

HR WHAT TO WATCH JANUARY 2024

Below is what to anticipate in the coming year. The Bene-Care Human Resources Consulting Team will continue monitoring these topics and keep you updated on any changes.

NYS MINIMUM WAGE

Effective January 1, 2024, minimum wage for non-exempt employees is set to increase. Minimum wage rates in New York State will be raised incrementally annually through 2026 on January 1 until the minimum wage reaches \$17 per hour in New York City, Long Island, and Westchester County and \$16 per hour for the remainder of the state. There is also a proposed regulation to increase the minimum salary requirement for exempt employees under the Executive and Administrative Exemptions. It is expected that the adoption of the proposed regulations, as well as an effective date for implementation of the increased salary threshold, will be announced by the NYSDOL shortly.

New York State (outside of NYC, Westchester, and Long Island):

- Non-Exempt Employees – \$15.00/hour
- Exempt Executive or Administrative Employees:
Current: \$1,064.25/week (\$55,341.00/year)
Proposed: \$1,124.20/week (\$58,458.40/year)

New York City Westchester, and Long Island:

- Non-Exempt Employees – \$16.00/hour
- Exempt Executive or Administrative Employees:
Current: \$1,125.00/week (\$58,500.00/year)
Proposed: \$1,200.00/week (\$62,400.00/year)

To be classified as an exempt executive or administrative employee under New York State law, the employee must be paid on a salary basis and meet the salary level threshold, in addition to meeting the duties of the exemption.

We strongly encourage employers to perform an audit on all employees to ensure compliance with employment classifications and employee minimum wages.

FLEXIBLE SPENDING ACCOUNT (FSA) LIMITS

Flexible Spending Account (FSA) maximum amounts will increase in 2024 to \$3,200. For accounts that allow a carryover of unused funds, the limit is \$640 beginning in 2024.

HEALTH SAVING ACCOUNT (HSA) LIMITS

The Health Savings Account (HSA) maximum amounts will increase in 2024 to \$4,150 for Individual Plans and \$8,300 for Family Plans. HSA Catch-up Contributions for employees aged 55 or older will remain at \$1,000.

RETIREMENT PLAN LIMITS

The 2024 contribution limit for employees who participate in 401(k), 403(b), and most 457 plans will be \$23,000 annually, an increase of \$500 from \$22,500 in 2023. The limit on annual contributions to an IRA increased to \$7,000 from \$6,500 in 2023. The catch-up contribution limit for employees aged 50 and over who participate in 401(k) will increase to \$7,500.

COVID-19

To date, New York State has yet to announce a sunset date for COVID-19 Paid Sick Leave. COVID-19 Vaccination Pay is set to expire on December 31, 2023.

PAID FAMILY LEAVE

Effective January 1, 2024, the weekly PFL benefit for employees is capped at \$1,151.16. This is a \$20.08 increase from the maximum weekly benefit in 2023.

SOCIAL MEDIA DISCLOSURES

Effective March 12, 2024, the New York State has introduced new Social Media Disclosure requirements for employers. This regulation mandates that employers disclose their social media screening policies and practices during the hiring process. New York employers will no longer be permitted to request, require, or coerce any employee or applicant to:

- Disclose any username and password or other authentication information for accessing a personal account;
- Access the individual's personal account in the presence of the employer; or
- Reproduce in any manner photographs, video, or other information contained within a personal account.

We encourage employers to review their social media policies and ensure that all applications, job postings, and onboarding materials do not request prohibited information.

2024 EMPLOYEE HANDBOOK

With the new year approaching, it's important for employers to review their Company Handbook. Annual handbook updates are essential for businesses to stay legally compliant, adapt to evolving environments, and maintain a positive workplace culture. These updates reflect changes in laws, industry practices, and company operations.

For assistance in creating or updating an Employee Handbook, please get in touch with our HR Consulting Team.

QUESTIONS? CONTACT HR@BENE-CARE.COM