

Valdosta State University ACA Procedures

VSU has adopted the following policy and procedures in an effort to remain compliant with the Affordable Care Act rules, regulations, and the guidelines set forth by the USG. Please review these procedures carefully when dealing with employees who are not full benefits eligible (part-time less than 29 hours per week) and/or temporary employees.

If a violation of current USG policy or ACA rules and regulations is found at any point we must take immediate action to rectify the issue going forward.

Initial ACA Implementation/ACA Tracking

During the initial implementation period, beginning May 1, 2014, we were able to reclassify many temporary positions to regular positions depending on departmental and budgetary needs. Those that could not be reclassified were notified of the new ACA rules and regulations. In addition:

- All new temporary hires sign an ACA Acknowledgement form.
- In the rare case when someone does violate the ACA we will extend benefits to them and switch them to a regular status if applicable.
- When a department wants to hire for a temporary position, we ensure that they are aware of the ACA requirements and make sure that they put the actual dates the temporary employee will work in the hiring form or posting.
- Effective July 7, 2015 it is recommended that all temporary positions are for 3 months or less to avoid issues, . We understand that this will not always be possible; however we have been successful in limiting the temporary employment timeframe in most areas.
- As of July 7, 2015 Graduate Assistants and Student Assistants should not be switched to a temporary status once they have worked as a GA or SA (this is to ensure GA's/SA's who have worked 12+ months do not get switched to a temporary position)
 - Ex.: According to the Employee Categories Working Group:

Q: If we have an employee who was a GA on May 1, 2014 when the ACA took effect and worked through as a GA through May 15, 2015, at which time they graduated and started in a temporary position on May 16, 2015, would they be in violation of the ACA since their 12 month tracking period theoretically started over on May 1, 2015?

A: ECWG Response: *"The tracking period runs from May 2014 through April 30, 2015. Hours should not have exceeded 1300 hours in the 12-consecutive month period. Because they had previously worked in a temporary capacity, they must be hired/converted into a regular status effective May, 2015 or have a 26-week break-in-service now that they were in a non-student status as of May 1, 2015. The clock on temporary status does not start over when they leave student status and go into a non-student temporary status."*

Methods of Tracking:

1. Using SSC FTP Reports
2. Custom eTime Reports
 - a. Monthly reports are run.
 - i. Report of all GA's hours worked.
 - ii. Report of all Student Assistant and Work Study hours worked (still minor issues regarding the ACA QuickNav reports in eTime).
 - iii. Report of all part-time employees 29 hours or less worked (0.74 and under).
 - iv. Report of all temporary employees' hours worked (custom built due to issue of employees switching between categories, ex. GA/SA to temp).
 - b. These reports are used to see which employees are being overworked. By breaking it down to a month by month report (bi-weekly are broken down by pay period where necessary), we are able to catch those employees who are overworked sooner than waiting on FTP reports, etc.
 - c. When an employee is found to be over the allowed time (FTE for part-time employees, contracted hours for GA/SA), their supervisor will be notified and informed that corrective action is needed immediately.
3. Equifax ACA Management Platform
 - a. This tool is planned to rollout early 2016, as of February 2016 there are still some technical issues.
 - b. Board office is putting together trainings for Data Explorers that are more related to the USG..

Employee Categories and Procedures for Each

Temporary Employees

As of July 7, 2015 we are attempting to move away from temporary employees and instead urge departments to hire regular staff for these positions. However, in the case where a temporary employee is hired, it should not be for more than 3 months when possible.

Guidelines on temporary employment:

- Temporary staff employees who work over the 1300 hour limit will be offered health benefits or moved into a regular status position.
- Temporary staff employees can work up to 40 hours for a short duration as long as they do not go over the 1300 hour limit per ACA or 12 months of employment without first having a 26-week break in service.
- Manual calculations and reports have to be tracked to ensure that employees hours are not over allowable amounts. This means that once a month these employees' total hours worked from their date of hire needs to be checked.

- Also the time in service has to be watched to ensure that they do not go over the 12 month mark.
- All temporary employees must have a termination date input into ADP upon hire.

Times inputting a termination date is an issue:

- If a department wants to extend an employee beyond that date, in which case we have to watch closely (as of July 7, 2015 we should not be employing temporaries beyond 3 months when possible).
- If an employee switches between student and temporary or vice versa (as of July 7, 2015 we are watching Student Assistants and Graduate Assistants who switch to a temporary capacity in order to avoid audit and compliance issues. This practice should be limited as there are small windows where this would not be an audit issue).
- If a temporary employee is terminated and brought back prior to having a 26-week break in service first (this should be caught during the ADP audit).
- If a temporary employee works over the allowable 12 month limit, they will need to be addressed and converted to regular employment status (part-time or full-time).

Prior to hiring a temporary:

- An audit is ran of our employment system (ADP) to check if the individual was hired for VSU or another USG institution prior to having a 26 week break in service. If it is found that the employee did work for another USG institution before coming to VSU and did not first have a 26 week break in service, the department wishing to hire is notified that the employee can only work "X amount of weeks and hours" before coming into violation of the ACA.
 - a. Temporary employees are urged to provide us with the names of other USG institutions they may have worked for in order to aid us in our tracking for ACA compliance.
 - b. Special attention is given to Students and GA's who go from a Student Worker or GA into a temporary position due to Students and GA's being exempt from the time in service provision of the ACA (12 months). Therefore we audit to ensure the department wishing to hire understands that since the employees initial hire date as a Student or GA was "X" that they can only work them "Y" amount of weeks before they hit their 12 month mark and will require a 26 week break in service. **As of July 7, 2015 we have changed our process on these individuals; their ability to switch to a temporary capacity is drastically limited and therefore should be less of an ACA audit issue.*
- Temporary employees are given an ACA acknowledgement form to sign at the time of hire:

Affordable Care Act Letter of Acknowledgement

Dear VSU Temporary Employee,

Your position is subject to the rules and regulations of the Affordable Care Act. Below are the rules for Temporary Employment.

- A temporary is non-benefits eligible.
- A temporary does not have an expectation of long-term employment.
- A temporary may be fulltime or part-time and may not exceed a total of 1,300 hours worked in a 12-consecutive month period.
 - A temporary must have a 26-week break-in-service if they have worked 1,300 hours in a 12-consecutive month period from their hire date. The 1,300 hours can be accumulated in any combination during the 12 month period; however, once an employee has worked 1,300 hours or worked for 12 consecutive months, whichever is first, the temporary employee must have a break in service of 26 weeks or be converted to Regular. In order for a temporary employee to be able to work the entire 12 months, temp employees should not average over 25 hours/week.

Please communicate with your supervisor if you have further concerns regarding this policy.

Sincerely,

Ernest L. Smith

Classification and Compensation Analyst

Employee Name (Printed): _____

Employee Name (Signed): _____

Date: _____

1. All hours worked are recorded for ACA tracking purposes (Payroll assists with the stipend employees who are paid via lump sum).
2. USG FTP reports as well as our own eTime reports and audits are utilized to ensure the employee is not over the hourly or total monthly in service provisions of the ACA without having the appropriate break in service or offered benefits.
 - These reports are ran periodically
3. If an employee is worked over the allowable hours or time in service they are offered benefits:

ACA Mandates Benefits Election Form

According to the ACA mandates and recent reporting period data, you have become eligible for health benefits coverage for the January 1, 2015 through December 31, 2015 plan period.

* If employment continues you will be eligible to begin coverage January 1, 2015 if you elect to accept.

Valdosta State University provides for the following options.

Please select one of the following options below (check):

Option 1: Comprehensive Care Plan

Option 2: Consumer Choice HSA Plan

Option 3: No health benefit coverage

(Initial) I understand by electing "No health benefit coverage" for this eligibility event that I will not be eligible for health benefits coverage for the January 1, 2015 through December 31, 2015 plan period.

Printed Name: _____

Signature: _____ Date _____

Department: _____

Daytime Phone Number: _____

Part-Time Staff

1. Any part-time staff that is hired is categorized as either partial benefits eligible or non-benefits eligible based on their FTE (standard hours worked).
 - a. 0-0.49 FTE = Non-benefits eligible
 - b. 0.50 FTE-0.74 FTE = Partial benefits eligible
 - c. 0.75 FTE = Full benefits eligible
2. If an employee falls in the non-benefits eligible through the partial benefits eligible FTE (0-0.74 FTE), their hours worked are tracked to determine benefits eligibility.
3. USG FTP reports and our own eTime reports are used in assisting with tracking our compliance and not overworking a non-benefits or partial benefits eligible employee.
4. Going forward we want to ensure that all part-time employees (including rehired retirees) are put in a 51H (bi-weekly) pay group as this assists with ACA tracking via eTime and Equifax reporting.

Temporary and Part-Time Faculty

Valdosta State does not currently employ any temporary faculty. VSU does employ part-time faculty and they are usually only employed for only one semester at a time.

1. Hours are tracked based off the USG conversion chart provided www.usg.edu/hr/manual/employee_categories (Academic Affairs turns in the hours to payroll and payroll records them in eTime).
2. All part-time Faculty are tracked to see if they need to be offered partial benefits (The USG conversion chart keeps us from overloading Faculty members. Those who will be in trouble of becoming partially benefited should be caught at the onset and dealt with appropriately).
3. Those faculty members who recognized as temporary are only classified as temporary for one semester and therefore always have at least a 26 week break in service between being active.
 - a. Currently we do not have any temporary faculty (Academic Affairs has verified February 2016).
4. Part-time and temporary Faculty are urged to provide us with the names of other USG institutions they are working for or have worked for in order to assist us with our ACA compliance and tracking.
5. If a faculty member states they are working for another institution, we contact that institution to verify courses taught, standard hours worked, etc. (based off conversion chart).

Faculty Clinical Hours, etc.

It should be noted that some areas are not comfortable with using the USG provided Conversion Chart as it is not an accurate reflection of the hours worked. For these individuals Academic Affairs has allowed them to track hours worked at the Departmental level for ACA compliance. With the transition of Faculty hiring to Human Resources in 2016, we are looking at various options to handle this tracking moving forward.

Option 1 – Have all part-time Faculty who do not use the conversion chart track actual hours worked and record in eTime for ACA compliance purposes.

Option 2 – Mandate that all part-time faculty use the USG provided Conversion Chart, regardless of type of course they are teaching. This method will result in Clinical instructors being able to work less hours in some instances. This option will be addressed once the USG provides and updated chart for those clinical instructors, art instructors, etc.

Part-Time Teaching Faculty Agreement Form (Sample)

Part-Time Teaching Faculty Agreement Form

Original form to be submitted to Provost Office for filing prior to first class day of semester

To:	Date:
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(Please print Instructor’s full name)

Based upon this appointment, this agreement applies specifically to the credit course(s) described below:

Term: Fall 2014				Begin Date: 8/18/2014		End Date: 12/15/14	
CRN	Course	Contact Hours	Standard Hours Worked	Days	Times	Location	Compensation
Total							

Department Head/Director: _____ Date: _____

Dean: _____ Date: _____

CONDITIONS OF THIS AGREEMENT

This agreement is based upon and subject to the following conditions:

- The Affordable Care Act requires employers to track employee hours worked/paid. Based on the course(s) listed above, it is expected that your total of contact hours will equate to standard hours worked. Please let your department chair or supervisor know immediately if your job requires additional hours worked so that it can be approved in advance and recorded. If you do not notify your department chair or supervisor of any changes to your schedule, we will expect that you are averaging the number of hours per week noted above (see Human Resources Administrative Practices Manual Employee Categories Policy, http://www.usg.edu/hr/manual/employee_categories, for additional information).
- A part-time faculty member working or teaching at more than one USG institution must notify each institution of the appointments, disclose the number of credit hours being taught at each institution and may have his/her employment limited by the institutions.
- Satisfactory Enrollment – in the event that the course enrollment falls below the minimum, the decision to proceed with the course will be determined by the Institution. We cannot guarantee that you will teach particular courses, that you will be scheduled to teach, or that you will actually teach in any given semester.
- Employment must meet Academic & Student Affairs Handbook, Section 4.2 – Definition of Part-Time which is subject to the following conditions:
 1. Are employed as-needed, on a per-course, per semester limited term basis at the discretion of the institution and will receive no compensation unless a part-time assignment is given
 2. Are not accruing time toward tenure
 3. Are required to sign a letter of agreement for each appointment period and are not issued contracts

- 4. Are not the same as adjunct (courtesy) faculty appointments
- 5. Are not eligible for USG benefits, unless the part-time appointment is regular and .5 FTE or greater, in which case the benefits offered will be based on FTE in accordance with the Employees Categories policy in the Human Resources Administrative Practices Manual
- 6. Are required to work an average of less than 30 hours per week over the academic year. Hours worked per week are based on Contact hours. See conversion chart to determine the number of contact hours that can be assigned to the part-time faculty to meet the less than 30 hours per week condition
- Other institution-specific conditions as attached

This agreement is made expressly subject to the applicable State and Federal laws and to the statutes and regulations of this institution and the Bylaws of the Policies of the Board of Regents which are available for your inspection upon request. Acceptance of this appointment under the terms set forth herein is indicated by signing this agreement.

Are you currently employed or anticipate being employed at another USG Institution? ___ Yes ___ No If yes, please attach list of institution(s) and the anticipated number of credit hours being taught per institution.

Signature of Part Time Instructor _____
Date

Joint Staffing Form

**VALDOSTA STATE UNIVERSITY
EMPLOYMENT COMPENSATION AGREEMENT
BETWEEN INSTITUTIONS**

1. **REQUESTING INSTITUTION** Valdosta State University **PROVIDING INSTITUTION** _____

2. **REQUESTING INSTITUTION'S NEED** for and description of services to be performed (attach additional sheets if necessary).

3. **REQUESTING INSTITUTION'S JUSTIFICATION** for obtaining part-time services from another University System employee in lieu of obtaining such services from a person not presently employed by the University System (attach additional sheets if necessary).

4. EMPLOYEE'S CERTIFICATION: NAME _____ _____ _____	Employee to perform services as (mark one): _____ Chaplain _____ Fireman _____ Dentist _____ Registered Nurse _____ Licensed _____ Licensed Physician _____ Certified Oral or Manual Interpreter for _____ Deaf Persons
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EMPLOYED BY _____ Teacher or Instructor of an evening or
night course or program

NO. OF CREDIT HOURS _____ Professional holding a doctoral or
masters degree from an _____
accredited college or university

EMPLOYEE'S SIGNATURE _____

DATE _____ Other (Specify) _____

5. MEANS OF PAYMENT : Requesting institution pays Providing Institution
 Requesting institution pays Individual

6. METHOD OF PAYMENT: Subject to performance of services and approval of an invoice, payment will be made via the institution's normal processing channels. Payment for employees will be made to the providing institution, which will pay excess compensation to the employee. Payment for consultants will be made to consultant directly, unless other arrangements are made.

Account Number Joint Staffing
Fee for Service _____
Estimated Reimbursable Expense _____
Total Estimated Cost _____
Projected Dates of Service _____
Payee (Institution or Individual) Institution

7. CONTACT INFORMATION (Individuals responsible for billing or processing payment):

REQUESTING INSTITUTION

PROVIDING INSTITUTION

Name: _____ Name: _____
Phone: _____ Phone: _____
E-mail: _____ E-mail: _____

8. PROVIDING INSTITUTIONS CERTIFICATION OF AVAILABILITY OF EMPLOYEE:

I certify that the above person is available to perform the described services and that the performance of these services will not detract from nor have a detrimental effect on the performance of the person's employment at our institution.

Employee's Dean/Department Head _____ Date _____

9. APPROVED BY: _____

President, Providing Institution _____ Date _____

President, Requesting Institution

Date

USG Part Time Faculty Definition

Regular Part Time Faculty – employed during Fall and Spring semester in an academic year. For those that are in the Regular PT category the University must ensure that these individuals are not working more than 20 hours per week (the 1300 rules does not apply to this group).

Temporary Part Time Faculty – employed during either Fall or Spring semester in an academic year but not both. For those that are in the Temporary category these individuals may work up to 29 hours per week but not go over 1300 hours within the academic year (Aug-May).

VSU – 4 Groups of PT Faculty Instruction

General Rules – Pay group 51P; Job Code 51PT00; Fall semester payroll is paid evenly over 5 months August-December; Spring semester payroll is paid evenly over 5 months January-May.

Group 1 – Normal PT Instructors If person being considered has never worked at VSU and you want to consider him/her then at the departmental level collect a vitae/resume only.

- If person being considered has never worked at VSU and you know they will work in a given semester decision has been made then request that a PT employment packet be sent to the individual for completion at least 2 months in advance of hire date.
- Have all PT Faculty complete a PT Agreement form and forward to Academic Affairs.

Group 2 – Currently employed VSU personnel (Staff)

- Must complete a PT Agreement AND a VSU Human Resources Extra Compensation Form a month prior to beginning of semester. If both forms are not completed payroll will not be processed.

Group 3 – Joint Staffing – these are currently employed USG personnel that you wish to hire at VSU

- Should complete a USG Joint Staffing Form – this should be initiated at the department level of the requesting institution and approved by each institution's President.
- Special attention needs to be given to those Faculty members whom you are desiring to hire for more than 1 course (especially if this employee is a part-time non-benefited for another institution) as it could result in an ACA issue.

Group 4 – Rehired Retirees – VSU Retirees

- As per Human Resources all VSU rehired retirees should complete a PT Agreement form AND a HR Optional Retiree Form found at www.valdosta.edu/administration/finance-admin/human-resources/forms/rehired-retiree-employment-form.pdf. This form should be done on a fiscal basis. Hours should be tracked in eTime.

Faculty Overloads – USG Contract Addendum to be completed

While overloads are not the norm, there are times when a department will have a need to overload a faculty member in a given semester. When this occurs approval should be given via the Dean's office. The appropriate form to process this for payroll is the USG Contract Addendum form.

Student Assistants/Grad Assistants

Prior to hiring, an audit is ran of our employment system (ADP) to check if the individual was hired for VSU or another USG institution so that we will know how many hours remaining they can work. If it is found that the employee did work for another USG institution before coming to VSU, the department wishing to hire is notified that the employee can only work "X amount of weeks and hours" before reaching the ACA cap.

- a. Student Workers and Grad Assistants are urged to provide other institutions they may have worked for in order to aid with ACA tracking.
- b. Special attention is given to those Students or GA's who switch positions multiple times throughout their 12 month tracking period. As of July 7, 2015, in an effort to prevent employees from being worked into a benefited status, SA's/GA's should not be allowed to switch to temporary).
- c. Audits of ADP have to go into more detail to ensure that we are not overlooking the actual hire date.

A report is ran monthly of all Student Assistants/GA's to show the hours worked for the previous month. This report is sent to the Graduate School and Student Employment Office so that they can follow-up with the departments who are overworking SA/GA's.

- If the department continues to overwork SA's/GA's, then the graduate school or student employment will take appropriate action up to and including terminating the Student Assistant or Graduate Assistant.

Resident Assistants

- A reminder email is sent periodically to the Director of housing reminding that RAs "on-call" time should be tracked if the employee is limited to campus. Changes to the Resident Assistant employment agreement/job description may be needed to enable the institution to ignore certain 'down time' hours.

Examples:

- 1: In some agreements, RAs are required to stay on campus or have other restrictions which would require hours to be counted
- 2: Make changes – during non-working hours not required to be on campus and activities not otherwise restricted

Examples:

- Institution D requires RAs to be in the building or dorm when on-call
 - Count as hours worked since activities are restricted

- Institution E requires RAs to be in their room when on-call
 - Count as hours worked since activities are restricted

Graduate Assistants

GRA's are offered the USG provided insurance plan during onboarding. In February 2015, an email was sent to all active GRA's offering benefits. All declined and those who did not respond were marked as declining.

1. For the upcoming academic year (2015-2016) a GA appointment form will need to be filled out which clearly notes that each GA must enter their hours in ADP and failure to do so will result in termination of the graduate assistantship. This will be emphasized in our GA training.
2. It has been emphasized to our GA supervisors that they must approve their GA hours in ADP and verify that the hours are accurate. An email was sent to all of our GA supervisors in the spring to note that GAs must enter their hours in ADP with verification and approval by the supervisor. We will continue to do so every semester as well as emphasize this in our GA supervisor training.
3. In Deans' Council, the academic deans have been enlisted to emphasize to all department heads and faculty that GA hours must be entered in ADP and approved by supervisors. We have repeatedly emphasized that GAs are not exempt appointments.
4. The monthly report on whether or not GAs are entering their hours in ADP will be the main self-auditing/warning tool. In the first instance, we can give the GA and supervisor a warning. In a second instance, we can terminate the assistantship.

The Graduate School Dean will contact, (just as he does with grants and contracts), personally and follow up with faculty who are not following our policies and procedures.

Affordable Care Act Letter of Acknowledgement

Dear VSU Graduate Assistant,

Graduate Assistants are considered temporary employees of the University System and therefore your position is subject to the rules and regulations of the Affordable Care Act. Below are the rules for Graduate Assistants (temporary employment).

- Graduate Assistants are non-benefits eligible.
- Student Employees (to include Graduate Assistants) may not exceed a total of 1300 hours worked in a consecutive 12-month period. The 1300 hours can be accumulated in any combination during the 12-month period. Student employees are not subject to the re-employment restriction requiring a break in service after 12-consecutive months of employment.
- International students in lawful F-1 and J-1 status who are enrolled full-time are eligible to work for an institution but must not work more than 20 hours per week in accordance with visa restrictions and must ensure compliance with Federal Work Study requirements.
- Graduate Assistants must record and report all hours worked in the eTime module provided through ADP. All time must be recorded accurately and be approved by the supervisor no later than the end of the month.
- A Graduate Assistant should not work more than 25 hours in any given week (even if making up hours).

Please speak with your supervisor if you have further concerns regarding this policy.

Employee Name (Printed): _____

Employee Signature: _____

Date: _____

Independent Contractors

Human Resources must determine whether an individual Supplier (rather than a business entity) is eligible for independent contractor status. Therefore, for any service agreement with an individual Supplier, the requesting Department must complete and submit a Determination of Status Form along with the Service Agreement Form to Ernest Smith in HR at ernsmith@valdosta.edu prior to signing the Service Agreement or submitting an ePro request. Upon receipt of a written determination of independent contractor status from HR, the Department may proceed with signatures and submission. The Determination of Status Form may be accessed at the following link:

Print and fill out version: <http://www.valdosta.edu/administration/finance-admin/human-resources/documents/independent-contractor-questionnaire.pdf>

Editable online version: <http://www.valdosta.edu/administration/finance-admin/human-resources/forms/independent-contractor-questionnaire-editable.pdf>

USG Policy on Independent Contractors-

http://www.usg.edu/hr/manual/determination_of_status_employee_vs_independent_contractor

Periodic Emails (Once a semester)

Sent to Staff and Faculty Listserv:

Good morning,

In order to comply with the federal regulations in the Affordable Care ACT (ACA), as well as remain compliant with the USG Board of Regents policy, we must track all hours worked to determine benefits eligibility for the following groups:

- Students
- Graduate Assistants
- Part-time employees (less than 30 hours)
- Temporary employees
- Rehired Retirees (as long as in compliance with TRS, ERS, Regents ORP 19 hours/week, they should not become a ACA issue but still require tracking)
- Audit/Compliance Issues with Students moving into Temporary positions:

Student employees who switch to a temporary position upon graduation (all hours and time count back to the time the Student was initially employed). A quick rule of thumb to limit problems is to avoid hiring any currently employed student worker into a temporary position once they graduate. If you are thinking of hiring a student as a temporary employee upon graduation please contact HR or Student Employment to check for any issues with the students eligibility for hire as a temporary.

Please contact me in HR (229-333-5712) if you have any specific questions and I will be happy to assist you. See below for more details on the USG ACA Policy.

USG ACA Policy Information

Staff Requirements of the Affordable Care Act (ACA): Under the ACA, all regular staff employees who work less than 30 hours per week (less than .75 FTE) and all temporary staff employees shall record and report all hours worked to determine health benefits eligibility.

Faculty Requirements of the Affordable Care Act (ACA): Under the ACA, a reasonable method of crediting hours for Part-time Regular and Temporary Faculty may be used to determine healthcare eligibility. The University System of Georgia has determined that a reasonable method for converting credit hours or contact hours to standard hours work is as follows: 1.25 Prep/Grading hours + .5 Office/Meeting hours per each Classroom/Contact hour per week. Graduate Assistants and Graduate Research Assistants will track hours worked.

- Temporary Employment Status: Temporary employment is short in duration to address business needs and must meet the requirements and characteristics described below:
 - 1.) A temporary is non-benefits eligible.
 - 2.) A temporary does not have an expectation of long-term employment.
 - 3.) A temporary may be full-time or part-time.
 - A temporary employee may not exceed a total of 1,300 hours worked in a 12-consecutive month period. The 1,300 hours can be accumulated in any combination during the 12 month period. Once a temporary employee has worked 1,300 hours OR has been employed for 12 consecutive months, whichever comes first, the temporary employee must have a break in service of 26 consecutive weeks. Employment applies across all USG institutions.
 - If a temporary employee is needed beyond the 1,300 hours, they must be moved to a regular employee status.
 - A temporary who is dually or jointly employed in more than one position must have all hours worked counted towards the 1,300 hour worked limit from the date of hire into the first position this includes Temporary Staff Arrangements.
 - 4.) A temporary may be separated at any time for any reason without notice and either the employer or the employee can end the employment relationship. Such separation is not grievable or subject to appeal.
 - 5.) A temporary is typically considered non-exempt under the federal Fair Labor Standards Act's overtime provisions and paid for all hours worked on an hour-for-hour basis, and they must receive overtime pay for hours worked over 40 in a workweek at a rate not less than time and one-half their regular rate of pay. In some instances, temporary employees, such as graduate assistants, post docs or credentialed professionals, may be exempt.

Note: If a temporary employee exceeds an average 30 or more hours per week during the ACA measurement period and meets the definition of healthcare eligibility under ACA, if they continue employment in a regular position, they will become eligible to enroll in healthcare benefits during the ACA administrative period.

- Student Employees: Student Employees are considered temporary and include graduate assistants and student workers. Student Employees may not exceed a total of 1,300 hours worked in a 12-consecutive month period. The 1,300 hours can be accumulated in any combination during the 12 month period. Student employees' are not subject to the re-employment restriction requiring a break-in-service after 12-consecutive months of employment.

Sample Email Sent for Student Assistants

Hello,

In order to comply with the federal regulations in the Patient Protection and Affordable Care Act (PPACA), hereto after referred as "ACA," properly employed student assistants, from May 10, 2015 to August 16, 2015, who meet specified criteria are permitted to work up to 39 hours/week in all student assistant jobs combined during the summer semester; however, please be aware of the following:

- **As of May 1, 2014, students may not work over 1300 hours annually in all jobs combined, and all hours worked must be entered into eTime for tracking purposes.**
- Students must have taken 6 credit hours or more during the previous spring semester and will be returning in August for 6 credit hours or more to remain a student assistant classification (exception – graduating in the summer);
- Exceeding the allowable hours for summer will result in termination of your employee's student assistant classification;
- As of August 17, 2015, regular hours will apply, which is a maximum of 20 hours/week in all jobs combined; and
- Noted limits to allowable work hours are in accordance with IRS tax regulations for student employment.

If you have any questions and/or concerns, please contact me at 229-333-7574.

Thank you.

Warning Emails (Possible example)

Good morning/afternoon,

It has come to our attention that {Employee's Name} has worked over their allowable hours for the month of {Month}.

Corrective action must be taken immediately. Please contact the appropriate office to discuss what will need to occur to correct this issue.

Temporary and Part-time Employees – Contact Human Resources (Ext. 5709)

Student Assistants – Contact Student Employment Office (Ext. 7575)

Graduate Assistants – Contact Graduate School (Ext. 5694)

In an effort to remain compliant with the Affordable Care Act's rules and regulations as well as USG and VSU policy, monthly reports are ran of part-time employees, Student Assistants/Graduate Assistants, and temporary employees to ensure that everyone is in compliance with their allowable hours (and time in service criteria for temporary employees).

Please contact VSU HR if you have any further questions or concerns.

Thanks,

HR

USG Definitions:

The below definitions apply to terms used in this policy:

- **Benefits Eligible:** There are three definitions pertaining to benefits eligible as described below:
 1. **Full Benefits Eligible:** This is defined as 30 or more hours per week or .75 FTE and greater, which applies to regular faculty and regular staff employees. Full benefits include all benefits in accordance with University System of Georgia of Board of Regents policy 8.2.9 Insurance.
 2. **Partial Benefits Eligible:** This is defined as 20 to 29 hours per week or .5 FTE to .74 FTE. Partial benefits eligible may apply to regular faculty and regular staff employees. Partial benefits include retirement and pro-rated leave accruals.
 3. **Non-Benefits Eligible:** This is defined as 19 or less hours per week (.49 FTE or less), which applies to regular faculty and staff employees. Non-benefits eligible also includes temporary faculty, staff, and student employees who may not work more than 1,300 hours in a 12 month period as defined later in this policy. Students may not be placed into a regular status.
- **Board of Regents:** The governing body of the University System of Georgia

Employee Categories

Faculty: The faculty shall consist of the corps of instruction and the administrative officers as defined in Section 3 of the Policy Manual of the Board of Regents of the University System of Georgia.

- **Staff:** Staff employees shall consist of two major employee groups 1) staff *professional and administrative employees* and 2) *staff non-exempt* and defined as follows:
 1. **Staff Professional and Administrative Employees** are exempt from the Federal Wage-Hour provisions of the Fair Labor Standards Act (FLSA) because of their professional or administrative responsibilities. (This group does not include faculty or graduate assistants); and
 2. **Staff Non-Exempt Employees** are not exempt from the federal wage-hour provisions of the Fair Labor Standards Act (FLSA). (NOTE: The University System of Georgia position classification system includes the appropriate FLSA status in the “Master List with Definitions and Guidelines”.)
- **Student Employees:** Student Employees are considered temporary and include graduate assistants and student workers.

Employment Status

- **Regular Employment Status:** Regular employment is *considered continuous* and may also be defined by agreement, contract, term, or restricted funding source(s). Regular employment may be benefits eligible, partial benefits eligible, non-benefits eligible, full-time or part-time, exempt or nonexempt. Regular exempt employment must meet the “salary basis” requirement under the federal Fair Labor Standards Act (FLSA).

- **Salary Basis:** Being paid on a “salary basis” means an employee regularly receives a predetermined amount of compensation each pay period on a weekly or less frequent basis and the predetermined amount cannot be reduced because of variations in the quality or quantity of the employee’s work subject to exceptions under FLSA.
- **Temporary Employment Status:** Temporary employment is short in duration to address business needs and must meet the requirements and characteristics described below:
 1. A temporary is non-benefits eligible.
 2. A temporary does not have an expectation of long-term employment.
 3. A temporary may be full-time or part-time.
 - A temporary employee may not exceed a total of 1,300 hours worked in a 12-consecutive month period. The 1,300 hours can be accumulated in any combination during the 12 month period. Once a temporary employee has worked 1,300 hours or has been employed for 12 consecutive months, whichever comes first, the temporary employee must have a break in service of 26 consecutive weeks. Employment applies across all USG institutions.
 - If a temporary employee is needed beyond the 1,300 hours, they must be moved to a regular employee status.
 - A temporary who is dually or jointly employed in more than one position must have all hours worked counted towards the 1,300 hour worked limit from the date of hire into the first position this includes Temporary Staff Arrangements.
 4. A temporary may be separated at any time for any reason without notice and either the employer or the employee can end the employment relationship. Such separation is not grievable or subject to appeal.
 5. A temporary is typically considered non-exempt under the federal Fair Labor Standards Act’s overtime provisions and paid for all hours worked on an hour-for-hour basis, and they must receive overtime pay for hours worked over 40 in a workweek at a rate not less than time and one-half their regular rate of pay. In some instances, temporary employees, such as graduate assistants, post docs or credentialed professionals, may be exempt.

Note: If a temporary employee exceeds an average 30 or more hours per week during the ACA measurement period and meets the definition of healthcare eligibility under ACA, if they continue employment in a regular position, they will become eligible to enroll in healthcare benefits during the ACA administrative period.

Employee Categories: Types of Employment:

- **Faculty:** Consists of the corps of instruction and the administrative officers as defined in Section 3 of the Policy Manual of the Board of Regents of the University System of Georgia.
 1. The types of faculty are described below:
 - **Regular Faculty** are employed on a continuous basis and whose duration of employment may also be defined by agreement, contract, term, and/or restricted funding source(s). Regular Faculty may be full-time or part-time. Those faculty with a work commitment of half-time or greater are partial or full benefits eligible and those who work less than 20 hours per week are non-benefits eligible. Regular Faculty who are not hired through a competitive search will

typically be given a “term” appointment for one academic or fiscal year, and may be reappointed for one (1) additional year, not to exceed a total duration of 2 years. Regular Faculty who have a full-time (1.0 FTE) appointment may be tenured, on tenure track or hold a non-tenured position in accordance with Sections 8.3.7 and 8.3.8 of the Policy Manual of Board of Regents of the University System of Georgia.

- **Temporary Faculty** are employed on a short term basis through written appointment. They are not employed on an academic year contract. If they are employed for more than one consecutive academic semester for 30 hours or more, except when the Academic semester is combined with Summer semester immediately preceding or following the Academic Semester, they shall be employed as Regular Faculty. Temporary Faculty are non-benefits eligible.

2. **Requirements of the Affordable Care Act (ACA):** Under the ACA, a reasonable method of crediting hours for Part-time Regular and Temporary Faculty may be used to determine healthcare eligibility. The University System of Georgia has determined that a reasonable method for converting credit hours or contact hours to standard hours work is as follows: 1.25 Prep/Grading hours + .5 Office/Meeting hours per each Classroom/Contact hour per week. Graduate Assistants and Graduate Research Assistants will track hours worked. Below is a conversion chart which will be used for crediting hours on a weekly basis for Part-time Regular and Temporary Faculty for purposes of the ACA to determine healthcare eligibility:

Contact Hours per week	Classroom/Contact Hours	Prep/Grading Hours	Office/Meeting Hours	Standard Hours Worked	FTE/Effort
1 Contact Hours	1	1.25	.5	2.75	.07
2 Contact Hours	2	2.5	1	5.5	.14
3 Contact Hours (1 course)	3	3.75	1.5	8.25	.21
4 Contact Hours	4	5	2	11	.28
5 Contact Hours	5	6.25	2.5	13.75	.34
6 Contact Hours (2 courses)	6	7.5	3	16.5	.41
7 Contact Hours	7	8.75	3.5	19.25	.48
8 Contact	8	10	4	22	.55

Contact Hours per week	Classroom/Contact Hours	Prep/Grading Hours	Office/Meeting Hours	Standard Hours Worked	FTE/Effort
Hours					
9 Contact Hours (3 courses)	9	11.25	4.5	24.75	.62
10 Contact Hours	10	12.5	5	27.5	.69
11 Contact Hours	11	13.75	5.5	30.25	.76
12 Contact Hours (4 courses)	12	15	6	33	.83

**Regular part-time faculty eligible for leave accrual and retirement at .5 FTE and above*

***Regular faculty are fully benefits eligible at .75 and above (includes health and voluntary benefits and retirement and leave)*

2. Staff Employees:

a. The types of staff employees are described below:

- i. **Regular Staff** are employed on a continuous basis and whose duration of employment may also be defined by term and/or restricted funding source(s). Regular Staff employees may be full-time or part-time. Those with a work commitment of half-time or greater or .5 FTE are partial or full benefits eligible and those who work less than 20 hours per week are non-benefits eligible.
- ii. **Temporary Staff Employees** are employed for a short duration and are non-benefits eligible.

b. **Requirements of the Affordable Care Act (ACA):** Under the ACA, all regular staff employees who work less than 30 hours per week (less than .75 FTE) and all temporary staff employees shall record and report all hours worked to determine health benefits eligibility.

3. **Student Employees:** Student Employees are considered temporary and include graduate assistants and student workers. Student Employees may not exceed a total of 1,300 hours worked in a 12-consecutive month period. The 1,300 hours can be accumulated in any combination during the 12 month period. Student employees' are not subject to the re-employment restriction requiring a break-in-service after 12-consecutive months of employment. International students in lawful F-1 and J-1 status who are enrolled full-time are eligible to work for an institution but must not work more than 20 hours per week in accordance with visa restrictions and must ensure compliance with Federal Work Study requirements. See the policy on position classification for additional information on student employees.