

## Affordable Care Act Implementation

**\*\*All decisions regarding temporary employee changes will need to be given to HR no later than April 28<sup>th</sup> due to the new guidelines beginning May 1, 2014. This deadline is necessary in order to leave time to make appropriate changes and to input the data into ADP to ensure compliance with new USG BOR regulations.\*\***

There will be a transitional tracking period for the initial implementation of the new ACA Policy that runs from May 1, 2014 through October 31, 2014. It is very important that employees are not worked beyond the amount of hours allotted for temporary employees (25 hrs/week average). If employees are allowed to work 30+ hours a week on average during the transitional tracking period, we will be required to move them into a regular benefited position to avoid taking the temporary required break.

All hours must now be tracked for those employees who are not full-time benefited employees. If there are currently temporary employees in your department coming up on their 30 day break in service, they will not take this break. Everything starts over May 1, 2014 with the new guidelines. At this point the 1300-hours/12-month rule goes into effect. All tracking will start on May 1, 2014 (think of it as a clean slate for all temporary employees regarding their hours/months worked).

- After the transitional tracking period, the temporary employee rule regarding average hours worked per week will not change; but it will be averaged on the entire year and not just a six month period. (This is important to note since many departments work temporary and/or student workers more through the summer months.)

### Staff Employees– May 1 deadline

#### **Temporary Employees- cannot work more than 1300 hrs annually**

- Must take 26 week break in service.
- If needed more than 1300 hrs annually must be moved to regular part-time, non-benefited position, or a full-time benefited position.
- Must monitor hours – if they are exempt will need to record hours in eTime for tracking purposes only (eTime currently defaults hours for exempt employees).
- Must make minimum \$10/hr (will have a classified job title and code) **if moved** to a regular employment status.

#### **Regular Employees**

- Any staff w/. 50FTE-.74FTE (working 20-29 hrs/wk) should be moved to 30+ hrs/week (regular full time) **or** less than 19 hrs/week (regular part time); due to risk of working beyond 1300 hrs/year. Currently we have no employees in the partially benefited category, and best business practice is to ensure that **NONE** should be moved into the partially-benefited category.

### Students Employees- May 1 deadline

#### **Grad Students/Student Assistants – Cannot work over 1300 hrs annually**

- Must monitor hours – although currently GA/SA are exempt from the break in service, departments must monitor hours in eTime to assure they do not exceed 1300 hours. SA's are currently tracked in eTime for

hours worked; however GA's are paid monthly and will have to be entered into eTime for tracking purposes only.

- SAs can work more hrs during summer as is the current practice, but no more than 20 hrs the rest of the year as long as they do not go over 1300 annually. (**\*Be sure to not forget the tracking period from May 1, 2014 through October 31, 2014 in which the hours worked will need to stay under 25 hours/week**).

#### **Faculty-August 1 deadline**

- Contact hrs determine FTE-see conversion chart for details.
- Temporary faculty employed for more than 1 consecutive semester for 30 plus hrs per week (4 courses) must be employed as Regular faculty (some exception for summer employment).
- Faculty working less than 20hrs per week (2 courses) are non-benefits eligible.

#### **Options available regarding the handling of Temp Employees under new ACA Policy**

1. Leave temporary employees as temps, ensuring they do not exceed 25 hours worked per week\* on average. Once they reach 1300 hours; or 12 months (whichever comes first); they must take a 26 week break in service (consecutive).
  - If this option is chosen, it is possible to hire more temporary employees and stagger hiring to ensure that you always have an employee available while one is out on the 26 week break.
2. Reclassify temporary positions into either full-time benefited or part-time non-benefited positions.
  - This will require creating job classifications (unless they fit one of the current VSU job classifications) as well as position descriptions, etc.
  - Keep in mind if you reclassify to a regular position the minimum starting salary will be \$20,800.00 annually (40 hour work week if applicable) or (\$10/hour).
    - If position is reclassified into a part-time non-benefited position the employee must not exceed 19 hours worked per week on average. (This is a viable option for many departments due to the nature of work performed and the desire for departments/employees to avoid a 26 week break in service).
    - **Full-time benefited are 30+ hours/week and are eligible for full benefits in accordance with the University System of Georgia Board of Regents policy 8.2.9 Insurance.**