

# Asheville-Buncombe Technical Community College

# (A-B Tech) Procedure

## Procedure 500.09: State Health Plan Eligibility Guidelines

Consistent with the Patient Protection and Affordable Care Act, A-B Tech offers health insurance to eligible employees, as shown below:

## Health Insurance Eligibility – At a Glance

### Employment Category

#### Full Time Regular Employee

* + Start date in employment category
  + Plans Offered: 70/30, Enhanced 80/20,
  + Must enroll within 30 days of start date and/or during annual enrollment

#### Part Time Regular Employee

* Start date in employment category
* Plans Offered: 70/30, Enhanced 80/20,
* Must enroll within 30 days of start date and/or during annual enrollment
* **Employee pays full cost of coverage**

Full Time Limited Employee

* Start date in employment category when employee is expected to be employed in this category more than three months
* Plan Offered: High Deductible Plan ( BCBS)
* Must enroll within 30 days of start date and/or during annual enrollment

#### Part-Time Limited Employee

* When the employee has averaged at least 30 service hours per week or at least 130 hours per month during the initial/standard measurement period, s/he will be offered health insurance at the beginning of the stability period.
* Plan Offered: High Deductible Plan ( BCBS)
* Must enroll within 30 days of eligibility determination date

Staffing Agency Worker

* No coverage eligibility through state health plan

Independent Contractor

* No coverage eligibility through state health plan

## Procedures to Determine Part-Time Limited Employee Eligibility for Health Insurance

These procedures are used to determine which part-time limited employees (both staff and adjunct faculty) will be treated as full-time limited employees for the purpose of offering participation in the high deductible state health plan ( BCBS). Eligibility is based on an evaluation of the average number of service hours worked per week and/or month.

### New Employees

* + The Initial Measurement Period for each new part-time limited employee will begin on the employee’s start date and last twelve consecutive months.
  + The Administrative Period for new part-time limited employees is one full month if the employee’s start date is the first workday of the month. If the employee’s start date is after the first workday of the month, the administrative period is a partial month, which begins the day after the Initial Measurement Period ends, plus one full month.
  + The Stability Period following an Initial Measurement Period shall be twelve months, beginning the end of the administrative period.
  + The Initial Measurement Period and following Standard Measurement Period may overlap to ensure that an employee has the opportunity to become eligible for health coverage depending on their service hours in either period.
  + Once a new employee has been employed for an entire Standard Measurement Period, s/he will be considered an ongoing employee for the purpose of ongoing evaluation of eligibility for health insurance.

### Ongoing Employees

* + The Standard Measurement Period for ongoing part-time limited employees is twelve consecutive months (September 1 through August 31 of each year).
  + The Administrative Period for ongoing part-time limited employees is two months (September 1 through October 31 of each year). To prevent this Administrative Period from reducing the potential eligibility of health coverage or creating any gaps in health coverage, it will run concurrent with the Standard Measurement Period of the upcoming year and the Stability Period of the previous year.
  + For ongoing part-time limited employees, the Stability Period following a Standard Measurement Period shall be twelve months (January 1 through December 31 of each year).
  + Part-time limited employees will be evaluated every year for health insurance eligibility based on the average number of service hours.

## Established Breaks in Service

* + The College is closed for a winter break between the curriculum (CU) fall and spring semesters. This is considered an established break in service.
  + The College does not operate a regular term for CU courses during the summer. For part-time CU faculty who do not have a course assignment during the summer term, this is considered an established break in service.
  + The College offers adult basic skills/continuing education (CE) courses year round, so the winter break is the only established break in service for these part-time faculty.
  + Established breaks in service are not to be held against a part-time employee when calculating service hours during the measurement period for the purpose of determining eligibility for health insurance. This means that the service hour calculations do not include the break weeks or months, whichever is applicable.

## Non-Established Breaks in Service

* + Part-time faculty or staff may not have work assignments for a period of time that does not coincide with an established break in service. If this period is less than four weeks, this is not considered a break in service. There is no change in the measurement or stability period.
  + Non-established breaks in service for at least four, but less than 52 consecutive weeks.
  + If a part-time employee has a non-established break in service for at least four, but less than 52 consecutive weeks, and the non-established break does not exceed the length of pre-break employment, when a new assignment is awarded, the employee is considered an on-going employee. There is no change in the measurement or stability period and the break period will not be factored in when service hours are calculated for purpose of eligibility requirements (i.e., at least an average of 30 service hours per week or 130 service hours a month over the course of a measurement period).
  + If a part-time employee has a non-established break in service is for at least four, but less than 52 consecutive weeks and the non-established break in service exceeds the length of pre-break employment, the employee is treated as a new hire and the measurement period starts again.
  + If a non-established break in service for a part-time employee continues for 52 consecutive weeks, the College will consider the employee separated from employment. Pay records will be used to determine the separation date. A new measurement period will begin for all hired or rehired part-time employees following the return to work date.
  + Part-time employees who have been separated from employment due to a non-established break in service will be considered rehired if they are returned to work within two years of this separation date.
  + Part-time faculty who have been separated from employment due to a non-established break in services will be considered hired if they are returned to work more than two years after this separation date.

## Part-Time Faculty (Adjunct) Service Hours

* + The College identified multipliers used to establish the service hours for part-time faculty.
  + The College utilized a Position/Time Management Committee, a focus group of full-time and adjunct faculty, and an evaluation of all curriculum (CU) and continuing education (CE) courses to determine the approach for calculating service hours.
  + The Human Resources and Organizational Development Division maintains records, which identify the contact hours, multiplier, and total service hours for every curriculum and continuing education course.
  + Part-time faculty are expected to prepare for, and teach, agreed upon courses. They are not required to attend meetings, hold office hours, serve on College committees, or perform other duties that are not directly related to their teaching assignment(s).
  + Part-time faculty are not permitted to average more than 29 hours per work week or 129 hours per month.
  + The College reviews paper time records and course assignments captured in Colleague to evaluate the service hours of part-time faculty.
  + Due to the variable nature of CE course assignments, CE part-time faculty work hours are evaluated by the month for the purpose of determining eligibility for health insurance eligibility. Due to the fixed nature of CU course assignments, CU part-time faculty are evaluated by the week for the purpose of determining health insurance eligibility. When faculty have both CE and CU course assignments, monthly service hours are evaluated for consistency.

## Part-Time Staff Service Hours

* + Staff work hours are equal to service hours.
  + Part-time regular staff are permitted to work between 20 – 29 hours per week, not to exceed 129 hours per month.
  + Part-time limited staff may work up to 29 hours per week, not to exceed 129 hours per month
  + Part-time staff work hours are evaluated according to the weekly average for the purpose of determining health insurance eligibility.

## Employee Position Changes during a Plan Year

* + If there is a bona fide change in an employee’s position, which makes the employee’s ineligible for participation in the College’s health insurance plan after the conclusion of the stability period, the employee will be notified of this change and the applicability of continued participation under the Consolidated Omnibus Budget Reconciliation Act (COBRA). The employee’s eligibility for health insurance will not be discontinued during the stability period, unless the employee separates from employment.
  + The College will not change an employee’s status for the purpose of avoiding an offer, or continuation, of health insurance, but it may adjust the work hours to be consistent with the intended schedule of the position and/or to address other College needs.

## Internal Secondary Positions

* + As per Policy 503.06, the College has an internal secondary position approval process that requires employees to get supervisory approval before beginning an internal secondary position that is outside of the department where the employee’s primary position is assigned.
  + The internal secondary employment procedure was developed for position and time management purposes. The primary and secondary position supervisors are expected to coordinate assignments, so the maximum number of service hours permitted for the employment category is not exceeded.
  + Part-time employees with internal secondary positions are identified by the College. The service hours for these employees are totaled for all positions for the purpose of calculating health insurance eligibility.
  + If the employee has more than one position, and it causes him/her to become eligible for benefits, Colleague will pro-rate the health insurance plan cost between the account codes.

## Employee Declination of Health Insurance Coverage

* + Employees who become eligible for health insurance will be able to enroll within 30 days of their start date or during the annual open enrollment period, whichever is applicable.
  + An eligible employee may choose to not accept coverage in a health insurance plan offered by the College. An offer of initial or continued employment shall not be contingent on an employee voluntarily agreeing to not accept coverage should the employee become eligible during the term of employment.
  + An employee declines coverage when s/he does not enroll within 30 days of eligibility or completes the declination section of the paper notification or the online enrollment page.
  + Eligible employees will be asked to sign an acknowledgement that they were offered participation in the health insurance plan and that not enrolling within 30 days of the eligibility date will be considered a declination of coverage.
  + Once an employee declines health insurance for the plan year, s/he cannot enroll again until the next annual enrollment period.
  + Opting out of coverage should not be used as a reason to allow a part-time employee to average more than 29 hours per week or 129 hours per month.

## Definitions:

Employment and position categories are defined in Policy 503.05.

New employee: For the purpose of this procedure, an employee who starts work in the middle of a standard measurement period and would not have accumulated the entire twelve month work history needed to complete a twelve month standard measurement period. This “new employee” would be subject to an Initial Measurement Period.

Ongoing employee: For the purpose of this procedure: An employee who has been employed for at least one complete Standard Measurement Period.

Service hours: Each hour for which an employee is credited for the performance of services and, if applicable, hours for which an employee is entitled to payment during which no duties are performed due to paid leave.

* + For part-time faculty positions, service hours include instruction time and time spent on other activities that support instruction, as identified by the College.
  + The College has identified the part-time faculty service hours for every course category and, in some cases, for specific courses that have unique requirements.
  + The identified service hours provide for a reasonable allotment of time for the completion of non-instruction activities.

Standard/Initial Measurement period: The period of time for which an employee’s hours are recorded and measured to determine average service hours. Per the ACA, this period can be three months but no more than 12 months from the date of hire or from the first of the month following the date of hire.

Administrative period: The time after the Standard/Initial Measurement Period that it takes to determine eligibility and enroll an eligible employee in the health plan. This period can be no more than 90 days, and combined with the Measurement Period cannot be more than 13 months from the date of hire.

Stability period: The period of time after the Administrative Period for which health benefits are provided to eligible employees. This period can be 6 months but not more than 12 months, and cannot be shorter than the Measurement Period and cannot be longer than the Measurement period plus 1 month.

Break in service: A period of time for which an employee does not work.

Workload formula: Workload formula recognizes teaching and service contributions of faculty members. In the North Carolina Community College System, the formula for workload is a local College decision. The formula may be based on any combination of the following: contact hours, credit hours, service hours, reassign time, academic level of the course or class membership hours (number of students).

Credit bearing courses: Curriculum courses for which credit hours are earned and may be applied to degrees, diplomas, and certificates at the College.

Non-credit bearing classes: Adult basic skills and continuing education courses that that do not earn college credit. In some cases, these courses may be applied to occupation-specific certificates.

Independent Contractor: An individual who is contracted to perform a service for the College for which there is no employer/employee relationship; the College has the right to control or direct only the result of the work and not what will be done and how it will be done. The earnings of a person who is working as an independent contractor are subject to Self-Employment Tax.

Staffing Agency Employee: A worker assigned to work at the College through a staffing firm, which is the worker’s employer.

## References:

Patient Protection and Affordable Care Act

Consolidated Omnibus Budget Reconciliation Act

Policy 503.05

Policy 503.06

Owner: Executive Director, Human Resources & Organizational Development Ext. 7900

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