

**POLICY  
BOARD OF TRUSTEES  
MAYLAND COMMUNITY COLLEGE**

**Title: AFFORDABLE CARE ACT IMPLEMENTATION**

**Type: PERSONNEL**

**POLICY NO: 4.018**

**Policy Adopted: November 10, 2014**

**EFFECTIVE DATE: November 10, 2014**

**AMENDED DATE:**

*Edwina Sluder*

Chair

**AUTHORITY: Public Law 111 - 148 – “Patient Protection and Affordable Care Act”**

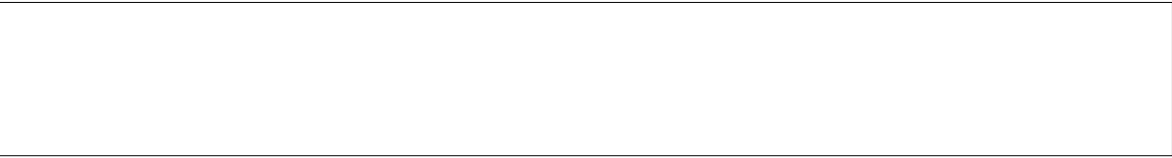
The Board of Trustees of Mayland Community College establishes this policy in response to the federal implementation of the Affordable Care Act and directs the President to establish and implement procedure for the implementation of this policy.

1. Definitions: Attachment A
2. Employment Structure: Attachment B
3. Health Plan Coverage Eligibility: Attachment C
4. Measurement Periods:
  - a. **Standard Measurement Period:** Period used to determine if temporary existing employees and part-time permanent employees are eligible for health coverage.

<b>Curriculum Faculty</b>	Fall Semester 2014
<b>Curriculum Instructional Paraprofessionals</b>	Fall Semester 2014
<b>College and Career Readiness Instructors</b>	Fall Semester 2014
<b>Continuing Education Instructors</b>	August 1, 2014 - November 30, 2014
<b>Staff</b>	August 1, 2014 - November 30, 2014

- b. **Initial Measurement Period:** Period used to determine if new temporary employees or new part-time permanent employees are eligible for health care.

<b>Curriculum Faculty</b>	Four (4) months from date of hire
<b>Curriculum Instructional Paraprofessionals</b>	Four (4) months from date of hire
<b>College and Career Readiness Instructors</b>	Four (4) months from date of hire
<b>Continuing Education Instructors</b>	Four (4) months from date of hire
<b>Staff</b>	Four (4) months from date of hire



**c. Administrative Period:** Established period during which health coverage is offered to eligible employees.

<b>Existing Employee</b>	30 days from date eligibility is determined
<b>New Employee</b>	30 days from date eligibility is determined

**d. Stability Period:** Established period during which health coverage is provided to eligible employees excepting coverage that were identified during specified measurement period. Following the stability period, covered employees will be evaluated to determine if health coverage should continue based on service hours.

<b>Existing Employee</b>	Six months from the date eligible
<b>New Employee</b>	Six months from the date eligible

5. Established Breaks in Service:

Established breaks in service, such as semester, summer, spring and holiday breaks are not considered when calculating total service hours.

6. Non-Established Breaks in Service:

For health coverage eligibility purposes, the College will review breaks in service to determine if an employee is an existing employee or new employee. If a break in service is longer than the period of previous employment or if break is for twenty-six (26) consecutive weeks the employee will be considered as a new employee and a new measurement period begins.

7. Total Service Hours Calculation

- a. Temporary Staff, Curriculum Instructional Paraprofessional, and Permanent Part-time Employees:** Service hours are calculated one for one.
- b. Temporary Faculty and College and Career Readiness Instructors:** Service hours are calculated based on contact hour or/and classroom hour as established by the procedures.

8. Multiple Employment

- a. Multiple Classifications:** When an employee's assignments cross-over department/divisions and/or of different classifications the dean/director will work with Human Resources to determine which classification is primary.
- b. Cross-Over:** Unless approved otherwise, part-time employees may only be employed by one department/division at a time. Prior approval from Human Resources must be received prior to any service hours worked. If approval is granted the departments/divisions must work together in scheduling service hours to ensure that service hours credited are in accordance with policy.

9. Annual Eligibility Review:

Existing curriculum faculty, curriculum instructional paraprofessionals, and college and career readiness instructors will be evaluated on a semester basis to determine eligibility status.

Existing continuing education instructors and staff will be evaluated on a semi-annual basis to determine eligibility.

10. Opting Out Procedure

If an employee is determined to be eligible for health coverage, the employee may choose to opt out through State Health Plan online portal system. Re-hired state retirees who are re-employed in a position that requires the College to offer coverage under the Affordable Care Act will no longer be eligible for retiree health insurance and placed under the plan established under the State Health Plan for employees eligible under Affordable Care Act.

**AFFORDABLE CARE ACT IMPLEMENTATION POLICY  
ATTACHMENT A**

**Definitions:**

- a. 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, such as vacation, holiday, disability, jury duty, military leave or leave of absence. For faculty/instructor positions, service hours include not only classroom instruction time, but also time spent on advising students, class preparation work, course development, office hours, committee work, and other duties as assigned or required by the college.
- b. Standard/Initial Measurement period: The period of time for which an employee's hours are recorded and measured to determine average hours worked. This period can be 3 months but no more than 12 months from the date of hire or from the first of the month following the date of hire.
- c. Administrative period: The time after the Standard/Initial Measurement Period that it takes to enroll an eligible employee in the health plan. This period can be no more than 90 days, and combined with the Measurement Period cannot exceed 13 months from the date of hire.
- d. 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.
- e. Break in service: A period of time for which an employee does not work.
- f. Workload formula: Workload (loading) formula recognizes teaching, scholarship, and service contributions of all curriculum faculty members and non-credit instructors and helps ensure equity in workload assignments. 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).
- g. Credit bearing courses: Curriculum courses for which credit hours are earned and can be applied to degrees, diplomas, and certificates at the community college.
- h. Non-credit bearing classes: Classes that provide lifelong learning opportunities for personal enrichment and career building, such as Basic Skills (College and Career Readiness), Community Education, Business Development and Workforce Training, for which curriculum academic credit is not earned. Prep-time is typically lower than that required for credit-bearing courses.
- i. Seasonal Employee: An employee who is employed on a temporary basis for a defined season, such as registration. (each college will need to define as applicable)
- j. Independent Contract Employee: 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.
- k. Temporary agency employee: An employee assigned to work at the college through a staffing firm.

**AFFORDABLE CARE ACT IMPLEMENTATION POLICY  
ATTACHMENT B**

**Employment Structure: (This section will define the Employment Structure used by the college. Colleges may further define each category or subcategory with regards to benefits offered other than those required for the category.)**

- a. Full-Time Permanent Curriculum Faculty: An employee whose primary work is instruction in credit-bearing courses who works an average of at least 30 service hours per week or 130 service hours per month and is employed on an annual basis of 9 months or more with the reasonable expectation of recurring employment.
- b. Part-Time Permanent Curriculum Faculty: An employee whose primary work is instruction in credit-bearing courses who works between 20-29 service hours per week and is employed on an annual contract of 9 months or more with the reasonable expectation of recurring employment.
- c. Full-Time Temporary Curriculum Faculty: An employee whose primary work is instruction in credit-bearing courses who works an average of at least 30 service hours per week or 130 service hours per month and is employed with a course-based contract for 9 months or less with no expectation of recurring employment.
- d. Adjunct (Part-Time Temporary) Curriculum Faculty: An employee whose primary work is instruction in credit-bearing courses who works less than 30 service hours and is employed with a course-based contract per academic term with no expectation of recurring employment outside of the contracted hours.
- e. Full-Time Permanent Instructors: An employee whose primary work is instruction in non-credit bearing classes who works an average of at least 30 service hours per week or 130 service hours per month and is employed on an annual contract of 9 months or more with the reasonable expectation of continuing employment.
- f. Part-Time Permanent Instructors: An employee whose primary work is instruction in non-credit bearing classes who works between 20-29 service hours per week and is employed on an annual contract of 9 or more months with the expectation of recurring employment.
- g. Full-Time Temporary Instructors: An employee whose primary work is instruction in non-credit bearing classes who works an average of at least 30 service hours per week or 130 hours per month and is employed on a class-based contract for 9 months or less with no expectation of recurring employment.
- h. Part-Time Temporary Instructors: An employee whose primary work is instruction in non-credit bearing classes who works less than 30 service hours per week or 130 service hours per month and is employed on a per class basis with no expectation of recurring employment outside of the contracted hours.
- i. Full-Time Permanent Staff: An employee whose primary work is other than instruction who works at least 30 hours per week and is employed at will or on an annual contract basis with the expectation of recurring employment.
- j. Part-Time Permanent Staff: An employee whose primary work is other than instruction who works between 20-29 hours per week and is employed at will or on an annual or semester contract with the expectation of recurring employment.

- k. Full-Time Temporary Staff: An employee whose primary work is other than instruction who works at least 30 hours per week or 130 hours per month for a period of time, not to exceed 12 months, with no expectation of recurring employment.
  
- l. Part-Time Temporary Staff: An employee whose primary work is other than instruction who works less than 30 hours per week for a period of time, not to exceed 12 months, with no expectation of recurring employment.

**AFFORDABLE CARE ACT IMPLEMENTATION POLICY  
ATTACHMENT C**

**Health Plan Coverage Eligibility: (This section will define who gets coverage and when based upon the employment categories listed above)**

- a. Full-Time Permanent Curriculum Faculty will be offered coverage at the time of hire
- b. Part-Time Permanent Curriculum Faculty may participate in the health plan by paying the entire cost of coverage
- c. Full-Time Temporary Faculty employed for more than 3 months will be offered coverage within 3 months of hire
- d. Adjunct (Part-Time Temporary) Curriculum Faculty will **only** be offered coverage at the start of the Stability Period if the employee averages more than 30 hours per week or 130 hours per month during the Standard/Initial Measurement Period and is still employed during the next Stability Period
- e. Full-Time Permanent Instructors will be offered coverage at time of hire
- f. Part-Time Permanent Instructors may participate in the health plan by paying the entire cost of coverage
- g. Full-Time Temporary Instructors employed for more than 3 months will be offered coverage within 3 months of hire
- h. Part-Time temporary Instructors will **only** be offered coverage at the start of the Stability Period if the employee averages more than 30 hours per week or 130 hours per month during the Standard/Initial Measurement Period and is still employed during the next Stability Period
- i. Full-Time Permanent Staff will be offered coverage at time of hire
- j. Part-Time Permanent Staff may participate in the health plan by paying the entire cost of coverage
- k. Full-time Temporary Staff employed for more than 3 months will be offered coverage within 3 months of hire
- l. Part-Time Temporary Staff will **only** be offered coverage at the start of the Stability Period if the employee averages more than 30 hours per week or 130 hours per month during the Standard/Initial Measurement Period and is still employed during the next Stability Period
- m. Employees hired through a temporary agency may be eligible for coverage through the temporary agency but will not be offered coverage by the college
- n. Independent contractors will not be offered coverage by the college

\*Note for Full-Time Temporary positions: Coverage must be offered within 3 months, so the college needs to make a decision on the duration of the temporary assignment before the end of the 3 months period. If still employed during month 4, you must provide coverage.

	<b>Employment Category/Appointment Type</b>	<b>Eligibility Trigger</b>	<b>Eligibility Point</b>
<b>A</b>	Full Time Permanent Curriculum Faculty	Hire	Time of Hire
<b>B</b>	Part Time Permanent Curriculum Faculty	Hire	Eligible at hire but must pay full cost of coverage
<b>C</b>	Full Time Temporary Faculty	Employed more than 3 months	Within 3 months of months hire
<b>D</b>	Adjunct (Part-Time Temporary) Curriculum Faculty	Averages more than 30 hours per week or 130 hours per month during Measurement period	Subsequent Stability Period assuming continued employment
<b>E</b>	Full Time Permanent Instructor	Hire	Time of Hire
<b>F</b>	Part Time Permanent Instructor	Hire	Eligible at hire but must pay full cost of coverage
	<b>Employment Category/Appointment Type</b>	<b>Eligibility Trigger</b>	<b>Eligibility Point</b>
<b>G</b>	Full Time Temporary Instructor	Employed more than 3 months	Within 3 months of hire
<b>H</b>	Part Time Temporary Instructor	Averages more than 30 hours per week or 130 hours per month during Measurement period	Subsequent Stability Period assuming continued employment
<b>I</b>	Full Time Permanent Staff	Hire	Time of Hire
<b>J</b>	Part Time Permanent Staff	Hire	Eligible at hire but must pay full cost of coverage
<b>K</b>	Full Time Temporary Staff	Employed more than 3 months	Within 3 months of hire
<b>L</b>	Part Time Temporary Staff	Averages more than 30 hours per week	Subsequent Stability Period assuming continued employment
<b>M</b>	Temporary Agency Staff	May be eligible for coverage through the temporary agency	
<b>N</b>	Independent Contractor	No coverage eligibility	