

NDSU NORTH DAKOTA
STATE UNIVERSITY

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Affordable Care Act (ACA)

Definitions: 3 categories

- **Benefited Employee:** *In an approved and regularly funded position, working 20 or more hours per week, working 20 or more weeks per year.*
- **Full-time ACA Temporary Employee:** *Working 30 or more hours per week or 130 hours per month or 1,560 hours per year: Includes any employee that is reasonably expected to work 30 hours per week for a month, variable hour employees, and does not meet the seasonal definition.*
- **Seasonal Employee:** *Working 6 months or less for a designated season and does not meet the 1,560 hours rule in the look back period. Cannot be a split season.*

Who Does ACA Apply To?

- **Work Study Students:** Are excluded
- **Non-Work Study Students:** Are included in the counting of hours for ACA
- **Temporary Employees:** Are included in the counting of hours for ACA
- **Resident Assistants (RAs):** Are included in the counting of hours for ACA
- **Part Time Academics (PTAs):** Are included in the counting of hours for the ACA.
- **Graduate Assistants:** Are included in the counting of hours for the ACA
- **DCE** – Are included in the counting of hours for the ACA
- **Summer School:** Are included in the counting of hours for the ACA

1 Employer

- All State Agencies
- All of ND University System
- For calculating eligibility, all hours count!

Cost of Providing Healthcare

- Single Coverage Annual Premium = \$6,549.36
- NDUS is using Federal Poverty Level
 - Employee = \$1,118.16 annually/\$46.59/ppd
 - Employer = \$5,431.20 annually/\$225.55/ppd
- Penalty for non-compliance:
 - \$2,000 per NDUS employee
 - \$3,000 per employee that receives credit on marketplace and should have been offered

Process for Determining ACA Eligibility

- Annual: ACA look back for continuing employees: November 1 through October 31 each year
 - Open enrollment for eligible lookback employees in late November each year, with coverage effective January 1
- Monthly: HR/Payroll conducts a monthly analysis to determine eligibility for rehired employees
- If an employee is hired into a non-seasonal position and reasonably expected to work 30+ hours per week for 3 months or more –coverage will be offered at time of hire
- If an employee is expected to work 20 hours or more for 20 weeks or more, department should consider hiring them into a fully benefited position, per state law

Policy

Policy 101.2

Regular Employee

An employee, who satisfactorily completes a probationary period, or a non-banded employee, working 20 or more hours per week, working 20 or more weeks per year in an approved and regularly funded position. Part-time lecturer is generally considered to be a regular employee if she/he teaches 7.5 or more credits for two or more consecutive semesters.

Policy

Policy 101.2.2.1:

Seasonal Employee: Working 6 months or less for a designated season *and does not meet the 1,560 hours rule in the look back period. Cannot be a split season.*

Policy Updates Coming

Policy 101

- **Full-time ACA Temporary Employee:** *Working 30 or more hours per week or 130 hours per month or 1,560 hours per year: Includes any employee that is reasonably expected to work 30 hours per week for a month, variable hour employees, and does not meet the seasonal definition.*

Policy Updates Coming

Policy 128.1:

A timeslip/temporary employee is a person employed in a position of intermittent or limited duration not to exceed one year, a seasonal position, or in a position working less than seventeen and one-half hours per week if hired before August 1, 2003, or twenty hours per week if hired on or after August 1, 2003 and at less than twenty weeks each year. (*This also includes graduate assistants and student employees whose employment is incidental to their student status.*)

ACA Lessons Learned

- End dates or other notes on Hiring Forms in the Comments/Remarks boxes save time
 - HR/Payroll does not have to contact department to find out how long the employee will be working 30+ hours
 - HR/Payroll does not enter the end date, except for seasonal positions

ACA Lessons Learned

- Just because the department does not expect the employee to exceed 1,560 hours in a year does not mean they do not need to be offered ACA coverage
 - If the employee will be working 30+ hours per week for 3 months or more with no end date or expectation that hours per week will drop, employee must be offered

Questions???