct. 1, 2023****Development****Career****Equality protections expanded**


Guernsey's equality law will be expanded to include race, disability, carer status, sexual orientation and religious belief under the Prevention of Discrimination (Guernsey) Ordinance, 2022. Most of the provisions will take effect on Oct. 1, 2023. The ordinance will apply to employment, in addition to the provision of goods and services, and other matters. Compensation amounts for unlawful discrimination will be capped at six months' pay, and compensation for injury to feeling, hurt of distress will be capped at £10,000.


Since 2006, Guernsey's equality law — the Sex Discrimination (Employment) (Guernsey) Ordinance 2005 — protects employees and job applicants from discrimination on grounds of sex, marriage or gender reassignment. A different ordinance protects employees on grounds of pregnancy and maternity, or "to a detriment" on a ground related to maternity leave.

Resources [Discrimination legislation](#) (Government)**Channel Islands — Guernsey (new)****Status**  **Effective Oct. 1, 2023****Development****Career****Minimum wage, accommodation/food offsets increased**

Effective Oct. 1, 2023, Guernsey's hourly minimum wage will increase to £10.65, up from £9.55, for employees aged 18 years or older. The minimum wage rate for employees aged 16 and 17 will be £9.65, up from £8.95. The tax offset for employer-provided accommodation will increase to £103 per week, up from £92, and the offset for accommodation and food will increase to £144 per week, up from £129.

Resources [The Minimum Wage \(Accommodation and Food Offsets\) \(Guernsey\) \(Amendment\) Regulations, 2023](#) (Government, May 31, 2023)

France (new)	
Status	 Currently effective
Development	<p>Career — Health</p> <p>Parental presence leave law expanded</p> <p>Employees who care for a disabled or seriously ill child, parent or relative are now entitled to stronger employment protection, expanded leave entitlement and the right to request teleworking. The measures feature in Law No. 2023-622 of 19 July 2023 that took effect on July 21, 2023. Highlights:</p> <ul style="list-style-type: none"> • Employees are generally protected against dismissal when they take ‘parental presence leave,’ capped at 310 working days. They are also protected for periods when they work if they split their ‘parental presence leave’ or take it on a part-time basis. • Employees are entitled to expanded “parental presence leave.”. They can now take 12 working days (up from five) on the death of a child younger than age 25 years; 14 working days (up from 12) on the death of a child who is working and younger than age 25; five working days (up from two) when a child is declared disabled or suffering from a serious illness or cancer. • Employees can request teleworking to enable them to stay with the person for whom they care. Employers must generally accept such requests, even in the absence of a collective bargaining agreement or telework charter. For this reason, employers should consider adding appropriate clauses. • The leave is unpaid, but employees can request a daily parental presence allowance (AJPP).
Resources	<p>ayce.nisancioglutopcan@mercer.com</p> <p>Law No. 2023-622 of 19 July 2023 (French) (Government)</p>
France (previously covered, with upcoming effective date)	
Development	<p>Career</p> <ul style="list-style-type: none"> • New gender quotas imposed for senior execs/management teams — key date: March 1, 2026 <p>Career — Health</p> <ul style="list-style-type: none"> • Metallurgy sector agrees on national CBA — key date: Jan. 1, 2024

Greece (new)	
Status	 Currently effective
Development	Career — Health Sectoral collective labor agreement agreed to for insurance companies <p>A sectoral agreement has been agreed to for certain organizations in the insurance sector covering the period Jan 1, 2023, to Dec. 31, 2024. The agreement sets out the minimum monthly salary (from Jan 1, 2023, it is €994 and from Jan. 1, 2024, it will be €1,024), in addition to other payments. They include the salary percentage that is paid as a premium to individuals who have certain academic credentials (such as university degrees) and insurance and financial qualifications; travel expenses for work trips; English language proficiency; birth of a child; the employee's marriage; children; nursery costs (the amount is capped at €230); maternity leave (maternity leave is expanded to 18 weeks, up from 17); and long-service premiums.</p>
Resources	Sectoral agreement (Greek) (Insurance Organizations) maria.markopoulou@marsh.com
Greece (previously covered, with upcoming effective date)	
Development	Career <ul style="list-style-type: none"> Companies with 50 to 249 employees must appoint a whistleblowing officer — key date: Dec. 17, 2023
Ireland (previously covered, with upcoming effective date)	
Development	Career <ul style="list-style-type: none"> Gender pay gap regulations to apply to smaller employers — key date: 2024
Luxembourg (new)	
Status	 Effective Jan. 1, 2024
Development	Career — Health Meal voucher scheme adjusted <p>The maximum value of meal vouchers that will be tax-exempt will increase to €12.20 (up from €8) on Jan. 1, 2024 in Luxembourg. The employee's contribution of €2.80 will be unchanged, and so the total value of a meal voucher will be €15. The number of meal vouchers that can be used per day will be five (€75 per day). The regulations also will clarify the criteria for using meal vouchers. In response to changing eating habits, the definition of a meal will be expanded to include food purchases from restaurateurs or retailers affiliated to companies that issue meal vouchers. The definition of a "working day" will be abolished to allow employees to use meal vouchers at the end of the day, at weekends, and during their vacations.</p>
Resources	thierry.laloux@mercer.com Press release (French) (Government, June 9, 2023)

Luxembourg (new)

Status



Currently effective

Development

Career — Health

Leave entitlements expanded, flexible working allowed for certain employees

Measures that expand paid leave entitlement and allow flexible working for some parents and individuals with caring responsibilities recently took effect in Luxembourg. The measures amend the labor code and aim to implement European Union directive 2019/1158. Highlights include:


- Employees are entitled to an additional two days of extraordinary leave. One day is for “force majeure” reasons that are connected to urgent family matters requiring the employee’s immediate attendance. Employees do not have to provide their employer with proof, but they must inform them no later than the first day of absence. The leave can be split into one-hour units (capped at eight hours). Family members are not limited to children, parents, spouse or partner, and include any person in the employee’s entourage.
- Employees can take up to five days to provide care or assistance to a family member or to a person living in the same household as the employee who has a serious medical condition certified by a doctor. Employees must provide their employer with proof of the family relationship or cohabitation (this is limited to the employee’s children, parents, spouse or partner), and a medical certificate. Employees must provide oral or written notification to their employer no later than the first day of absence, and the medical certificate and proof of family relationship no later than the third day of their absence. The leave can be split into one-hour units (capped at 40 hours).
- Both leave entitlements are for 12-month periods that do not have to correspond to the calendar year. The leave is paid for by the employer and government (50%, subject to a cap). The leave is pro-rated for part-time employees.
- Individuals who are same-sex parents are now entitled to 10 days of extraordinary leave following the birth of their child. The leave must be taken within two months of the birth, and employees should notify their employers two months before they expect to take the leave.
- Employees with six or more months of service with their employer, and who have children aged younger than nine years or who are carers, can request to work flexibly for a period of up to one year. Flexible working can include teleworking, reduced working hours and any other type of flexible work agreed to by the employer and employee.
- Employers must respond to the employee within one month of the request and must provide written reasons for refusal or postponement of the leave.



Resources



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[Law 8016](#) (French) (Official Journal, Aug. 17, 2023); [Law 8017](#) (French) (Official Journal, Aug. 18, 2023) and [Press release](#) (French) (Government, Aug. 23, 2023)

Morocco (new)	
Status	 Currently effective
Development	<p>Health</p> <p>Insurance providers must balance tariff risks for health and compensation policies</p> <p>In 2023, the insurance regulator (ACAPS) instructed all insurance providers to balance the tariff risks for health and workers' compensation policies. Insurance providers can no longer compensate deficits in one branch by using profits from other branches. This change will complicate negotiations with insurance companies for employee health and benefit policies.</p>
Resources	<p>ghyzlane.mikou@beassur-marsh.com</p> <p>Law (French) (Government)</p>
Netherlands (previously covered, with upcoming effective date)	
Development	<p>Career</p> <ul style="list-style-type: none"> • Whistleblowing law revised — key date: Dec. 17, 2023 • 30% tax rule for expat employees to change — key date: Jan. 1, 2024 • Hourly rate to be introduced — key date: Jan. 1, 2024 <p>Wealth</p> <ul style="list-style-type: none"> • Parliament agrees to significant occupational pension reforms — key date: Jan. 1, 2025
Nigeria (previously covered, with upcoming effective date)	
Development	<p>Health</p> <ul style="list-style-type: none"> • Health insurance coverage to significantly expand — key date: implementation date unknown

Oman (new)	
Status	 Currently effective
Development	<p>Career — Health</p> <p>Labor law , including benefits and equality provisions, revised</p> <p>Several employment measures, including leave entitlements, changes to working hours, measures to support female employees and boost the number of Omani nationals in employment feature in Royal Decree 53/2003 that took effect on July 25, 2023. Highlights include:</p> <ul style="list-style-type: none"> • Daily working hours are reduced to eight hours/day and capped at 40 hours/week. • Paid sick leave is expanded to 182 days/year. The first 21 days are paid at 100% and a sliding scale applies after. • Annual leave remains unchanged at 30 days, but non-Omani employees are entitled to return travel costs for the purpose of taking their annual leave. • Employees are entitled to special leave in certain circumstances. • Men can take seven days of paternity leave up until the 98th day following their child's birth. • Women are entitled to 98 days of paid maternity leave (up from 50 days and capped at three times during their employment under the old law) to cover the period before and after the birth. Female employees are entitled to a nursing break of one hour per day for up to one year following the end of their maternity leave; they can take up to one year of unpaid leave to care for their child, but they must pay all contributions due to the Social Fund during this period. Employers with more than 25 female employees must designate a workplace rest area for them. The dismissal of female employees for reasons of pregnancy, childbirth or breastfeeding will be deemed arbitrary. • Employers must repatriate non-Omani employees within 60 days following termination of their employment, but employees can remain in Oman — without cost to their employer — if they are filing a lawsuit or claiming payment of other dues. • Transitional measures for payment of the end of service gratuity will apply until the savings fund provided for by Royal Decree 52/2023 is implemented. The savings fund will provide an end-of-service payment to employees, paying one month's salary for each year of service — currently, gratuity payments are capped at 15 days' salary for each of the first three years of employment, and then 30 days' salary for each additional year. • Employers can impose a noncompete period of up to two years if the employee's role involves business secrets or knowledge of customers. • Employers with 50 or more employees (up from 15) must have work regulations that are approved by the ministry. • Compensation for unfair dismissal is capped at 12 months, up from three months. • The government will issue regulations to boost the employment of Omani nationals in the private sector. Employers are now allowed to terminate a foreign employee if they replace them with an Omani.
Resources	<p>sharifa.al-naamani@mercermarshbenefits.com</p> <p>Royal Decree 53/2003 (Arabic) (Government)</p>

Poland (new)	
Status	 Effective dates vary.
Development	Career Minimum wage increased <p>The monthly minimum wage increased on July 1, 2023 to 3,600 PLN (up from 3,490 PLN), or 23.50 PLN/hour (up from 22.80 PLN/hour) — this was the second increase in 2023. The Cabinet of Ministers published in August 2023, a draft regulation that proposes two increases for minimum wage rates in 2024. The monthly minimum wage would increase on Jan. 1, 2024 to 4,242 PLN and the hourly minimum wage to 27.70 PLN. A second increase is slated for July 1, 2024 when the monthly minimum wage would increase to 4,300 PLN, and the hourly minimum wage would increase to 28.10 PLN.</p>
Resources	Legislation (Polish) (Cabinet of Ministers, Aug. 18, 2023)
Portugal (new)	
Status	 Currently effective
Development	Career — Health Parental leave entitlement expanded <p>Expanded parental leave measures took effect in Portugal on May 1, 2023, revising the labor code. Law 13/2023 aims to implement European Union directive 2019/1158. Highlights:</p> <ul style="list-style-type: none"> • Each parent is eligible for an additional 90 days of paid parental leave following expiration of their initial and extended leave entitlements (120 days and 150 days respectively). The additional 90-day period must be combined with part-time work and will be paid by social security at 20% of the reference pay, in addition to their part-time salary. Payment is at 100% for initial leave and 80% for extended leave. • Mothers must now use 42 consecutive days (up from six weeks) of the 120 days of their initial parental leave entitlement following the birth of their child. • Fathers now have an exclusive entitlement to 28 days (up from 20 days) of initial parental leave that must be taken during the 42 days following their child's birth, of which the first seven days must be taken consecutively. Fathers also will be entitled to an additional seven days of parental leave if these are taken during the mother's 42 days of initial parental leave. • The second parent of adopted children younger than 15 years can now take 28 days of exclusive parental leave that is given to fathers under their initial parental leave entitlement.
Resources	marta.dias@mercer.com Law 13/2023 (Portuguese) (Government, April 3, 2023)

Romania (new)	
Status	 Effective dates vary.
Development	<p>Career — Health</p> <p>Maximum value of tax-free meal tickets increased</p> <p>On Aug. 1, 2023, the maximum value of daily meal tickets in Romania increased to 35 RON, up from 30 RON. A further increase — to 40 RON — is slated for Jan 1, 2024. Employers do not have to provide meal tickets to their employees, but if they do, they can decide on the value. Meal tickets up to the maximum value are not subject to taxation or social security contributions. However, the government announced it is considering levying a 10% health contribution on meal tickets.</p>
Resources	<p>alina.popescu@mercermarshbenefits.com</p> <p><u>Law</u> (Romanian) (Government, July 27, 2023)</p>
Romania (new)	
Status	 Currently effective
Development	<p>Career — Health</p> <p>Employees granted new leave rights, flexible work entitlements and holidays</p> <p>New employee entitlements recently took effect under measures that aim to enhance work life balance. Highlights:</p> <ul style="list-style-type: none"> • Employees with children under age 11 can request to telework for up to four days per month, subject to the nature of their job. Employees must have the means to enable them to work from home, and both parents are prohibited from requesting to telework at the same time. • Employees who become foster carers, or who provide personal support to a person that has a disability, can request a temporary suspension of their employment contract. • Employees can take up to five business days of paid carer's leave per year to enable them to care for, or support, a relative or person who has a serious health issue and who lives in the same household. Although the leave entitlement was already effective, the ordinance clarifies that the leave is paid. • Eligible parents can take paid leave to care for sick children up to age 12 years (up from age seven), and age 18 for children that have a disability. • Employees have been granted two new public holidays — January 6 and 7.
Resources	<p>alina.popescu@mercermarshbenefits.com</p> <p><u>Law No. 241/2023</u> (Romanian) (Government, July 21, 2023); <u>Law No. 140/2023</u> (Romanian) (Government, May 26, 2023); <u>Ordinance 42/2023</u> (Romanian) (Government, May 25, 2023) and <u>Law No. 52</u> (Romanian) (Government, March 6, 2023)</p>

Saudi Arabia (new)	
Status	 Effective dates vary, starting later in 2023
Development	<p>Career</p> <p>Localization for certain professions to increase</p> <p>Private sector companies in Saudi Arabia that have procurement, sales, project management, postal and freight employee roles will be subject to increased localization (also known as “Saudization”) rates later in 2023.</p> <ul style="list-style-type: none"> Freight forwarding and broker roles. The roles that will be subject to 100% localization rate from Oct. 26, 2023, include freight brokers, shipping and distribution of goods, air transportation of goods, etc. Some roles (such as those concerned with loading and unloading, packaging, wrapping, shelving, produce sorting, wheelbarrowing, storing and facility cleaning) will be exempt from the 100% rate if the percentage of such roles in any one shift does not exceed 20% of total workers. Project management roles. Private sector companies with three or more employees working in certain project management roles must have a 35% localization rate by Dec. 24, 2023, and 40% by Dec. 12, 2024. The roles include project manager, project management specialist, project management office specialist, communications project manager, project manager for business services and transportation project manager. Sales roles. Private sector companies with five or more employees working in certain sales roles must have a 15% localization rate by Dec. 24, 2023. The roles include sales manager, retail sales manager, commercial specialist, sales specialist, wholesale sales manager, information and communication technology equipment sales specialist, sales representative, commodity broker and futures commodity broker. Procurement roles. Companies that have three or more employees in procurement roles will be subject to a 50% localization rate from Dec. 24, 2023. The roles include purchasing manager and representatives, contracts manager, private trademark supply specialist, bidding specialist and procurement specialist.
Resources	<p>The decision to localize freight forwarding and freight brokers services outlets (Human Resources and Social Development, May 28, 2023); The decision to localize project management professions (Human Resources and Social Development, May 28, 2023); The decision to localize sales professions (Human Resources and Social Development, May 28, 2023) and The decision to localize procurement professions (Human Resources and Social Development, May 28, 2023)</p>
Saudi Arabia (previously covered, with upcoming effective date)	
Development	<p>Career</p> <ul style="list-style-type: none"> Contracting with companies with regional headquarters outside of the kingdom to cease — key date: Jan. 1, 2024
South Africa (previously covered, with upcoming effective date)	
Development	<p>Career</p> <ul style="list-style-type: none"> Amended employment equity measures enacted — key date: effective date unknown

Spain (new)**Status**

Generally effective, but the requirement for the control committee to meet at least twice a year will take effect in 2024.

Development**Wealth****Occupational pension plans promoted**

A Royal Decree (decreto) completes the regulatory framework for implementing open public occupational pension funds and simplified occupational pension plans. In addition, the decree modifies certain aspects of the pension plans and funds regulations concerning investments, actuarial matters and other issues impacting occupational pension plans, and will require plan rules to be reviewed. The decree entered into force on July 21, 2023, but the requirement for the control committee to meet at least twice a year will take effect in 2024. The decree allows occupational pension plans members to select their pension investment strategy. Plans must offer no more than three investment options, and members can change their selection only once every five years. The plan's control committee must provide a default investment strategy for members who do not select their own strategy.

The new regulation increases the flexibility for plans to design life-cycle schemes, enabling the distribution of members' investments between two different strategies, and dependent on the member's age. The regulations suggest that such age-based investments will be provided as a default alternative. The decree establishes the frequency of financial actuarial reviews (RFAs) of occupational and associated pension plans as follows:

- Defined benefit plans, mixed plans and DC plans that guarantee pension benefits, (regardless of their insurance) must conduct the RFA at least every three years.
- Pension plans with a solvency margin must conduct the RFA annually.
- DC employment plans that are integrated into a pension fund, and that have assets exceeding €25 million, must conduct the RFA at least every three years and include all pension plans in the fund, unless a plan notifies that it will conduct a separate review.
- For DC plans with assets of less than €25 million, the control committee will decide if a RFA will be conducted, or not.
- The decree specifies that the nondiscrimination principle will apply to occupational pension plans and provides for employees to join the plan after one month of service, and to receive contributions from the sponsor from that time, provided they are employed by the plan sponsor.
- The pension plan's control committee must meet at least twice a year, instead of once.


Resources


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[Royal Decree 668/2023 of July 18, 2023](#) (Spanish) (Official Bulletin, July 20, 2023)


Spain (previously covered, with upcoming effective date)**Development****Wealth**


- [Changes to public pension system enacted](#) — key date: Jan. 1, 2024

Switzerland (previously covered, with upcoming effective date)	
Development	<p>Career</p> <ul style="list-style-type: none"> • Hourly minimum wage to be introduced in Zurich and Winterthur — key date: effective date unknown <p>Career — Health</p> <ul style="list-style-type: none"> • Paid leave introduced in Geneva — key date: effective date unknown <p>Wealth</p> <ul style="list-style-type: none"> • First-pillar pension scheme reforms approved — key date: Jan. 1, 2024 • Occupational pension reforms pass parliament — key date: effective date unknown
Ukraine (new)	
Status	 Currently effective
Development	<p>Career — Health</p> <p>Flexibility of maternity leave increased</p> <p>In Ukraine, women are entitled to a total of 126 days of paid maternity leave, with 70 days taken prior to their due date and 56 days following the birth. From July 29, 2023, women can take some or all of the 70-day period either before or after their child's birth. The total maternity leave duration remains unchanged at 126 days, with additional leave (total of 140 days) allowed for multiple births or medical complications during childbirth. The measures feature in Law No. 3238-IX of July 13, 2023.</p>
Resources	<p>Law No. 3238-IX of July 13, 2023 (Ukrainian) (Government)</p>

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

UK (new)	
Status	 Comments are invited through Oct. 12, 2023.
Development	<p>Health</p> <p>Government asks for input on boosting occupational health coverage</p> <p>The UK government issued in July 2023 two consultations on boosting occupational health (OH) coverage and provision.</p> <p>“Tax incentives for occupational health”:</p> <ul style="list-style-type: none"> • The government says that it is not “committing to any particular tax incentive at this stage” but is keen to understand the potential behavioral impacts on expanding the benefit-in-kind (BiK) exemption for medical benefits. The consultation comprises 26 questions covering the case for OH action, the scope of OH provision, alternative tax measures to incentivize employers and the impact of tax incentives on OH provision. • Input is requested on expanding the treatments that would be eligible for tax relief to include health screenings within a predefined limit; medical check-ups for employees within a predefined limit treatment to reduce workplace absence or that aim to improve employees’ performance, including preventative treatments; and flu vaccinations if paid for by the employee and later reimbursed by the employer. • The costs that would not be eligible for tax relief include private medical insurance; nonclinical treatments (for example, wellness retreats, fitness classes or gym memberships); wages of OH staff employed by the business; consulting costs related to the development of the employer’s OH strategy; costs relating to employees’ family members; and costs relating to persons who are not employees. • The proposals would impact businesses in scope of UK taxation. The government will consult with the devolved administrations (these are Northern Ireland, Scotland and Wales) because health policy is devolved. <p>“Occupational health: working better”:</p> <p>The consultation focuses on the role of the government, OH providers and employers in increasing OH coverage across the UK. Proposals include:</p> <ul style="list-style-type: none"> • Introduction of voluntary measures, including a national health at work standard for employers that would provide a baseline for quality OH provision and support best-practice sharing. • Review of UK-based employer models for practices and measures that could apply to other employers, and the approaches taken by other countries — such as France, Finland and the Netherlands — to increase OH coverage. • Proposals to develop OH workforce capacity and longer-term multidisciplinary OH workforce partnerships in the private sector. These include recruitment measures, the models of care and the range and balance of required clinical and nonclinical professionals.
Resources	Joint HMT-HMRC consultation on tax incentives for occupational health (Government, July 20, 2023) and Occupational Health: Working Better (Government, July 20, 2023)

UK (new)	
Status	 Increase could be introduced as early as autumn 2023.
Development	<p>Wealth</p> <p>Visa fees and Immigration Health Surcharge to increase</p> <p>The Immigration Health Surcharge and fees for work visa and other applications (such as Certificates of Sponsorship and priority visas) in the United Kingdom are set to increase following a government announcement on July 13, 2023. No date has been announced for the increased fees, but they could be introduced as early as autumn 2023; the revenues will be used to fund pay rises in the public sector. Highlights:</p> <ul style="list-style-type: none"> • The Immigration Health Surcharge's main rate will increase to £1,035 per year (up from £624), and the new rate for students and individuals under age 18 will be £776 (up from £470). Payment of the surcharge entitles individuals to the same NHS services as a British citizen. It is payable as a single amount for each year of the visa (for example, the cost for a three-year visa at the full rate would be £3,105, payable as a single amount). • Fees for work and visit visa applications would increase by 15%. • Fees for Certificates of Sponsorship, settlement, citizenship, priority visas, etc., would increase by a minimum of 20%.
Resources	Public sector pay (Parliament, July 13, 2023)

UK (new)	
Status	 Likely to take effect in mid-2024
Development	<p>Career — Health</p> <p>Law makes it easier to request flexible working requests</p> <p>Employees will be able to request flexible working from the first day of employment under measures in the Employment Relations (Flexible Working) Act 2023 — the act received Royal Assent on July 20, 2023, and likely will take effect in mid-2024. The Advisory, Conciliation and Arbitration Service (ACAS) consulted on updating the statutory Code of Practice on handling requests for flexible working and the accompanying nonstatutory guidance; the comment period closed on Sept. 6, 2023. Flexible working includes changes to working hours, such as part-time, term-time, flexi-time, compressed hours, or adjusting start and finish times. It can also include flexibility about the employee's work location, including working from home or in a satellite office to reduce their commuting time. Highlights of the act:</p> <ul style="list-style-type: none"> • No qualifying service will be required before employees can ask for flexible work — currently, employees must have 26 weeks' continuous service. The day one right is not included in the act, but government regulations will implement this provision. • Employees will be allowed to make two flexible working requests per year — currently, employees can make only one request. • Employees will no longer have to explain the effects of flexible working on their employer when submitting their request. • Employers have up to two months to respond to an employee's flexible working request, down from three. • Employers must consult with the employee before rejecting a flexible working request. <p>However, the act does not change the statutory list of eight permitted business reasons for rejecting an employee's request. These include additional cost burden to the employer, detrimental effect on meeting customer demand, the inability to reorganize work among other staff, the inability to recruit additional staff, a detrimental impact on quality or performance, insufficiency of work during the periods the employee proposes to work and planned structural changes.</p>
Resources	Employment relations (flexible working) Act 2023 (Government, July 20, 2023) and Code of Practice on handling requests for flexible working (draft) (ACAS, July 12, 2023)

UK

Status



Consultation is open until Sept. 13, 2023.

Development

Career

Financial Reporting Council considers remuneration changes to corporate governance code

The United Kingdom's Financial Reporting Council (FRC) launched a consultation on proposed changes to the Corporate Governance Code (the Code) that would simplify some of the disclosures included in remuneration policies, introduce a requirement to consider Environmental, Social, and Governance (ESG) performance when making decisions related to directors' remuneration, and require a fuller description of malus and clawback terms. The consultation extends to Sept. 13, 2023, with a revised version of the Code taking effect for financial years starting on or after Jan. 1, 2025.

The consultation is in response to the government's proposed legislative and governance reforms described in "Restoring trust in audit and corporate governance." These changes are likely to have support from most companies and investors as they update the Code to reflect the evolution of corporate governance strategies, particularly in relation to ESG. The changes also introduce some welcome simplifications to reporting, as many companies have felt encouraged by the previous Code to include boilerplate disclosures to demonstrate their compliance.

Currently, premium listed companies on the Main List of the London Stock Exchange must explain, in their annual report, how they applied the Code during the financial year, including its general principles and compliance with the Code's more detailed provisions — or explain their reasons for noncompliance.

Resources

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[GRIST](#), June 21, 2023

UK (previously covered, with upcoming effective date)

Development

Career — Health

- [Employees to be allowed neonatal care leave](#) — key date: expected April 2024
- [Employees will be able to annually take carers' leave](#) — key date: expected April 2024
- [Stronger job protection from redundancy given to employees on maternity leave](#) — key date: expected April 2024

Wealth

- [New rules on defined contribution pension illustrations published](#) — key date: Oct. 1, 2023
- [Pension dashboard, connection deadlines change](#) — key date: Oct. 31, 2026



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