



OCTOBER 1, 2013 COMPLIANCE DEADLINE FOR EMPLOYERS TO PROVIDE ACA EXCHANGE NOTICE

By Lisa Ann Hilario

While portions of the Affordable Care Act have been delayed, October 1, 2013 remains the deadline for employers covered by the Fair Labor Standards Act (FLSA) to provide all current employees with (1) a written notice informing them of the existence of the Health Insurance Marketplace, (2) a description of the Marketplace's services, and (3) contact information for the Marketplace. In addition, starting October 1, 2013, each new hire must receive the Notice within 14 days of the employee's start date.

Employers must provide a Notice to each employee, regardless of plan enrollment status (if applicable) or of part-time or full-time status. Employers are not required to provide a separate notice to dependents or other individuals who are or may become eligible for coverage under the plan, but who are not employees.

Model notices are available at:

[Employer with Health Plan](#)

[Employer without Health Plan](#)

Employers may use one of the Model Notices, or a modified version, provided the Notice meets the content requirements. Also, the United States Department of Labor has issued a Guidance memo regarding the Notice. For more information, see [Guidance Memo](#).

If you have questions about the Affordable Care Act or the required Notice to Employees, contact [Lisa Ann Hilario](#) or [Jan Gabrielson Tansil](#) or call 707-524-1900.