

HR COMPLIANCE CORNER

AFFORDABLE COVERAGE REQUIREMENTS

The Affordable Care Act (ACA), also known as Obamacare, was designed to make health insurance more accessible and affordable for many Americans.

Employers must offer health insurance that is affordable and provides minimum value to 95% of their full-time employees and their children up to the end of the month in which they turn age 26 or be subject to penalties. This is known as the employer mandate. It applies to employers with **50* or more full-time employees**, and/or full-time equivalents (FTEs). Employees who work 30 or more hours per week are considered full-time.

For small businesses:

- **No Mandate:** Small employers with fewer than 50 full-time equivalent employees are not subject to the ACA's employer mandate and are not required to provide health insurance. However, they can choose to offer it.
- **Small Business Health Options Program (SHOP):** Small employers can use the SHOP Marketplace to purchase health insurance for their employees. They may also be eligible for tax credits to help cover the cost of coverage.

For questions regarding ACA requirements, please reach out to your Solex HRC.

FRANCIS PERKINS WORKPLACE EQUITY ACT

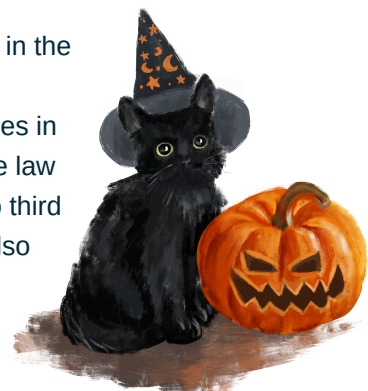
On July 31, 2024, Massachusetts passed the Frances Perkins Workplace Equity Act. It is designed to enhance pay transparency and address disparities in Massachusetts. Named after Frances Perkins, the first female U.S. Secretary of Labor, this Act seeks to address and rectify disparities in the workplace by implementing comprehensive standards and practices. This article provides an overview of the FPWEA and offers guidance for employers to ensure compliance. The Frances Perkins Workplace Equity Act, which introduced new requirements for employers regarding pay data reporting and transparency in job postings based on company size. Massachusetts is the latest to join 11 other states that already have passed pay transparency laws (California, Colorado, Connecticut, Hawaii, Illinois, Maryland, Minnesota, Nevada, New York, Rhode Island, and Washington).

Massachusetts Compliance Requirements

Beginning February 1, 2025, and annually thereafter, covered employers are required to submit their prior year's EEO-1 wage data report—the information sent to the U.S. Equal Employment Opportunity Commission—to the state secretary. Covered employers are those that:

- Are subject to the federal EEO-1 reporting, and
- Have 100 or more employees in the state at any point in the previous calendar year.

Starting July 1, 2025, employers with 25 or more employees in the state must include a pay range in all job postings. The law applies to internal and external job postings, as well as to third parties recruiting on an employer's behalf. A pay range also needs to be provided to employees who are offered promotions or transfers to new positions with different job responsibilities.



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MEDICARE PART D

Employers that provide prescription drug benefits are required to notify Medicare-eligible individuals annually, by October 15th, 2024, as to whether the employer-provided benefit is creditable or non-creditable so that these individuals can decide whether or not to delay Part D enrollment.

Employer responsibilities:

Member notices. Employers must provide Notice of Creditable Coverage (NOCC) to all Medicare eligible individuals who are covered under, or who apply for, the entity's prescription drug plan (Part D eligible). This disclosure must be provided to Medicare eligible active working individuals and their dependents, Medicare eligible COBRA individuals and their dependents, Medicare eligible disabled individuals covered under the prescription drug plan and any retirees and their dependents at least once a year prior to October 15. This information is essential to an individual's decision to enroll in a Medicare Part D prescription drug plan.

- This is mandatory at least once a year by no later than October 15.
- The employer, sends Creditable Coverage notices to its members

Please reach out to your Solex HR consultant today!

OSHA PROPOSES HEATH INJURY ILLNESS PREVENTION STANDARD

The U.S. Department of Labor's (DOL) Occupational Safety and Health Administration (OSHA) recently announced an official version of the proposed standard to protect workers from heat injury and illness.

It finalized the new standard would apply to all employers conducting indoor and outdoor work in general industry, construction, maritime and agricultural sectors where OSHA has jurisdiction, subject to limited exceptions.

According to OSHA, the proposed rule would apply to approximately 36 million workers.

The unofficial version of the proposed rule includes several safeguards employers would be required to implement. For example, the proposed standard includes requirements for:

·Identifying heat hazards

- Developing heat illness and emergency response plans
- Providing training to employees and supervisors
- Implementing work practice standards including rest breaks, access to shade and water and heat acclimatization for new employees

Once published, the proposed rule will undergo a 120-day comment period and subsequent review before it is finalized. If finalized, employers must comply with its requirements within 150 days of publication. Therefore, if the rule is finalized, employers will not be subject to its requirements until 2025.

Employers may take steps now to prepare to comply with the standard. However, the proposed standard il likely to face pushback, so employers should monitor for updates and potential legal challenges.

