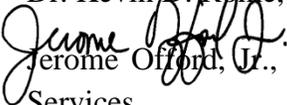




ACTION ITEM

TO: Board of Curators

THROUGH: Dr. Kevin D. Rome, Sr., President

FROM:  Jerome Offord, Jr., Chief of Staff to the President and Dean of Library Services

SUBJECT: New Guidance Policy on Implementation of the Affordability Care Act

DATE: June 3, 2014

Guidance Policy on Lincoln University's Response to the Affordability Care Act Employer Provisions Section 4980H Regarding Employer Provided Health Care for Full Time Employees

The Employer Shared Provisions of the Affordability Care Act, scheduled to take effect in January 2015, require employers with more than fifty full-time employees to provide health insurance benefits to employees who work thirty hours a week for more than 90 days. At Lincoln University three classifications of employees are impacted by these provisions: adjunct and temporary faculty, casual temporaries and student workers.

Once the policy guidance is approved, departments will be notified regarding this guidance so university leaders can have appropriate time to plan if a change is needed in how these classes of employees are scheduled to work. This policy guidance should be followed on all employment transactions for the 2015 fiscal year beginning July 1, 2014.

- 1. Adjunct Faculty and Temporary Faculty:** Lincoln University should use the established reasonable method for crediting hours of service as identified by the federal regulations for adjunct and temporary faculty. For each hour of teaching or classroom time there should be 2 ¼ hours per week recognized for class preparations, grading, advising and counseling: (Example: 9 classroom hours + 20 ¼ hours = 29 ¼ hours per week).

- a. If an adjunct faculty or temporary faculty person teaches more than 9 hours during a semester or has additional assignments beyond 9 hours of teaching, the faculty person will be eligible for employer provided health insurance.
 - i. To do so, a department must receive written Presidential Approval before promoting the vacancy and the start of the selection process for a temporary faculty hire; or for hiring an adjunct to teach more than 9 hours.
 - b. If an adjunct faculty or temporary faculty person works more than one consecutive semester, the break period in between semesters cannot be considered for determining eligibility of continued health insurance.
2. **Casual Employment:** Lincoln University should use the monthly measurement method as identified by the federal regulations. Employer provided health insurance should be offered to casual employees who work 30 or more hours a week or the monthly equivalency of 130 hours in a calendar month based on the below determinations. Casuals who work 30 or more hours a week but for a duration of less than 90 days do not have to be offered employer health insurance. This applies only once per period of employment as defined by 26 week period of non-employment status for an educational organization. An employee, who meets the eligibility criteria, has the opportunity to decline the offer of employer offered health insurance. **To assist with the management and interpretation of this clause, Lincoln University adopts the following policy:**
- i. All Casual positions will be limited to 25 hours per week for all positions regardless of funding unless Presidential approval is requested and granted to hire Casual Employees who work more than 25 hours a week.
 - ii. This will take effect on November 1, 2014 to ensure that those who are current Casual employees will agree to this policy change.
- b. Any new Casual Employees hired after July 1, 2014, will be required to follow the aforementioned 25 hours per week rule.
 - c. For a casual position that does not meet either of the above criteria but works beyond a 90 day period, and 25 hours per week, the health insurance should be offered before the end of three full calendar months, no later than the day after this 90 day period. Any casual position meeting this clause will require Presidential approval prior to the start of the casual appointment.
 - d. **Student Employment:** Lincoln University should use the monthly measurement method as identified by the federal regulations. Employer provided health insurance should be offered to student worker employees who work 30 or more hours a week or the monthly equivalency of 130 hours in a calendar month based on the below determinations. The employer provided health insurance should be offered to a student worker before the end of three full calendar months, but no later than the day after this 90 day period. Student workers who work 30 or more

hours a week but for a duration of less than 90 days do not have to be offered employer health insurance. This applies only once per period of employment as defined by 26 week period of non-employment status for an educational organization. **To assist with the management and interpretation of this clause, Lincoln University adopts the following policy:**

- i.** All student workers will be limited to 20 hours per week for all positions regardless of funding unless a department gets prior Presidential approval to hire Student Workers who work up to 25 hours a week.
- ii.** This will take effect on January 1, 2014.
- iii.** Students on Federal Work Study are excluded for eligibility of employer provided health coverage.
- iv.** Students on Internships and Externships are excluded for eligibility of employer provided health coverage.