Law & Policy Group

Global Legislative Update

By Stephanie Rosseau and Fiona Webster
February 2024

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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.

Section 1

Highlights

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	Inquiries into applicant's pay history prohibited in Minnesota
	Telehealth compact law enacted in New Jersey
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	Healthcare platforms for prescription and telehealth payments allowed in New Jersey
	Obligations imposed on employers who use freelancers in New York
	Individuals allowed to sue under sick time law in New York City
	Employers will need to provide notice of workers' bill of rights in New York City
	Paid family medical leave regulations finalized in Oregon
	Employment laws for certain remote workers clarified in Puerto Rico
	Pay range disclosure required in job ads, salary history inquiries banned in Washington, DC
Asia Pacific	
Australia	Extension of superannuation disclosure relief confirmed
	Consultation on audit standards updates released
	Climate-related financial disclosures proposed
China	Preventive guidance on workforce heat and cold exposure prevention issued
	Expansion of social medical insurance to cover prescription medicine drugs from authorized pharmacies in Beijing
India	Gratuity insurance rules implemented in Karnataka
Japan	Employers' notification of employment terms to change

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Europe, Middle East and Africa (EMEA)	
France	Mandatory profit-sharing measures expanded
Ireland	Changes to state pension effective
Romania	Public pension contribution rates issued for 2024
Turkey	2024 limits for pension contributions and auto enrollment set
Ukraine	New leave requirements for employers enacted
United Kingdom	New general code published by Pension Regulator Increased immigration health surcharge takes effect More flexible statutory paternity leave proposed in Great Britain

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Section 2

Global

Artificial Intelligence (new)	
Status	**Ongoing initiatives**
Development	**Health** **Roundup: Global employer resources on artificial intelligence** Artificial Intelligence (AI) has become more of a permanent feature of the workplace for many employees and employers around the world and poses many challenges and considerations as it reshapes work. To help employers consider the issues associated with AI, the roundup cited below provides links to general information about ongoing legislative and governance initiatives and trends. Sources include Marsh McLennan, organizations, government websites, third-party analysis, news articles and viewpoints.
Resources	Roundup, regularly updated

Reproductive rights	
Status	**Ongoing initiatives**
Development	**Health** **Roundup: Global employer resources on reproductive rights post *Dobbs* ruling** In June 2022, the US Supreme Court's *Dobbs v. Jackson Women's Health Organization* decision overturned *Roe v. Wade*, 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 analysis, news articles and viewpoints.
Resources	Roundup, regularly updated

Minimum wage rates	
Status	**Ongoing initiatives**
Development	**Career** **Roundup: Global employer resources on minimum wage increases** To help multinational employers address the different minimum wage rates around the world, the roundup cited below provides links to resources from organizations, government websites, third-party resources, and news articles.
Resources	Roundup, regularly updated

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Remote working	
Status	⚠ **Ongoing initiatives**
Development	**Career — Health — Wealth** **Roundup: Countries address remote-working issues** 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 consider the issues associated with remote working, the roundup cited below provides links to resources from Marsh McLennan, organizations, government websites, third-party analysis, news articles and viewpoints.
Resources	Roundup, regularly updated

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Section 3

Americas

Argentina (new)	
Status	**Currently effective**
Development	**Health** **Changes to private medical insurance, social security, union-managed health insurance systems effective** Changes to the private medical insurance and social security/labor union-managed health insurance systems are included in emergency decree DNU 70/2023 that took effect on Dec. 29, 2023. • Private medical insurance systems. Certain sections of Law No. 26682 concerning the private medical insurance systems are now repealed. In particular, the Health Ministry no longer reviews insurance fees or changes made to them and does not set the minimum mandatory fees or provide sample contracts. • Social security/labor union-managed health insurance systems. Private medical insurance providers are now included within Law No. 23660 that governs social security/labor union-managed health insurance systems. This means that employees' contributions can now be deposited directly with private health insurers —social security/union-managed entities no longer act as intermediaries. Additionally, private medical insurers must now contribute to the Solidarity Redistribution Fund on the same basis as social security/union-managed entities. Beneficiaries of a social security/labor union-managed health insurance provider that becomes bankrupt, or ceases to operate, will no longer be transferred by the enforcement authority. • Right to change to another health insurance provider. Employees are now allowed to choose their health insurance provider under changes to Executive Order No. 504/98 and are no longer required to remain with the labor union-managed health insurance system for a one-year period. The Health Care Services Superintendent can now establish the minimum period (not exceeding one year) during which beneficiaries must remain with their chosen health insurance provider before they can change providers.
Resources	graciella.magonza@mercermarshbeneficios.com DNU 20/2023 (Spanish) (Government, Dec. 12, 2023)

Argentina (new)	
Status	**Currently effective**
Development	**Health** **Employers' fixed contribution to occupational disease fund increased** From Dec. 1, 2023, the employers' fixed sum contributions to the occupational disease fund (FEEP) for each employee increased to AR$418.
Resources	graciella.magonza@mercermarshbeneficios.com Disposición 12/2023 (Spanish) (Government, Dec. 14, 2023)

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Brazil (new)	
Status	**Currently effective**
Development	**Career** **Minimum wage increased** The minimum monthly salary increased on Jan. 1, 2024, to 1,412 BRL, up from 1,320 BRL.
Resources	Decree 11.864 (Portuguese) (Official Diary, Dec. 27, 2023)

Canada (new)	
Status	**Currently effective**
Development	**Career** **Federally regulated employers subject to enhanced notice requirements for terminated employees** Federally regulated employers in Canada will face enhanced notice requirements for terminating employees under changes to the Canada Labour Code that took effect on Feb. 1, 2024. Highlights include: **Termination notice**. Employers face increased termination notice periods for employees who have completed at least three years of service. Where federally-regulated employers previously only had to provide two weeks of notice on termination, they are now required to provide individual employees with a graduated notice of termination based on the length of an employee's continuous employment: three months to three years — two weeks (no change); three years — three weeks; four years — four weeks; five years — five weeks; six years — six weeks; seven years — seven weeks; eight plus years — eight weeks. Instead of notice, employers can provide termination pay equivalent to the wages that the employee would have earned during the notice period, or a combination of notice and pay instead. **Benefit statements**. Employers must also now provide a statement of benefits to employees whose employment is terminated. This statement must outline an employee's rights to vacation benefits, wages, severance pay and any other benefits and pay arising from their employment. This requirement already exists for employees subject to a group termination. The timeframe for the notice is as follows: • If employee is given a working notice of termination, no later than two weeks before termination • If employee is given pay instead of notice, no later than the date of termination • If employee is given a combination of pay and notice, no later than two weeks before termination date unless the notice period is shorter, in which case, the day the notice is given to employee or date of termination.
Resources	kristin.smith@mercer.com Budget Implementation Act, 2018, No. 2 (Government) and Order fixing February 1, 2024 as the day on which certain sections of the Budget Implementation Act, 2018, No. 2 Come into Force: SI/2023-17 (Government, June 21, 2023)

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Canada — Quebec (new)	
Status	⚠ **Currently effective**
Development	**Wealth** **Amendments to Quebec pension plan effective** Amendments to the Quebec Pension Plan (QPP) mostly took effect on Jan. 1, 2024, and are included in the Act respecting the implementation of certain provisions of the Budget Speech of March 21, 2023 and amending other provisions (‘act’). Highlights include: • The maximum age at which an individual can apply for their pension has increased to age 72. For each month of deferral after the individual’s 65th birthday, a retirement pension enhancement factor of 0.7% will apply. • The pension amount that the individual would have received at age 65 is protected and aims to support individuals who continue to work part-time after age 65. • Beneficiaries of the QPP retirement pension who are 65 or older can stop their QPP contributions, even if they continue to work. In such cases, the employer’s contributions will also cease, and the individual will not receive any pension supplement for the relevant period. This provision is not included in the act and is enacted separately. • An automatic adjustment mechanism for contributions and benefits under the 2019 additional plan will be introduced in 2042. The adjustment mechanism — which is comparable to the adjustment mechanism in the Canada Pension Plan — will be triggered in the event of an unfavorable financial situation and aims to share the burden of restoring financial balance between workers, employers and retirees. Retraite Québec now has responsibility for analyzing the financial situation of Quebecers and their retirement preparation. It also can conduct research and make recommendations to government.
Resources	jean-francois.poirier@mercer.com Act respecting the implementation of certain provisions of the Budget Speech of 21 March 2023 (Legislature. Dec. 7, 2023)

Canada (previously covered, with upcoming effective date)	
Development	**Career** • Minimum wage to increase in Nova Scotia — key date: April 1, 2024 **Wealth** • Pension super priority federal legislation enacted — key date: April 27, 2027

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Dominican Republic (new)	
Status	Currently effective
Development	**Health** **Changes to social security health plan issued** The National Social Security Council recently issued Resolution No. 581-01, which made changes to the basic health plan. Highlights include: • Effective November 1, 2023, an increase of RD$128.08 was approved for the monthly cost per person for Social Security Health Insurance. Affiliates with additional dependents will pay the increased amount beginning in February. The new total monthly cost per person is RD$1,715.16. • Increase in the maximum coverage for outpatient medications from RD$8,000 to RD$12,000 per affiliate per year. • Inclusion of 70 new procedures and approaches to meet high demand and to improve recovery. • Inclusion of new medications in the Social Security Health Medication Catalog and in the coverage of high-cost care related to hemodialysis and peritoneal dialysis for dialysis patients. • Increase in the coverage percentage of SSHI (PDSS) Vaccines to 100%, corresponding to the Expanded Immunization Program (PAI).
Resources	joebelly.jaquez@mercermarshbeneficios.com Resolution No. 581-01 (Spanish) (National Social Security Council, Dec. 14, 2023)

Dominican Republic (previously covered, now effective)	
Status	Currently effective
Development	**Career** **Minimum wage increased** The National Wage Committee announced a two-stage 19% increase to the minimum wage for nonsectorized private employees in large, medium, small and micro businesses in March 2023. The first increase (15%) took effect on April 1, 2023, and the second (4%) took effect in February 2024. The minimum wage rates are: • Large employers (with more than 151 workers): DOP$24,990 (up from DOP$24,150). • Medium-sized companies (with 51 to 151 workers): DOP$22,138). • Small businesses (with 11 to 50 workers): DOPD$15,351 (up from DOP$14,835). • Microenterprises (up to 10 employees): DOP$14,161 (up from DOP13,685).
Resources	Government announcement (Spanish) (President's office, March 8, 2023)

El Salvador (previously covered, with upcoming effective date)	
Development	**Career — Health** • Large employers will be required to provide day care facilities — key date: June 2024

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Panama (new)	
Status	**Currently effective**
Development	**Career** **Minimum wage increased** Effective Jan. 16, 2024, the minimum wage broadly increased by 4.5% for small companies, 6% for large companies and 7% for banana companies. Different wage rates apply, depending on the industry sector, employer size and if employers are located in Region 1 or Region 2. The rates are included in an Executive Decree issued by the president on Jan. 10, 2024, following the Minimum Wage Commission's failure to reach an agreement.
Resources	Executive Decree No. 1 (Spanish) (Official Diary, Jan. 10, 2024)

Peru (new)	
Status	**Currently effective**
Development	**Career — Health** **Employees entitled to paid bereavement leave** Employees in Peru are now entitled to five calendar days of paid bereavement leave on the death of their spouse, parents, children or siblings under measures included in Supreme Decree No. 013-2023 published on Dec. 24, 2023. Employees must notify their employers of the start date and duration of the bereavement leave, the reason for taking the leave, and provide documentary proof of their relationship to the deceased person. If the location of the deceased person is not in the same area as the workplace, the employee will be granted additional leave for travel purposes.
Resources	Supreme Decree No. 013-2023 (Spanish) (Government, Dec. 23, 2023)

Peru (previously covered, with upcoming effective date)	
Development	**Career** • New national holiday honors air force heroes — key date: July 23, 2024

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US (new)	
Status	⚠ **Effective on March 11, 2024**
Development	**Career — Health** **Final rule issued to determine independent contractor vs. employee status** On Jan. 9, 2024, the Department of Labor (DOL) announced a final rule that revises how to determine if an individual is an independent contractor or an employee entitled to minimum wage, overtime and other protections under the federal Fair Labor Standards Act (FLSA). The final rule rescinds the 2021 rule issued by the Trump administration that made it easier to achieve independent contractor status and aligns the DOL's approach with longstanding judicial precedent. The final rule will be effective on March 11, 2024 and is similar to the proposed rule issued in October 2022. The rule restores the multifactor, totality-of-the-circumstances analysis, in which the factors do not have a predetermined weight and are considered in view of the economic reality of the whole activity. Under the economic reality test, the consideration is whether workers are either economically dependent on the employer for work (employees) or are in business for themselves (independent contractors). The six economic reality factors to consider include: opportunity for profit or loss depending on managerial skill; investments by the worker and the potential employer; degree of permanence of the work relationship; nature and degree of control; extent to which the work performed is an integral part of the potential employer's business; and workers' skill and initiative. Additional factors may also be considered if they are relevant to the overall question of economic dependence. The Chamber of Commerce (among other organizations) opposes the rule saying that it is "clearly biased towards declaring most independent contractors as employees" and is considering a legal challenge. Some companies (like those in the ride-share, construction, trucking and other industries) were concerned about the rule's effect on their businesses, but the changes do not appear to be as significant as anticipated. For example, Uber said in a statement that "[t]his rule does not materially change the law under which we operate" and noted that "DOL officials have repeatedly stressed that the rule is intended to address misclassification of workers in traditional industries, and that it is unlikely to result in any large-scale classification changes." While the rule establishes the DOL Wage and Hour Division standards, it is not binding on courts, or on most other laws/rules that address misclassification, such as the ACA employer shared responsibility, the Internal Revenue Code, ERISA, and the National Labor Relations Act. However, employers typically do not make separate determinations under each law, so this final rule may become the baseline determination. In June 2023, The National Labor Relations Board also modified its independent contractor standard, returning to the 2014 standard. The federal FMLA uses the FLSA definition of employee, so the rule would be applied.
Resources	US Department of Labor announces final rule on classifying workers as employees or independent contractors under the Fair Labor Standards Act (DOL, Jan. 9, 2024); Employee or independent contractor classification under the Fair Labor Standards Act (Federal Register, Jan. 10, 2024) and Frequently asked questions — Final rule: Employee or independent contractor classification under the FLSA (Wage and Hour Division, Jan. 10, 2024)

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US (new)	
Status	**Comments can be submitted until April 1, 2024. Guidance and rule are currently effective.**
Development	**Career** **Federal contractors face pay transparency requirements** The White House has announced equal pay measures that will apply to federal contractors and the federal workforce. Highlights include: • The Federal Acquisition Regulatory Council has issued a proposal to prohibit federal contractors and subcontractors from seeking and considering information about job applicants' compensation history when hiring or setting pay for personnel working on or in connection with a government contract. In addition, the proposal would require federal contractors and subcontractors to disclose expected salary ranges in job postings. Comments can be submitted until April 1, 2024. • The Department of Labor's Office of Federal Contract Compliance Programs has issued guidance clarifying existing protections against discrimination in hiring or pay decisions. The new guidance is intended to help federal contractors understand when reliance on an individual's compensation history for hiring or pay decisions may result in unlawful discrimination. • The Office of Personnel Management (OPM) has issued a final rule ensuring that more than 80 federal agencies will no longer consider an individual's current or past pay when determining the salaries of federal employees.
Resources	Fact sheet: Biden-Harris administration announces new actions to advance pay equity on the 15th anniversary of the Lilly Ledbetter Fair Pay Act (The White House, Jan. 29, 2024); Statement from President Joe Biden on the 15th anniversary of the Lilly Ledbetter Fair Pay Act (The White House, Jan. 29, 2024); regulation: pay equity and transparency in federal contracting (Federal register, Jan. 30, 2024); Frequently asked questions on compensation history (Department of Labor, Jan. 30, 2024) and Release: OPM finalizes regulation to prohibit use of nonfederal salary history (OPM, Jan. 29, 2024)

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US (previously covered, soon to be effective)	
Status	⚠ **Effective date delayed until Feb. 26, 2024.**
Development	**Career** **National Labor Relations Board's joint-employer rule soon to be effective** A final rule addressing the standard for determining joint-employer status under the National Labor Relations Act (Act) was issued by the National Labor Relations Board (NLRB) on Oct. 26, 2023, and was originally to be effective for cases filed after Dec. 26, 2023. The 2020 Trump administration final rule, which set a higher threshold determination, was rescinded. The NLRB recently announced that the effective date of the joint-employer rule will be delayed to Feb. 26, 2024. The NLRB said that the delay is to "facilitate resolution of legal challenges with respect to the rule," confirming that the new standard will only apply to cases filed after the rule becomes effective. Under the new standard, an entity may be considered a joint employer of a group of employees if each entity has an employment relationship with the employees, and they share or codetermine one or more of the employees' essential terms and conditions of employment. These are defined exclusively as: • Wages, benefits, and other compensation • Hours of work and scheduling • The assignment of duties to be performed • The supervision of the performance of duties • Work rules and directions governing the manner, means, and methods of the performance of duties and the grounds for discipline • The tenure of employment, including hiring and discharge • Working conditions related to the safety and health of employees. NLRB says the new final rule "more faithfully grounds the joint-employer standard in established common-law agency principles" by considering the alleged joint employers' authority to control essential terms and conditions of employment, whether or not such control is exercised, and without regard to whether the exercise of control is direct or indirect. The rule also provides guidance to parties regarding their rights and responsibilities in situations where joint-employer status has been established. The NLRB has issued a fact sheet on the rule.
Resources	Board extends effective date of joint-employer rule to February 26, 2024 (NLRB, Nov. 16, 2023); Board issues final rule on joint-employer status (NLRB, Oct. 26, 2023); Standard for determining joint employer status (Federal Register, Oct. 27, 2023) and NLRB Fact Sheet: Joint-employer standard final rule (NLRB)

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US	
Status	**Consultation open until Feb. 20, 2024**
Development	**Health** **Rescission of Association Health Plan rule proposed** The US Department of Labor (DOL) recently issued guidance that proposes rescinding the entire Association Health Plan (AHP) rule issued under the Trump administration in 2018 and asks for comments on several AHP issues. Comments on these issues are due on Feb. 20, 2024. A 2019 decision by the US District Court for the District of Columbia set aside portions of that rule that allowed the "Pathway 2 AHP" for employers in different industries but in the same geography and/or working owners. Subsequent guidance from the DOL confirmed that Pathway 2 AHPs were not allowed and needed to cease operations. Traditional Pathway 1 AHPs for employers in the same industry that meet certain requirements were not affected by the litigation. While it seems likely that the entire 2018 rule will be rescinded as proposed, it is not clear whether regulators will propose a replacement AHP rule or simply go back to the pre-rule guidance that first provided Pathway 1 AHP standards. The pre-rule guidance is more informal than a regulation but does provide the same or similar standards for Pathway 1 AHPs as are generally followed today.
Resources	cheryl.hughes@mercer.com Proposed rules (Federal Register, Dec. 20, 2023)

US — States	
Status	**Effective dates vary.**
Development	**Career** **Roundup: Employer resources on states' recreational marijuana laws** Numerous states, plus Guam and Washington, DC, have legalized the possession and personal use of marijuana for recreational purposes. To provide employers with some information on states' actions and the varying employment considerations involved, this roundup provides links to organizations, government websites, third-party resources, news articles and viewpoints on marijuana usage for recreational purposes. Thirty-eight states, Guam, Puerto Rico, the US Virgin Islands and Washington, DC, have legalized marijuana use for medical purposes, but this roundup focuses on legal recreational marijuana use and its implications for employers. The aggregated content in each section is organized in reverse chronological order and is by no means comprehensive. It also does not necessarily reflect Mercer's or the authors' point of view on the subject.
Resources	Roundup, regularly updated

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US	
Status	**Proposal**
Development	**Career** **Roundup: Employer resources on Department of Labor's proposed expansion of overtime protections** The Department of Labor (DOL) announced on Aug. 30, 2023, a proposed rule that would significantly expand overtime protections — guaranteeing overtime pay for most salaried workers earning less than $1,059 per week, or about $55,000 per year (up from $35,568 per year). The comment period closed on Nov. 7, 2023. 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. To provide employers with some information about the proposed rules and the varying aspects and issues to consider, this roundup provides links to government websites, third-party resources, news articles and viewpoints.
Resources	Roundup (Mercer, regularly updated)

US	
Status	**Effective dates vary.**
Development	**Wealth** **User's guide to SECURE 2.0** A dizzying array of legislation affecting defined contribution (DC) and defined benefit (DB) plans became law on Dec. 29, 2022, as part of a fiscal 2023 government spending package. Capping several years of congressional effort, the SECURE 2.0 Act of 2022 (Div. T of Pub. L. No. 117-328) is intended to build on changes made by the Setting Every Community Up for Retirement Enhancement (SECURE) Act of 2019 (Div. O of Pub. L. No. 116-94). Navigating SECURE 2.0 is a formidable challenge. The statute consists of 120 pages of text and 90 individual sections — with no table of contents. To help employers and plan sponsors understand the legislation's implications, this guide provides a high-level summary of SECURE 2.0 provisions grouped topically — as outlined in the preceding table of contents — including separate treatment of provisions specific to DC and DB plans. The six tables in this guide describe statutory changes and their effective dates, identify whether the changes are mandatory or optional for employers, and provide initial observations, including implementation challenges for which agency guidance would be helpful. The act also includes several apparent drafting errors for which Congress intends to introduce technical corrections legislation. Those errors are noted in the relevant sections of the guide. This guide doesn't address SECURE 2.0's employee stock ownership plan (ESOP) provisions and a handful of other nonbenefit-related provisions. When referring to the original SECURE Act, this guide uses the term "SECURE 1.0" to avoid any confusion between the laws. This guide will be updated periodically to reflect additional information and guidance.
Resources	margaret.berger@mercer.com; matthew.calloway@mercer.com and brian.kearney@mercer.com User's guide to SECURE 2.0 (periodically updated)

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US	
Status	**Effective dates vary.**
Development	**Career — Health** **Transportation plans offer valued benefits, but pose compliance issues** Since 1998, employees have been able to pay for qualified transportation fringes through pretax salary reductions under Internal Revenue Code (IRC) § 132(f), and these benefits have become quite popular. (Employers could provide this benefit on a tax-advantaged basis as early as 1992.) The tax exemption extends to commuting expenses for transit passes, qualified parking, van pools, and in certain years, bicycles. While these benefits are not subject to cafeteria plan or ERISA rules, compliance difficulties exist, and a 2018 tax law that will expire at the end of 2025 added complexities. The federal monthly limits are adjusted every year, most recently for 2024. Some state and local jurisdictions have imposed employer mandates — including one that applies to Chicago-area employers starting in 2024 — leveraging the tax advantage of commuter benefits; other jurisdictions provide tax-related incentives.
Resources	rich.glass@mercer.com and cheryl.hughes@mercer.com GRIST, regularly updated

US	
Status	**Effective dates vary.**
Development	**Career** **Roundup: Employer resources on noncompete restrictions** 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.
Resources	Roundup, regularly updated

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US	
Status	⚠ **Currently effective**
Development	**Career** **Roundup: Employer DEI resources after SCOTUS' ruling on affirmative action** On June 29, 2023, the US Supreme Court, in *Students for Fair Admissions, Inc. v. President and Fellows of Harvard College*, ruled colleges' use of race as a factor in student admissions is unconstitutional under the Fourteenth Amendment's Equal Protection Clause. 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. 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.
Resources	Roundup, regularly updated

US — States	
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

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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 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. In 2023, New Jersey and Illinois expanded equal pay protections to temporary workers. Stronger federal legislation — the Paycheck Fairness Act — was first introduced in 1997 but has failed to pass after numerous attempts — most recently in June 2021. On March 15, 2022, the Biden administration also 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. Certain cities have also acted, but they are generally beyond the scope of this roundup.
Resources	Roundup, regularly updated

US — States	
Status	**Effective dates vary.**
Development	**Career** **Roundup: Employer resources on states' recreational marijuana laws** Twenty-four states, plus Guam and Washington, DC, have legalized the possession and personal use of marijuana for recreational purposes. To provide employers with some information on states' actions and the varying employment considerations involved, this roundup provides links to organizations, government websites, third-party analysis, news articles and viewpoints on marijuana usage for recreational purposes. Thirty-eight states, Guam, Puerto Rico, the US Virgin Islands and Washington, DC, have legalized marijuana use for medical purposes, but this roundup focuses on legal recreational marijuana use and its implications for employers. The aggregated content in each section is organized in reverse chronological order and is by no means comprehensive. It also does not necessarily reflect Mercer's or the authors' point of view on the subject.
Resources	Roundup, regularly updated

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US — States	
Status	**Effective dates vary.**
Development	**Career** **Roundup: Employer resources on minimum wage increases** Beginning Jan. 1, 2024, the Executive Order 14026 minimum wage rate for federal contracts will increase to $17.20/hour — up from $16.20/hour in 2023. This minimum wage rate will apply to nontipped and tipped employees alike, as this executive order eliminated the lower cash wage that contractors may pay tipped employees. Several states have also acted to gradually increase the minimum wage to at least $15/hour for most employees. To help employers prepare and address related issues, this roundup provides links to federal and state resources from organizations, government websites, third-party analysis, news articles and viewpoints.
Resources	Roundup, regularly updated

US — States	
Status	**Effective dates vary.**
Development	**Career** **Roundup: Employer resources on hairstyle nondiscrimination laws** The Creating a Respectful and Open World for Natural Hair (CROWN) Act movement in the United States aims to prohibit discrimination based on natural hair texture or hairstyles normally associated with race, such as braids, locks, twists, curls, cornrows, Afros, head wraps or bantu knots. The official campaign of the CROWN Act is led by the CROWN Coalition. Federal legislation, supported by the Biden administration, passed the House during the last session of Congress — but was not enacted. Many 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, third-party analysis, news articles and viewpoints.
Resources	Roundup, regularly updated

US — California (new)	
Status	**Currently effective**
Development	**Career** **Law barring mandatory arbitration agreements permanently enjoined** A federal district court has issued an injunction that permanently bars the state of California from enforcing Assembly Bill 51 — a law to prevent employers from requiring arbitration agreements as a condition of employment — as long as the Federal Arbitration Act applies and governs the agreement.
Resources	Court order (District Court, Jan. 2, 2024)

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US — Michigan	
Status	**Effective Feb. 13, 2023.**
Development	**Health** **Abortion law repeals four statutes** Effective Feb. 13, 2023, Pub. Act 286 (HB 4949) specifically removes the 2013 law requiring fully insured plans to provide elective abortion only by an optional rider. These laws will also be repealed: • Parts of the state's Penal Code • The Legal Birth Definition Act • A Health Code family planning services funding provision Michigan generally 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 286 (HB 4949) (Legislature, Nov. 14, 2023)

US — Minnesota (new)	
Status	**Currently effective**
Development	**Career** **Inquiries into applicant's pay history prohibited** Beginning Jan. 1, 2024, new section 363A.08 of Minnesota's Human Rights Code prohibits employers, employment agencies or labor organizations from inquiring, considering or requiring disclosure from any source an applicant's pay history for the purpose of determining wages, salary, earnings, benefits or other compensation. Highlights include: • Pay history means any prior or current wage, salary, earnings, benefits or compensation • The general prohibition does not apply if the applicant's pay history is a matter of public record under federal or state law — unless access is sought with the intent to determine salary or other compensation. • Applicants can voluntarily — without asking, encouraging, or prompting — disclose pay history for the purposes of negotiating wages, salary, benefits or compensation. If disclosed, the pay history can be considered or acted upon to determine a wage or salary higher than initially offered. • Employers can still provide information about the wages, benefits, compensation, or salary offered in relation to a position; and inquire about or otherwise engage in discussions with an applicant about expectations or requests with respect to wages, salary, benefits, or other compensation. Minnesota's Department of Human Rights has provided guidance on the new section.
Resources	Section 363A.08 (Human Rights Code)

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US — New Jersey (new)	
Status	**Currently effective**
Development	**Health** **Telehealth compact law enacted** A New Jersey law (2023 Ch. 324, AB 5311) authorizes the state to join a professional counseling telehealth compact. New Jersey is now the 17th member of the compact, joining Alabama, Colorado, Florida, Georgia, Kentucky, Louisiana, Maine, Maryland, Mississippi, Nebraska, New Hampshire, North Carolina, Ohio, Tennessee, Utah and West Virginia. The law took effect on Jan. 16. Interstate licensure compacts continue to garner interest at the state level for several professions. These laws generally simplify the licensing process while addressing access issues, particularly in rural and other underserved areas.
Resources	rich.glass@mercer.ocm 2023 Ch. 324, AB 5311 (Legislature)

US — New Jersey (new)	
Status	**Effective for insurance contracts issued or renewed on or after Aug. 1, 2024.**
Development	**Health** **Fertility coverage mandate expanded** A New Jersey law (2023 Ch. 258, AB 5235) requires fully insured plans to cover additional fertility-related services. Highlights include: • Scope. Plans must cover all physician-determined services in accordance with guidelines from the American Society for Reproductive Medicine (ASRM), including in vitro fertilization, genetic testing and unlimited embryo transfers. • Sterilization reversals. Plans cannot exclude participants who have successfully reversed a voluntary sterilization. • Eligibility. Plans may not deny or delay coverage based on relationship status or sexual orientation. • Utilization review. Plans may continue to perform utilization if it meets ASRM guidelines. The law will take effect for insurance contracts issued or renewed on or after Aug. 1. New Jersey generally does not apply its insurance laws on an extraterritorial basis to fully insured plans issued in another state. The law does not affect self-funded ERISA plans.
Resources	2023 Ch. 258, AB 3235 (Legislature)

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US — New Jersey (new)	
Status	⚠ **Currently effective**
Development	**Health** **Healthcare platforms for prescription and telehealth payments allowed** New Jersey enacted a law that authorizes participant use of healthcare platforms in making payments for prescription drugs and telehealth services. Under 2023 Ch. 221 (SB 3604), participants may use healthcare platforms like GoodRx and SingleCare. Pharmacy benefit managers (PBMs) are prohibited from penalizing a pharmacy (including exclusion from its network) or participant for applying discounts from healthcare platforms. Participants may also use accounts from healthcare platforms to pay for telehealth services, if applicable. The law took immediate effect on Jan. 8, 2024.
Resources	2023 Ch. 221 (SB 3604) (Legislature)

US — New York (new)	
Status	⚠ **Applies prospectively to contracts entered into on or after May 20, 2024.**
Development	**Career** **Obligations imposed on employers who use freelancers** New York's governor recently signed legislation (S.5026/A.6040), known as the "Freelance Isn't Free" Act, which amends the labor law to provide protections, rights and opportunities for recourse to freelance workers experiencing nonpayment for their services. Highlights include: • Establishment of a right to a written contract with certain terms, timely and full payment, and protection from retaliation and discrimination for exercising these rights. • The Attorney General can bring actions to obtain remedies, including damages and civil penalties, on behalf of impacted freelance workers. • Freelance workers would have the right to pursue a private lawsuit to protect their rights. • These rights and protections apply to covered freelancers being paid at least $800 for services, but certain professions are excluded, such as licensed medical professionals, certain sales representatives, lawyers and construction contractors. • The Department of Labor will provide model contracts on its website for freelancers and hiring parties to use with terms that comply with this new law. The law applies prospectively to contracts entered on or after May 20, 2024 — 180 days after the governor signed the legislation.
Resources	Governor Hochul signs legislation to protect the rights of freelance workers (Governor's office, Nov. 22, 2023) and S.5026/A.6040 (Legislature)

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US — New York — New York City (new)	
Status	⚠ **Effective on or about March 20, 2024**
Development	**Career — Health** **Individuals allowed to sue under sick time law** A New York City ordinance amends the city's Earned Sick and Safe Time Act (ESSTA) to create a private right of action to enforce the law's provisions. Aggrieved employees need not file a complaint with the Department of Consumer and Worker Protection before bringing a civil action. Employees may receive compensatory damages, injunctive and declaratory relief, attorney's fees and costs, and other relief deemed appropriate by a court. Statute of limitations is two years from the date employees knew or should have known of the alleged violation. Penalties payable to the city are $500 for the first violation and for subsequent violations within two years, $750 for a second violation, and $1,000 for succeeding violations. The ordinance became law when the mayor failed to sign it within the required time frame. The law will take effect on or about March 20.
Resources	rich.glass@mercer.com Law 2024/022 (New York City Council, Jan. 20, 2024) and Earned Sick Time Act (New York Administrative Code)

US — New York — New York City (new)	
Status	⚠ **Employers must provide notice by July 1, 2024**
Development	**Career** **Employers will need to provide notice of workers' bill of rights** New York City has recently enacted a law (NYC Local Law No. 161) that will require employers to provide a notice of workers' bill of rights. The law requires the Department of Consumer and Worker Protection, in coordination with other agencies and community and labor organizations, to create and publish a workers' bill of rights by March 1, 2024 that will contain information on the rights and protections under federal, state, and local laws that apply to all workers in the City, regardless of immigration status. By July 1, 2024, employers will be required to provide the notice to all employees, and thereafter on or before an employee's first day of work. Employers must also conspicuously post the notice in a workplace location that is accessible and visible to employees. If online communication is regularly used to communicate with employees, employers must also make the notice available online or through a mobile application.
Resources	NYC Local Law No. 161 (New York City Council, Dec. 3, 2023)

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US — Oregon (new)	
Status	**Currently effective**
Development	**Health** **Paid family medical leave regulations finalized** The Oregon Employment Department (OED) finalized its Batch 9 regulations, a collection of 16 rules related to paid family and medical leave (PFML) benefits, which started on Sept. 3, 2023. Many changes either align with recent laws amending Paid Leave Oregon or address technical and procedural requirements. Otherwise, here are the highlights: • Family members. Affinity relationships — included in the family member definition — are defined in the rules to include situations where there is a significant bond, as determined by specific factors. • Information collection. Information may only be collected for program administration. Social Security Numbers and Individual Taxpayer Identification Numbers may be collected only for verifying wages, reporting taxes, repaying debts, and collecting contributions. • Permissible disclosures. OED is permitted to disclose relevant information to an employee, an employee's designated representative and the Office of Administrative Hearings as needed for administrative hearings. Disclosures are also allowed to an employer or employer's representative for contributions information. Benefit information will not be provided to the employer without authorization by the employee.
Resources	rich.glass@mercer.com Batch 9 regulations (Government)

US — Puerto Rico (new)	
Status	**Currently effective**
Development	**Career** **Employment laws for certain remote workers clarified** Act 27-2024 clarifies the employment laws applicable to certain types of remote workers in Puerto Rico and took effect on Jan. 17, 2023. The act provides guidance on the measures included in Act 52-2022 that deem certain companies with employees working remotely from Puerto Rico are not engaged in business in Puerto Rico. These employers are not required to withhold income taxes on salary payments to their remote workers but Act 52-2022 did not address the employment laws applicable to these workers. Act 27-2024 specifies that local labor laws generally do not apply to remote workers in eligible companies, and their rights are governed by their employment contract. However, the employment contracts must provide equal, or better protection than local laws with regard to certain benefits, compensation and nonoccupational insurance.
Resources	Act 27-2024 (Spanish) (Government)

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US — Washington, DC (new)	
Status	⚠ **Effective June 30, 2024, if it clears the 30-day congressional review period.**
Development	**Career — Health** **Pay range disclosure required in job ads, salary history inquiries banned** Washington DC's mayor signed DC Act 25-367 on Jan 12, 2024. It amends the Wage Transparency Act of 2014 and will require employers to include salary information in job postings and prohibit them from asking applicants about salary history. The law will take effect June 30, 2024, if it clears the 30-day congressional review period. Highlights include: • Compensation means all forms of monetary and nonmonetary benefits an employer provides or promises to provide an employee in exchange for the employee's services to the employer. • Employer is defined as an individual, firm, association, or corporation that employs at least one employee in DC, but it does not include the DC or federal government. • Employers will be prohibited from screening prospective employees based on their wage history or seeking the wage history of a prospective employee. • Employers will be required to include minimum and maximum salary or hourly pay information for all job advertisements or job postings. • Employers will be required to disclose the existence of healthcare benefits before the first interview. • Employers will be required to post a notice in the workplace to notify employees of their rights. • The Attorney General will enforce violations of the Act.
Resources	DC Act 25-367 (Council of the District of Columbia, Jan. 22, 2024)
US (previously covered, with upcoming effective dates)	
Development	**Career** • Wage payment salary threshold for exempt employees to increase in New York — key date: March 13, 2024 • Right-to-work law repealed in Michigan — key date: March 30, 2024 • Fast food workers to earn $20/hour minimum wage in California — key date: April 2024 • Minimum hourly wage for healthcare workers will gradually increase to $25/hour in California — key date: June 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 • Law requiring pay transparency in job postings enacted in Illinois — key date: Jan. 1, 2025 • Hourly minimum wage to increase to $18 in Hawaii — key date: Jan. 1, 2026

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US (previously covered, with upcoming effective dates) (continued)	
Development	**Career — Health** • Temporary workers' equal pay law delayed in Illinois — key date: April 1, 2024 • New unpaid child bereavement leave law enacted in Illinois — key date: June 1, 2024 • Employers need to develop workplace violence prevention plans in California — key date: July 1, 2024 • Effective date of paid sick and safe leave law delayed in Chicago, Illinois — key date: July 1, 2024 • Paid family medical leave contribution rate announced in Maryland — key date: October 2024 • Paid family and medical leave mandated in Minnesota — key date: Jan. 1, 2026

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US (previously covered, with upcoming effective dates) (continued)	
Development	**Health** • Paid family and medical leave revised in Maryland — key date: Oct. 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 • Health insurance restrictions enacted in Connecticut — July 1, 2024 • Sweeping pharmacy benefit manager law passed in Florida — key date: July 1, 2024 • Telehealth law extended in Washington — key date: July 1, 2024 • Prescription drug law enacted in Virginia — key date: July 1, 2024 • Telehealth parity requirement extended in New Jersey — key date: Dec. 31, 2024 • High-deductible health plan COVID-19 testing predeductible flexibility ends — key date: Jan 1, 2025 • Maternal and infant health equity program required in California — key date: Jan. 1, 2025 • Paid family medical leave program legislation enacted in Delaware — key date: 2025 • Law requires a unified healthcare financing system study in California — key date: Jan. 1, 2025 • New law to require dental plan disclosures in California — 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 • Telehealth law effective for existing plans in Louisiana — key date: Jan. 1, 2025 • Medically necessary fertility preservation law effective in Louisiana — earlier of renewal or Jan. 1, 2025 • Prescription cost-sharing limits law enacted in Minnesota — key date: Jan. 1, 2025 • Ancillary plan exception finalized in New Mexico — 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 • Fertility treatment law enacted in Washington, DC — key date: Jan. 1, 2025 • Insulin cost-sharing law enacted in Illinois — key date: July 1, 2025 • Data protection law enacted in Tennessee — key date: July 1, 2025 • Law applies balance billing restrictions to ground ambulance providers in Texas — key date: Expires Sept. 1, 2025 • Telehealth law to expire in Hawaii — key date: Dec. 31, 2025 • Paid family and medical leave law enacted in Minnesota — key date: Jan. 1, 2026 • State-based exchange delivery to change in Oregon — key date: Nov. 1, 2026
Development	**Wealth** • Eagerly awaited defined benefit mortality tables issued — key date: 2025 • IRS delays SECURE 2.0's Roth catch-up mandate — key date: 2026

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Section 4

Asia Pacific

Australia (new)	
Status	⚠ **Extended until Jan. 1, 2026**
Development	**Wealth** **Extension of superannuation disclosure relief confirmed** The Australian Securities and Investment Commission has confirmed a two-year extension — until Jan. 1, 2026 — of the long-standing relief for super trustees from complying with the consistency obligations in Section 29QC of the Superannuation Industry (Supervision) Act 1993. Section 29QC requires that information given to the public (such as disclosure documents) is calculated in the same way as the information is reported under an Australian Prudential Regulation Authority (APRA) reporting standard. New ASIC Superannuation (Disclosure and Reporting Consistency Obligations) Instrument 2023/941 continues the relief previously provided under ASIC Class Order [CO 14/541]. ASIC consulted in November 2023 on renewal of the CO 14/541 relief that expired on Jan. 1, 2024. ASIC found the extension was appropriate due to uncertainty about how to achieve the disclosure requirements in the absence of regulations and given APRA's reporting standards have been evolving as part of its Superannuation Data Transformation project.
Resources	paul.shallue@mercer.com ASIC temporarily extends relief from disclosure and reporting consistency obligations for super trustees (ASIC, Dec. 21, 2023) and ASIC Superannuation (Disclosure and Reporting Consistency Obligations) Instrument 2023/941 (Legislature)

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Australia (new)	
Status	**Consultation is open until Feb. 28, 2024.**
Development	**Wealth** **Consultation on audit standards updates released** The Australian Prudential Regulation Authority (APRA) has released a consultation on minor and consequential amendments to the superannuation prudential framework affecting audit, governance and fitness and propriety (Prudential Standards SPS 310, 510, 520 and Prudential Practice Guide 520). The proposed changes are outlined in a letter to super trustees and auditors and follow the superannuation financial reporting and auditing reforms made by the Treasury Laws Amendment (2022 Measures No. 4) Act 2022 that took effect on July 1, 2023. Highlights include: • Removal of the SPS 310 requirement for a super fund auditor to use an APRA approved form. ASIC will have oversight of the reporting and audit of financial statements of funds commencing for the year ended June 30, 2024. • Retirement of Prudential Practice Guide SPG 310 Audit and Related Matters as the minor and consequential amendments remove the substantive content of this guidance. • RSE licensees of a small APRA fund would have to continue submitting the audited financial reports to APRA — they are not subject to Corporations Act Reforms or oversight by the Australian Securities and Investments Commission.
Resources	paul.shallue@mercer.com Audit consequential amendments — Superannuation (APRA, January 2024); Superannuation prudential framework — consequential audit updates (APRA, Jan. 17, 2024) and Treasury Laws Amendment (2022 Measures No. 4) Act 2022 (Legislature)

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Australia (new)	
Status	**Proposal**
Development	**Wealth** **Climate-related financial disclosures proposed** A consultation on legislative proposals that would introduce mandatory climate reporting requirements for large Australian entities — including large superannuation funds and registered investment schemes — is open until Feb. 9, 2024. Climate reporting requirements will be phased-in from July 1, 2024. The proposals follow a consultation issued in June 2023 and would require in-scope entities to disclose their climate-related plans, financial risks and opportunities in accordance with new Sustainability Reporting Standards to be set by the Australian Accounting Standards Board (AASB). Highlights include: • An entity would be subject to the climate disclosure regime depending on its size or emission levels. Superannuation funds and registered investment schemes that do not meet the Group 1 criteria but have assets over AU $5 billion would fall into Group 2 and would be required to include the new climate-related financial disclosures in their financial reports for annual reporting periods starting on or after July 1, 2026. • The climate-related financial disclosures would sit within a Sustainability Report — this would be the fourth report under the annual financial reporting obligations and would be included in the entity's annual report. • Entities that must prepare a Sustainability Report would have to retain records explaining and recording preparation of the report's statements for seven years. • Audits of the Sustainability Reports would be the responsibility of the auditor of the overall financial report, supported by technical climate and sustainability experts where appropriate. • An international standard on sustainability assurance could be finalized at the end of 2024 and will form the basis for an Australian standard. • For reports issued between July 1, 2025, and June 30, 2028, only the Australian Securities & Investments Commission (ASIC) could bring action for breaches of scope 3 emission disclosures and climate-related forward-looking statements. ASIC's remedies would be limited to injunctions and declarations. • The government would have to conduct a review of climate disclosure requirements in 2028-29.
Resources	paul.shallue@mercer.com Climate-related financial disclosure: Exposure draft legislation (Treasury, Jan. 29, 2024); Climate-related financial disclosure (Treasury, June 2023) and Australian sustainability reporting standards — Disclosure of climate-related financial information (AASB, October 2023)

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Australia (previously covered, with upcoming effective dates)	
Development	**Career** • Employer gender pay, equality reporting requirements expanded — key date: April 1, 2024 **Career — Wealth** • Financial Accountability Regime begins for super trustees and insurers — key date: March 15, 2025 **Wealth** • Some provisions to strengthen work incentives for pensioners now effective — key date: July 1, 2024 • New operational risk management standard to apply — key date: July 1, 2025

China (new)	
Status	**Currently effective**
Development	**Career — Health** **Preventive guidance on workforce heat and cold exposure prevention** The Ministry of Human Resources and Social Security issued guidance to employers regarding the protection of workers from high and cold temperatures. An accompanying regulation defines hot and cold temperatures/weather and addresses the use of technical and organizational measures to reduce exposure, the provision of personal protective equipment, working time organization and the payment of an allowance.
Resources	angela.li@mercer.com Guidance (Chinese) (Ministry of Human Resources and Social Security, July 7, 2023)

China — Beijing (new)	
Status	**Currently effective**
Development	**Health** **Expansion of social medical insurance to cover prescription medicine drugs from authorized pharmacies** From Jan. 1, 2024, individuals who contribute to social medical insurance can obtain prescriptions from designated healthcare facilities and purchase drugs from authorized retail pharmacies. The measures aim to improve patient accessibility to drugs included in the national medical insurance catalog. The reimbursement amounts are: • For outpatient treatment, the reimbursement rate is 80% with no deductible. The reimbursement amount is accumulated toward the inpatient reimbursement amount. • For inpatient treatment, the reimbursement rate is 85.5% with no deductible. The reimbursement amount is accumulated toward the inpatient reimbursement amount.
Resources	angela.li@mercer.com Guidance (Chinese) (Municipal Medical Insurance Bureau, Jan. 1, 2024)

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China (previously covered, with upcoming effective date)	
Development	**Career** • Preferential taxation policy for expatriates expanded — key date: Dec. 31, 2027 • Preferential taxation policy for annual one-time bonus extended — key date: Dec. 31, 2027

Hong Kong (previously covered, with upcoming effective date)	
Development	**Career** • Gender board diversity, corporate governance required — key date: Dec. 31, 2024 **Wealth** • Mandatory pension fund offsetting to end — key date: May 2025

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India — Karnataka (new)	
Status	**Currently effective**
Development	**Wealth** **Gratuity insurance rules implemented** Changes to the gratuity rules in the State of Karnataka took effect on Jan. 10, 2024. Under measures included in Karnataka Compulsory Gratuity Insurance Rules, 2024 (‘rules’), employers must have an insurance policy that covers their gratuity benefit liabilities under the Payment of Gratuity Act 1972 (‘act’). However, employers that satisfy certain conditions can opt for alternative arrangements that are also included in the act, but which only take effect if notified by each state. Karnataka is the third state to notify, after Andhra Pradesh and Telangana. The rules apply to employers operating only in the State of Karnataka — employers operating in multiple states are not covered by them. Highlights of the rules include: • Employers must obtain an insurance policy to cover the gratuity benefits of all eligible employees — new employers must do so within 30 days of the rules applying to them, and current employers have 60 days to comply. Clarification of the compliance dates is expected. • The state government stipulates which Controlling Authority or other officer will be responsible for recovering gratuity benefits owed to employees. • Employers must register (Form-I) with the Controlling Authority, and submit a list of insured employees, within 30 days of obtaining insurance. Some additional points to note: • Employers with an approved gratuity fund, or a workforce of 500 or more employees, can opt to continue their current arrangement, but it must cover the full liability of all employees. It is unclear how this measure aligns with the rules. • Karnataka refers to the use of accounting standards AS15, but more companies in India now use IND AS19. • Current group gratuity insurance products are fund management vehicles, and it is unclear if the employers’ obligation would shift to the insurance company.
Resources	jyotsna.tiwari@mercer.com Karnataka Compulsory Gratuity Insurance Rules, 2024 (Government, Jan. 10, 2024) and Payment of Gratuity Act 1972 (Government)

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India (previously covered, with upcoming effective date)	
Development	**Career — Health — Wealth** • Labor and employment laws reformed — key date: effective date delayed

Japan (new)	
Status	**Effective April 1, 2024**
Development	**Career** **Employers' notification of employment terms to change** Effective April 1, 2024, the notification of employment terms by employers will change under measures included in the Labour Standards Act Ordinance. Highlights include: • Employers will have to notify employees when they are hired of future possible changes in their workplace (including office location changes, in-person or remote work) and their duties. Currently, employers must clearly notify employees about their employment terms and duties at the time of hiring. • Employers will have to notify fixed-term employees of the maximum number of contracts they will be given, and of the total duration of their employment. Employers who later want to adjust the number of renewals for fixed-term employment contracts, or the total duration, will be required to explain their reasons. • Employers will have to notify fixed-term employees who have five or more years of employment with the same employer of their right to apply for an open-ended contract. • Employers will have to explain the factors considered when setting the employment terms for fixed-term employees who later convert to open-ended contracts.
Resources	Press release (Japanese) (Ministry of Health, Labour and Welfare) and Information on law change (Japanese) (Ministry of Health, Labour and Welfare

Japan (previously covered, with upcoming effective date)	
Development	**Wealth** • Defined contribution reforms enacted — key date: Dec. 1, 2024

Malaysia (previously covered with upcoming effective dates)	
Development	**Career** • Progressive wage policy to be included in 2024 budget — key date: April or May 2024

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Singapore (previously covered with upcoming effective dates)	
Development	**Career** • Legislation to combat discrimination will be issued — key date: Second half of 2024 **Wealth** • Central Provident Fund monthly salary cap for calculating contributions increased — December 2024

Taiwan (previously covered with upcoming effective dates)	
Development	**Career** • Employee protections from sexual harassment expanded — key date: March 8, 2024

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Europe, Middle East and Africa (EMEA)

European Union (EU) (previously covered, with upcoming effective date)	
Development	**Career** • 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 **Career — Health — Wealth** • EU requires enhanced corporate sustainability disclosures — key date: July 6, 2024 • Sustainability reporting standards issued — key date: 2025
Belgium (previously covered, with upcoming effective date)	
Development	**Wealth** • Blue- and white-collar pension harmonization postponed — key date: Jan. 1, 2027 • Federal government agrees on pension reforms — key date: Jan. 1, 2028
Channel Islands — Guernsey (previously covered, with upcoming effective date)	
Development	**Wealth** • Rollout of secondary pension scheme requirements in 2024 — key date: July 2024
Denmark (previously covered, with upcoming effective date)	
Development	**Career** • Additional employment deduction to be implemented — key date: Jan. 1, 2025

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France (new)	
Status	**Effective dates vary.**
Development	**Career** **Mandatory profit-sharing measures expanded** Smaller employers in France will be subject to a profit/value sharing requirement under recently enacted measures included in Loi No 2023-1107. In addition, the preferential tax treatment of the value sharing bonus ('prime de partage de valeur') introduced in 2019 is reduced from 2024, and employee savings plans ('PEE') and retirement savings plan ('PER') will be required to include an environmental, social and governance investment option from July 2024. Highlights include: • From Jan. 1, 2025, employers that have between 11 to 49 employees must have a profit- or value-sharing agreement if their net taxable profits exceed 1% of turnover during the previous three consecutive years. Previously, no profit- or value-sharing agreement was required for employers with fewer than 50 employees. There are three models for profit/value sharing — incentive agreements, profit-sharing agreements and value-sharing bonus. • From 2024, the value-sharing bonus is no longer exempt from tax and social security charges unless the bonus payments are made into a PER, or a PEE, or if a value-sharing agreement (incentive- or profit-sharing agreement) is used for payments up to €3,000. • From 2025, PEEs and PERs must include an investment option to support energy and ecological transition, or socially responsible investments. This option will be additional to the 2010 requirement to include a socially responsible fund.
Resources	nicolas.gaudry@mercer.com Loi No. 2023-1107 (French) (Government)

France (previously covered, with upcoming effective date)	
Development	**Career** • New gender quotas imposed for senior execs/management teams — key date: March 1, 2026

Germany (previously covered, with upcoming effective date)	
Development	**Career — Health** • Parental allowance eligibility reduced — key date: April 1, 2024

Hungary (previously covered, with upcoming effective date)	
Development	**Wealth** • Medical suitability assessments no longer required — key date: Sept. 1, 2024

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Ireland (new)	
Status	⚠ **Effective dates vary, starting Jan. 1, 2024.**
Development	**Wealth** **Changes to state pension** Measures that aim to address increased longevity feature in the Social Welfare (Miscellaneous Provisions) Act 2023 took effect on Jan. 1, 2024. Highlights include: • The state pension age remains unchanged at 66. • A new voluntary flexible option is available for individuals who are age 66 from Jan. 1, 2024. It allows employees to defer drawing down their state pension up until age 70. Pay-related social insurance (PRSI) contributions are payable by the employer and employer where the state pension is deferred, in return for an increased state pension (subject to maximum limits). • A "total contributions approach" (in relation to the calculation of individual pension entitlements) will be phased-in over 10 years, starting in January 2025. Employers should consider the implications of these reforms on their businesses and ensure their policies address flexible retirement. Employers should consult with pension scheme trustees to assess if flexible options will impact the design of retirement and death benefits and if scheme amendments will be required. Previously, the government had flagged that a legal right would be introduced for employees who want to remain in employment until age 66, irrespective of their employment contract's terms. This measure is not included in the Social Welfare (Miscellaneous Provisions) Act 2023, but legislative proposals are expected soon. In addition, the long-term sustainability of the state pension system will be addressed through gradual, incremental increases in social insurance rates. The first PRSI increase (0.1%) will take effect in October 2024.
Resources	brid.mcdonnell@mercer.com Social Welfare (Miscellaneous Provisions) Act 2023 (Legislature)

Netherlands (previously covered, with upcoming effective date)	
Development	**Wealth** • Parliament agrees to significant occupational pension reforms — key date: Jan. 1, 2025

Nigeria (previously covered, with upcoming effective date)	
Development	**Health** • Health insurance coverage to significantly expand — key date: implementation date unknown

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Oman (previously covered, with upcoming effective date)	
Development	**Wealth** • Social protection for foreign employees expanded — key date: July 2024

Poland (previously covered, with upcoming effective date)	
Development	**Career** • Minimum wage to increase — key date: July 1, 2024

Romania (previously covered, partially effective)	
Status	⚠ **Currently effective**
Development	**Wealth** **Public pension contribution rates issued for 2024** The 2024 public pension contribution rates were announced on Jan. 16, 2024. Highlights include: • The gross average salary used to calculate contributions is 7,567 RON. • The employees' contribution is generally 25% and includes employees who have signed the social insurance contract. • The contribution for privately managed pension funds is 4.75%. • Subject to eligibility, gross monthly salaries up to 10,000 RON are exempt from contribution payments for privately managed pension funds. • The social security contribution levied on monthly minimum wages of 3,300 RON is 825 RON. • Death benefits of 7,567 RON are payable on the death of a pensioner, and 3,784 RON on the death of a pensioner's family member. • The social allowance of 1,281 RON is paid to retirees, and individuals with a monthly pension income of less than 2,000 RON are exempt from tax.
Resources	Announcement (Romanian) (Government, Jan. 16, 2024)

Spain (previously covered, with upcoming effective date)	
Development	**Career** • Protections for LGBTQ employees enacted — key date: March 2, 2024

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Switzerland (previously covered, with upcoming effective date)	
Development	**Career** • Hourly minimum wage to be introduced in Zurich and Winterthur — key date: effective date unknown **Career — Health** • Employer compensation for high sick-pay costs to phase out — During 2024 • Paid leave introduced in Geneva — key date: effective date unknown **Wealth** • Occupational pension reforms pass parliament — key date: effective date unknown
Turkey (new)	
Status	⚠ **Currently effective**
Development	**Wealth** **2024 limits for pension contributions and auto enrollment set** For 2024, in order for employees to receive the maximum state contribution amount (72, 009 TRY), employees should pay 240,030 TRY (the total annual minimum wage) into the private pension system. Also, the payment limits for the auto-enrollment system are 600 TRY (minimum amount) and 4,500 TRY (maximum amount).
Resources	evsen.olmez@mercer.com Law (Turkish) (Official Gazette, Dec. 12, 2023)
Ukraine (new)	
Status	⚠ **Currently effective**
Development	**Career — Health** **New leave requirements for employers enacted** Law No. 2494-IX took effect on Dec. 24, 2023, and establishes new leave requirements for employers. Highlights include: • Up to 14 days of paid leave for a close family member within three months of a birth of a child. • Unpaid leave for family circumstances has been increased to 30 days per year — up from 15. Employers may also grant unpaid leave for epidemic/pandemic reasons or in cases of threat of armed aggression or a natural or human-caused emergency. • Employees dismissed from military service are entitled to 60 days of unpaid leave • In the event of a call-up for military service, employees upon request are entitled to payment for all unused annual leave days • During martial law period, certain employers (related to military) may generally refuse to grant leave to employees directly involved in the relevant production process.
Resources	Law No. 2494-IX (Ukrainian) (Government)

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United Kingdom (UK) (new)	
Status	**Expected to come into force on March 27, 2024.**
Development	**Wealth** **New general code published by Pension Regulator** The Pension Regulator's new general code has been published and presented to Parliament. It is expected to take effect on March 27, 2024. The new code consolidates 10 of the existing 15 codes of practice into a single web-based code, consisting of 51 topic-focused modules. Schemes will have to have an "effective system of governance" and assess the adequacy of this with a triennial "own risk assessment" (ORA). The first ORA is not due for at least two years. There are also new risk management functions, and new modules on cyber security, stewardship, pension scams, recordkeeping and climate change. Trustees and scheme managers need to review the new code to identify gaps between its requirements and their scheme's current practice, start planning how to align, and prepare for their first ORA.
Resources	New code of consultation (The Pensions Regulator, Jan. 10, 2024) and Pension trustees challenged on TPR's general code (The Pensions Regulator, Jan. 10, 2024)

UK (previously covered, now effective)	
Status	**Currently effective**
Development	**Career — Health** **Increased immigration health surcharge takes effect** The planned increased immigration health surcharge in the UK took effect on Feb. 6, 2024 — delayed from January. The surcharge must be paid in full when an applicant submits an application to enter or remain in the UK. The main rate is £1,035 per year, up from £624, and the discounted rate for students and individuals younger than 18 increased to £776 per year, up from £470.
Resources	The Immigration (Health Charge) Amendment Order 2023 (Legislature, Jan. 16, 2024))

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UK — Great Britain (new)	
Status	**Proposal, but likely to take effect on March 8, 2024.**
Development	**Career — Health** **More flexible statutory paternity leave proposed** Fathers or partners will have more flexibility in how they take their two weeks of statutory paternity leave under measures included in the draft Paternity Leave (Amendment) Regulations 2024. If approved, the regulations are likely to take effect on March 8, 2024, and will take effect for babies where the expected week of birth begins after April 6, 2024, and to adoption placements occurring after the same date. The measures will apply in England, Scotland and Wales but not in Northern Ireland. Highlights include: Fathers or partners will be able to take their two weeks of statutory paternity leave in either one block of two weeks, or two separate blocks of one week. Currently, employees can take only one period of paternity leave — either one or two continuous weeks. Leave could be taken at any time in the first year of birth or placement for adoption. Currently, statutory paternity leave must be taken within the first eight weeks. Individuals will have to notify their employers about their entitlement to paternity leave 15 weeks before the birth, and then provide 28 days of notice before the dates of their leave periods. Currently, individuals must provide their leave dates 15 weeks before the expected week of childbirth. The notification for adoptions remains unchanged —within seven days of being notified of the adoption or matched for adoption.
Resources	The paternity leave (amendment) regulations 2024 (Government)

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UK (previously covered, with upcoming effective date)	
Development	**Career** • Minimum wage rates for 2024 announced — key date: April 2024 • Certain workers to have more rights to request more predictable hours — key date: autumn 2024 • Employers have new duty to prevent workplace sexual harassment — key date: autumn 2024 **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 • Law makes it easier to request flexible working requests — key date: mid-2024 **Wealth** • Pension auto enrollment to expand, reducing eligible age and abolishing earnings threshold — key date: Unknown • Autumn statement includes pension measures — key date: April 6, 2024 • Pension dashboard, connection deadlines change — key date: Oct. 31, 2026

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New York, NY 10036
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