

Effective: 10/23/14

### Definitions

- *Service hours:* Each hour an employee is credited for the performance of services and, if applicable, an employee is entitled to payment for those services during which no duties are performed due to paid leave, such as vacation, holiday, disability, jury duty, military leave or leave of absence.
  - Full-time 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.
  - Part-time faculty/instructor positions: service hours include classroom instruction time, class preparation work, course development, and other duties as assigned or required by the College.
- *Measurement Period:* The period of time for which an employee's hours are recorded and measured to determine average hours worked. This period is one year from the employee's hire date.
  - *Administrative Period:* The time following the Measurement Period to evaluate an employee's full-time status and communicate enrollment options. This period is 30 days.
  - *Stability Period:* This is a 12-month period of time after the Administrative Period, which an ACA-eligible employee will have health coverage while actively employed.
  - *Break in service:* A period of time for which an employee does not work.
- *Full-time workload formula:* The formula recognizes service contributions of all curriculum faculty and non-credit instructors and helps ensure equity in workload assignments. The formula is based on course preparation, instruction, student evaluation, academic advising and registration, coordinating work-based learning opportunities, collaborating with business and industry, competency in professional or technical areas, maintaining office hours, working collaboratively in curriculum development, committee participation, and other duties as assigned or required by the College.
  - *Credit-bearing courses:* Curriculum courses for which credit hours are earned and can be applied to degrees, diplomas, and certificates at the community college.
  - *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 academic credit is not earned. Prep time is typically lower than that required for credit-bearing courses.
  - *Temporary Employee:* An employee who is employed on a temporary basis for a defined period of time.
  - *Federal Work-Study:* a student employee who does not meet eligibility and is paid for work during the semester through funding provided by Mitchell Community College and the Federal Work-Study Program of the Department of Education.

### Non-employee Contracts

- *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.
- *Temporary agency employee:* An employee assigned to work at the College through a staffing firm.

### Employment Structure

- *Full-Time Regular Faculty:* An employee whose primary work is instruction in credit-bearing/non-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 nine (9) months or more.
- *Part-Time Regular Faculty:* An employee whose primary work is instruction in credit-bearing /non-credit bearing courses who works between 20-29 service hours per week and is employed on a semester-by-semester contract. \*\*\*Note – Per HR 05.12 Recruitment for Full and Part-Time Employees; any part-time employee working more than 20 hours per week, must have approval by the President.
- *Full-Time Temporary Faculty:* An employee whose primary work is instruction in credit-bearing/non-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 12 months or less.
- *Full-Time Regular 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.
- *Part-Time Regular 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 a contract basis.
- *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.

### Multiple Positions

Part-time employees are required to obtain pre-approval from the Vice President of the current contracted area to perform any additional work on campus.

### Health Plan Coverage Eligibility

- Full-Time employees will be offered coverage at the time of hire.
- Part-Time employees may participate in the state health plan by paying the entire cost of coverage.

## Affordable Care Act

## Procedure HR 05.36

---

- Full-Time Temporary employees will be offered coverage at the time of hire.
- Part-Time employees (ACA-eligible) 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 Measurement Period and still eligible during the next Stability Period.
- Employees hired through a temporary agency may be eligible for coverage through the temporary agency but will not be offered coverage by the College.
- Independent contractors will not be offered coverage by the College.
- Rehired Retirees with a position that requires coverage under the ACA will no longer be eligible for their retiree health insurance and will be offered coverage as an ACTIVE full-time employee at the start of the Stability Period if the rehired retiree averages more than 30 hours per week or 130 hours per month during the Standard Measurement Period.

### Measurement Period

The measurement period for newly hired employees is tracked for a 12-month period from their date of hire. In all cases during the Measurement Period, the number of hours reported for all employees within the 12-month Measurement Period will be counted toward determining ACA eligibility. If determined to be ACA-eligible, the employee will be offered the opportunity to participate in the State Health Plan and can elect coverage to be effective during the Stability Period.

The *Administrative Period* begins immediately after the Measurement Period. It will be used by the College to calculate the average hours worked during the Measurement Period, determine eligibility and offer health care coverage to those eligible. This is 30 days following the Measurement Period.

The *Stability Period* is a 12-month period that begins immediately after the Administrative Period where an employee is enrolled in the health care coverage. Should an eligible employee's average weekly hours fall below 30 hours per week or 130 hours per month in the Measurement Period, the employee will continue to be eligible for the health plan until the end of the Stability Period. When it has been determined by the Measurement Period that the employee is no longer eligible, the employee will be notified and the coverage will end.

*Breaks in Service* such as semester breaks (spring, summer and winter holiday, etc.) will not be counted against an employee when calculating hours worked.

- For non-established breaks, if an employee has a break in service, which is less than 16 weeks where they have worked zero (0) hours, this will not be considered a break in service, and they will be considered an existing employee.
- Should an employee have a break in service of MORE than 16 weeks, this is considered as a rehire/new employee and the Measurement Period begins again.

## **Affordable Care Act**

## **Procedure HR 05.36**

---

- Also, if the break in service is longer than the period of previous employment, the employee is treated as a new hire and will start over with a new Measurement Period.

### Calculation of Service Hours

Curriculum Faculty: service hours are determined by using the IRS Guideline of two and a quarter (2.25) times the instructor's number of contact hours. This is based on the adjunct's required responsibilities.

Vocational/Technical/Continuing Education Faculty: service hours for Cosmetology, Public Safety, Allied Health/Occupational Extension (C.N.A), Basic Skills and Emergency Medical Technician faculty are determined by using a multiplier of one and a quarter (1.25) times the instructor's number of contact hours. This has been determined by surveys conducted in evaluating the responsibilities required of the instructors.

### **Forms**

No applicable forms

*While on campus this policy can be viewed by accessing Human Resources on SharePoint.*