

# HUMAN RESOURCES ADMINISTRATIVE PRACTICE MANUAL (HRAPM) EMPLOYEE CATEGORIES POLICY

## Frequently Asked Questions

### 1. *Why must changes be made to the policy on Employee Categories?*

Revisions are necessary to the Employee Categories Policy in the HRAPM to comply with the federal regulations in the Patient Protection and Affordable Care Act (PPACA), hereto after referred as “the ACA.”

### 2. *What are the key changes to the Employee Categories Policy?*

The key changes are:

- A revised “Definitions” section refining the definitions of *Regular* and *Temporary* employment.
- A revised section on “Types of Employment,” which details the specific requirement of Regular and Temporary employment for faculty, staff and students.

### 3. *What are the rules defining benefits-eligibility concerning hours worked and FTE?*

There are three definitions pertaining to benefits eligible, which are described below:

**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.

**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 leaves.

**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 in a 12 month period as defined in FAQ #13. Students may not be placed into a regular status.

**4. How should we treat employees classified currently as Limited Term?**

Some positions are limited term in nature with an expectation of employment generally not to exceed two years. This has been identified previously as an employment category in and of itself; for purposes of our new policy it is part of the “regular” employment classification. Benefits eligibility is based on hours worked, with full, partial or no benefits offered depending on FTE. Due to the nature of these positions, as well as the need on occasion to fill them quickly, an institution’s HR organization should be contacted if there is a need to waive the competitive hiring process to obtain approval based on a justifiable business reason. If it appears that the position will become more than a term employee, conducting a search is considered best practice.

**5. Under the new Policy, Limited Term Faculty are limited to 2 years. If they are currently working, does this time count against the 2 year limit or does this start on August 1, 2014?**

This may depend on the specific circumstance. For example, if the person is already in their second year, it may be difficult to get a search underway in time not to be able to renew for the third year under the previous policy rule. However, if the individual is in their first year, then it should be possible to have a search done if they are extended for a second year by the end of the second year. The intent is to move as quickly into the new policy of having only two years on limited-term appointments.

**6. Assuming a Term Faculty ends the 2 year appointment, is there a certain break in service that must be observed before the individual can be rehired as a Term Faculty or can the individual never again serve in that capacity?**

If a limited-term faculty member ends a two-year appointment, the individual may not be appointed for a second limited-term appointment in the same unit performing same or similar duties.

**7. Under the ACA, is there a requirement for employees (Faculty or Staff) who are not health benefits eligible to record and report all hours worked?**

Yes. Under the ACA, all employees, including faculty and staff, regular or temporary, who are not health benefits eligible shall record and report hours worked (inclusive of paid employer leaves) to determine health benefits eligibility. Final Guidance issued by the Federal Government in February 2014 allowed employers to use a reasonable method for calculating hours worked for part-time (adjunct) faculty. Part-time faculty who teach only will use the conversion chart to determine standard hours worked in lieu of tracking hours worked.

**8. Do Regular Staff Employees working less than 30 hours per week or less than .75 FTE have to record and report hours worked?**

Yes. Under the ACA, all regular staff employees who work less than 30 hours per week or less than .75 FTE shall record and report all hours work to determine health benefits eligibility.

**9. Will any hours worked prior to May 1, 2014 be included in the Transition period or towards calculation for the policy limits?**

No, only hours worked after April 30, 2014 will be tracked and counted towards ACA health benefits eligibility and the calculation for the policy.

**10. What about employees that are hired after May 1<sup>st</sup>? How will those employees' tracking periods work?**

Faculty and staff hired after May 1<sup>st</sup> will be on a 12 month tracking periods which will begin on the first day of the month following their month of hire.

## **Temporary Employment**

### **11. What is the definition of Temporary employment?**

Temporary employment is short in duration to address business needs. Typically, the duration of temporary employment should not exceed 12 months. If employment exceeds 12 months, discuss employment options with the institution's Human Resources office.

### **12. Are there new requirements on the employment of Temporary employees?**

Yes. The requirements are specified in the HRAPM Employee Categories Policy.

### **13. What are the rules for Temporary employment?**

- A temporary is non-benefits eligible (see NOTE below for exception).
- 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.
    - Examples:
      - Example 1: An employee is hired on January 1<sup>st</sup> and reaches the 1,300-hour cap within 12 consecutive months on September 30<sup>th</sup> shall be required to have a 26-week break-in-service, and their 1,300 hour cap will reset effective April 1<sup>st</sup> of the following year.
      - Example 2: An employee is hired on January 1<sup>st</sup> and reaches the 1,300-hour cap within 12 consecutive months on July 1<sup>st</sup> shall be required to have a 26-week break-in-service, then the 1,300-hour cap shall reset effective January 1<sup>st</sup> of following year.

- Example 3: An employee is hired on March 1<sup>st</sup> and reaches the 1,300-hour cap within 12 consecutive months on December 1<sup>st</sup> shall be required to have a 26-week break-in-service, then the 1,300-hour cap shall reset effective June 1<sup>st</sup> of the following year.
- Example 4: An employee is hired on January 1 and reaches the 1,300-hour cap at the end of the 12 consecutive months on December 31<sup>st</sup> shall be required to have a 26-week break-in-service, then the 1,300-hour cap shall reset effective July 1<sup>st</sup> of the following year.
- Example 5: An employee is hired on January 1 and does not reach the 1,300-hour cap by the end of the 12 consecutive months on December 31<sup>st</sup> shall be required to have a 26-week break-in-service, then the employee must have a break of service of 26 weeks
  - In all examples noted above, an employee may be moved to a regular position instead of taking a break in service.
  - A temporary who is dually (within single institution) or jointly (across multiple institutions) employed in more than one position must have all hours worked counted towards the 1,300-hour worked limit from the date of hire on the first position.
- A temporary may be separated at any time for any reason without notice and either the employer or the employee can quit the employment relationship.
- A temporary is typically considered *non-exempt* under the federal Fair Labor Standards Act's overtime provisions and must receive overtime pay for hours worked over 40 in a workweek at a rate not less than time and one-half their regular rates of pay, except as the employee exemption states for Information Technology Professionals under Sections 13(a)(1) and 13(a)(17) of the FLSA.

NOTE: An exception may be a Temporary Professional who is hired and paid a guaranteed dollar amount on a pay period by pay period basis which meets the "salary basis test" of the FLSA. The duties of the position must be considered "exempt" and they must meet the salary basis test.

#### **14. How many hours may a Temporary work?**

A temporary may not exceed a total of 1,300 hours worked in a 12-consecutive month period.

**15. Previously, the USG has allowed a temporary employee to work full time as long as this employee takes a 30 day break in service every 12 months. Will this option still be allowed under the new Employee Categories policy?**

No, temporary employees must follow rules documented in FAQ #13.

**16. What if we have a temporary employee that is set to take their 30 day break in service after May 1<sup>st</sup> under the previous policy?**

With the new policy going into effect May 1, 2014, this condition is no longer required and temporary employees will begin to fall into requirements documented in FAQ #13.

**17. Temporaries who average 30 or more hours per week after look back reports have been run have the option of (1) being moved to regular employment OR (2) offered health insurance. If they go with option 2, do they immediately take the 26 week break OR do they continue to work the stability period and take the break when they reach 1,300/12-month point?**

Hours should be monitored ongoing and a temporary employee should take their 26 week break in service before reaching 1,300 hours or should be moved to regular employment and offered benefits if continuing to average 30 or more hours per week.

**18. Why does there have to be a 26-week break-in-service for Temporary employees?**

The IRS issued new guidance in February 2014, defining *breaks-in-service* on when an employee's hours worked can be reset for determining health benefits eligibility. The IRS has stated that all employers except for higher education have a 13-week break-in-service for an employee's hours worked to be reset when determining health benefits eligibility.

For a higher education employee to have their hours worked reset, the break-in-service must be 26-weeks. Therefore, only after a 26-week break-in-service may a University System of Georgia employee reset the clock to zero in determining health benefits eligibility.

**19. What happens if an employee who does not have health insurance is rehired within a 26-week period?**

Under ACA, the employee must be treated as a Rehire into a Regular position. If the employee is rehired into a Regular benefits eligible position, no further action is needed.

However, if the employee is rehired into a non-health benefits eligible position, hours must be taken into account. The USG has chosen 12 consecutive months as its look back period. Consequently, the employer must look back 12 months from the date of rehire and pull forward any hours in determining health benefits eligibility. For example, a temporary employee is hired on January 1, 2014 and works 1,300 hours through December 31, 2014. The employee is rehired April 1, 2015. Because this is only 12 weeks into the IRS' prescribed 26 week break-in-service, the employer must look back 12 months from the date

of the rehire and pull forward any hours worked. In this example, if the temporary employee was rehired on April 1, 2015, the employer must look back 12-months to May 1, 2014. If the temporary employee worked 800 hours since May 1, 2015, this total would be subtracted from the 1,300-hour policy cap, and the rehired temporary employee would only be permitted to work 500 hours in coming 12 consecutive month period ending March 31, 2016.

**20. Do employees have to have a 26 week break in service in order to be considered a newly hired employee? Where is the citation for this in the regs?**

Page 19 of Federal Register Vol. 79, No. 29 dated February 12, 2014 regarding Employer Shared Responsibility, <http://www.gpo.gov/fdsys/pkg/FR-2014-02-12/pdf/2014-03082.pdf>, addresses this.

The final guidance states: “To avoid the treatment of employees of educational organizations as new employees resuming services after a scheduled academic break, however, the final regulations provide that for employees of educational organizations, the 26-week break-in-service period under the rehire rules provided in the proposed regulations continues to apply.”

[Note: USG HRAP Employee Categories Policy: Remember that the policy requires a temporary employee who is not health benefits eligible, they must be made regular after 12-consecutive months from their original hire date in order to have continuous service without have a 26-week break in service. ]

**21. Do we have to go back and consider prior hours worked if they do not have a 26-week break?**

Under the ACA, a temporary employee or part-time faculty who is not health benefits eligible who breaks service and is hired back at the same USG institution or another USG institution without a 26-week break in service will be considered a “rehire” as described in the answer above (FAQ #19). If the employee is rehired during the same measurement or stability period, the hours previously worked in these periods are counted towards health benefits eligibility. If the break in service takes place after 12-consecutive month measurement or stability period, and the employee is rehired prior to the end of a 26-week break in service, hours previously worked are counted by looking back 12-months from the date of the rehire.



**22. Can an individual be a 'temporary' part-time faculty (not health benefits eligible) for the Fall 2014 and Spring 2015 semesters then have a 26 week break in service and come back in the Spring 2016 as a 'temporary' part-time faculty?**

Yes, if there is a 26-week break in service, they could come back as a 'temporary' part time faculty. As described the break in service would be from mid-May through December 31 of the same year which is greater than 26-weeks.

Temporary part-time faculty follow the same definition of Temporary employee in the HRAP Employee Categories Policy: short term employment which is no more than 1,300 hours worked in a 12-consecutive month period after which the employee must have a break in service.

**23. Can individuals who do not meet the 1,300 hour threshold and have coverage with their current employers be exempted from the new USG policy?**

The ACA does not allow employers to not track hours worked for employees who hold employment within the USG in a non-health benefits eligible position. Employers must track hours to determine health benefits eligibility. Once an employee is deemed health benefits eligible, the employee may decline health insurance for the period that they would be covered if they had elected coverage under the BOR health plans. Even though the employee may have health insurance coverage at another employer, the USG is required to track hours if the employee is paid by a USG institution in the possibility the employee becomes eligible for the BOR Health Plans.

If a part-time faculty described above is on payroll for 12-consecutive months or reaches 1,300 hours worked, they must be move to regular status. This should not create a hardship and would still have the employee under .5 FTE and they would be able to be continuous without a break in service.

**24. Can the employee sign a waiver at the time of their employment to waive health benefits to keep from having to track hours?**

No, a newly hired may not sign a waiver at time of hire as part of an offer of employment, agreement, contract, or any term of employment that would relieve a USG institution in

tracking hours worked for determining an employee's health benefits eligibility under the ACA.

In addition, an existing employee may not sign a waiver declining health insurance after they are employed in a non-benefits eligible status i.e., regular, temporary, part-time or student.

And, if an existing employee becomes health benefits eligible, they may decline enrolling in the BOR employer-sponsored health plans for the period of time they would be eligible for health insurance. However, all hours worked including employer paid leaves must continue to be tracked unless the employee is placed into a regular fulltime status working 30 or more hours per week on a continuous basis. The reason for the continuation of tracking even after the employee has been deemed health benefits eligible is to continue to comply with the ACA for the determination of health benefits eligibility for the next health benefits enrollment period.

## **Faculty Employment**

### ***25. How are Faculty defined?***

The 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. Also note there are several new requirements under the Types of Employment section of the Employee Categories Policy, which institutions must implement to comply with the ACA.

### ***26. In terms of hours worked and FTE, what are the requirements for Regular Faculty?***

The key requirements for Regular Faculty are:

- Regular Faculty shall have an expectation of continuous employment greater than 6 months
  - Regular faculty who work 30 or more hours per week or .75 FTE or greater are fully benefits eligible.
  - Part-time regular faculty working 20 to 29 hours per week or .5 FTE to .74 FTE are partially benefits eligible.

- Part-time regular faculty working less than 20 hours per week or less than .5 FTE are non-benefits eligible.

**27. Is it permissible for Regular Faculty to work less than 20 hours per week and be in a position that is less than .5 FTE?**

Yes, Regular Faculty are permitted to work less than 20 hours per week or less than .5 FTE; however, they are not benefits eligible. Please see FAQ #3 above concerning hours worked, FTE and benefits eligibility requirements of part-time regular faculty.

**28. A. Is it permissible for institutions to hire Temporary Faculty who work 30 hours a week or more?**

Yes. Temporary Faculty are employed for one academic semester through a written appointment. Temporary Faculty shall not be employed on an academic year contract.

In addition, the following employment scenarios may apply:

1. Temporary Faculty may be hired for the Spring Semester and may be extended to work the Summer Session.
2. Temporary Faculty may be hired for the Summer Session and may be extended through written agreement to work the Fall Semester.

Temporary Faculty are not benefits-eligible.

**B. How long can you employ them in that Temporary Faculty position?**

Under the ACA, the USG may not employ Temporary Faculty more than one Academic Semester and consecutive Summer Session at 30 hours or more. If a Faculty member will be employed more than one Academic Semester and consecutive Summer Session, they must be considered Regular Benefits Eligible through a written agreement.

Examples:

1. Faculty works in the Spring as a full time temp >30hrs, and comes back for the Fall Semester at >30hrs, make Regular Benefits Eligible.
2. Faculty works in the Fall as a full time temp >30hrs, and comes back for the Spring Semester at >30hrs, make Regular Benefits Eligible.

3. Faculty works in the Summer as a full time temp >30hrs, and comes back for the Fall Semester, faculty can remain a full time temp >30hrs in the Fall.
4. Faculty works in the Summer as a full time temp >30hrs and comes back for the Fall Semester as a full time temp >30hrs, must make employee Regular Benefits Eligible if employed >30hrs for Spring Semester.

**29. Should temporary faculty only teaching one semester receive benefits?**

No, see FAQ #13.

**30. Do Part-time Regular Faculty who are not health benefits eligible have to record and report hours worked?**

Yes. Part-time Regular Faculty who work less than 30 hours per week or less than .75 FTE shall record and report all hours work to determine health benefits eligibility, unless they perform “teaching-only” duties. See FAQ #31.

**31. Do Part Time Faculty who “Teach-Only” have to record and report hours worked?**

No. Institutions with “Part-time Regular Faculty Who Teach-Only” shall refer to the “Contact Hours to Standard Hours Worked Conversion Chart,” which defines teaching course load/hours worked in-the-classroom and out-of-the-classroom, referred to as “prep time.”

Release time may be used if faculty member has been approved to do research or lab work in lieu of teaching. The conversion chart should be used to determine hours worked per week, i.e. released from 1 course would be equivalent to 8.25 hours per week research or lab work, released from 2 courses would be equivalent to 16.5 hours per week of research or lab work

**32. Do Faculty, who in addition to teaching, perform other duties outside the classroom, which is not considered “out-of-classroom work/prep-time” have to record and report hours worked?**

Yes. Part-time Regular Faculty assigned to perform other duties, which are not part of classroom teaching or prep-time shall record and report hours worked each week that are in excess of standard hours as determined by the “Contact Hours to Standard Hours Worked Conversion Chart”. An example of other duties outside the classroom and not considered prep-time include formally advising students, clinical work, serving on committees, etc. Grading is considered to be part of out-of-classroom work/prep-time.

**33. What is the Contact Hours to Standard Hours Worked Conversion Chart?**

**Contact Hours to Standard Hours Worked Conversion Chart for Non-health Benefits Eligible Faculty – for purposes of ACA**

**Proposed Conversion:** 1.25 Prep/Grading hours + .5 Office/Meeting hours per each Classroom/Contact hour per week

Contact Hours per Week	Class room/ Contact Hours	Prep/ Grading	Office/ Meeting Hours	Standard Hours Worked	FTE/ Effort
1 Contact Hour	1	1.25	0.5	2.75	0.07
2 Contact Hours	2	2.5	1	5.5	0.14
3 Contact Hours (e.g. 1 course)	3	3.75	1.5	8.25	0.21
4 Contact Hours	4	5	2	11	0.28
5 Contact Hours	5	6.25	2.5	13.75	0.34
6 Contact Hours (e.g. 2 courses)	6	7.5	3	16.5	0.41
7 Contact Hours	7	8.75	3.5	19.25	0.48
8 Contact Hours	8	10	4	22	0.55*
9 Contact Hours (e.g. 3 courses)	9	11.25	4.5	24.75	0.62*
10 Contact Hours	10	12.5	5	27.5	0.69*
11 Contact Hours	11	13.75	5.5	30.25	0.76**
12 Contact Hours (e.g. 4 Courses)	12	15	6	33	0.83**

**34. So is the University System of Georgia telling part-time faculty that they are required to do their prep within a specific period of time?**

The University System of Georgia is required to comply with the federal ACA and therefore we are required to track the number of hours part-time employees work in order to determine health benefits eligibility. The Federal Guidelines allow educational organizations

to use reasonable method for crediting Faculty hours of service so tracking time is not necessary. The University System of Georgia has decided to use 1.25 hours of prep or out-of-classroom work and .5 hours of office/meeting hours for each hour in the classroom as the method for calculating hours worked. The IRS has provided guidance on out of classroom prep time and the need to account for other activities such as office/meeting time as specified above.

**35. When I add the hours for a part-time faculty only teaching three (3) courses during both the Fall and Spring semesters using the Conversion Chart, I only come up with 967.2 hours. Why would the individual have to be converted to a regular position to teach Fall and Spring in succession?**

The individual would not have to be converted to a regular position in this example. If you are employing a part-time faculty as 'temporary' in Fall 2014 – 9 contact hours or 24.75 standard hours worked, he/she would be allowed to continue in a temporary part-time position in the Spring 2015, as long as hours do not exceed 1300. He/she could work over the Summer 2015, as temporary as long as hours did not exceed 1300 in the 12-consecutive month period. At that point, he/she must have a 26 week break in service or, if still needed, must be moved to a regular position.

The faculty would need to be moved to regular if they teach temporary full-time (11 contact hours or more) during the fall semester and then the institution needs them to work full-time spring semester. The average hours worked each semester is greater than 30 hours. The part time faculty would also need to be moved to regular if they continue to work from academic year to academic year on an ongoing basis. Part time faculty with an ongoing work commitment of 49% or less (19 hours or less per week) should be placed in a non-benefits eligible part time regular position. Part time faculty with an ongoing work commitment between 50% and 75% (20-29 hours per week) would be placed in a partially benefitted (retirement and sick leave benefits) part time regular position.

**36. For the part time faculty working summer, has the fact that it is condensed and has more hours per week been taken into consideration in the calculations?**

The Conversion chart should be used and contact hours should accurately reflect the condensed contact hours over the summer months. Contact hours may be based on length of semester. Please refer to Summer examples provided.

Based on the averaging of hours over the weeks worked in the ACA measurement period, this includes hours worked per week during the summer in determining health benefits eligibility.

**37. What happens if a faculty member claims that s/he should be eligible for benefits?**

Institutions should use the University System of Georgia Standard to determine total contact hours and prep/out-of-classroom hours worked for each part-time employee. If an employee believes that s/he should be eligible for benefits, an administrative review should be conducted by the institution HR department. If the HR department determines s/he is not eligible, the employee may file an appeal to the BOR University System of Georgia Human Resources office for review and final determination.

**38. What if a faculty member is willing to work many hours but is not interested in benefits?**

Under ACA, the USG is obligated to offer health insurance benefits and the faculty member may decline to enroll. The declination does not relieve the employer from the Federal mandate to track hours worked. The USG Employee Categories policy must be followed.

**39. What are the employment requirements for Visiting Faculty?**

Generally under NIH guidelines, a person should not serve in a postdoctoral fellow position for more than 5 years. "Visiting" implies fairly short term, and the USG is reviewing the ability to provide some flexibility to this classification of faculty.

## **Student Employees**

### **40. Who are Student Employees?**

Student Employees are considered temporary and include graduate assistants and student workers. Graduate Administrative Assistants are considered non-exempt under the FLSA. Graduate Teaching Assistants and Graduate Research Assistants are generally considered exempt under the FLSA.

### **41. How many hours may a Student Employee work?**

Student Employees may not exceed 1,300 hours in a 12-consecutive month period from their original hire date, which averages 25 hours per week. Student employees' **are not** subject to the re-employment restriction requiring a 26 week break-in-service after 12-consecutive months of employment.

### **42. RA's may receive a stipend, free/discounted housing, and a meal plan as a part of their compensation package. However, only the stipend is run through payroll. Once we start tracking the hours for them and compare it to the compensation in payroll, it will look as if the individuals are being paid a rate that is less than minimum wage. Is this going to be acceptable?**

The ACA committee has determined that we need additional legal guidance in the area of Resident Assistants. We are working on this and will have more information in the coming weeks.

### **43. For student workers who are employed on May 1, how many hours can they work before October 31 and not be deemed health benefits eligible?**

All temporary employees are limited to 1,300 hours in a 12-consecutive month period including student workers, except those limited by federal law to working no more than 20 hours per week. Also, any employee who is not benefits eligible who works 30 or more hours per week during the transition measurement period (May 1 through October 31), will be deemed health benefits eligible.



**44. What would we do if we have a federal work study student who runs out of funding mid-academic year and is changed to a student assistant? Since federal work study hours are not tracked do we start tracking hours for the 12 consecutive month measurement period as of the date they became a student assistant?**

If a federal work study student changes to student assistant, the tracking for ACA purposes will include only hours worked as the student assistant and will fall into the standard measurement period.

**45. If a student assistant is rehired in the spring semester after not working since the previous year summer semester what date do we use to start tracking the 1,300 hours? Rehire date or original hire date?**

After 12-consecutive months from the original date of hire, the 1,300 policy limit resets to zero. Student employees are not required to have a 26-week break in service. If a student employee stops working during the 12-month period from their date of hire, and then they restart working in that same 12-month period, hours previously worked are counted towards the 1,300 hour policy limit and for determining health benefits eligibility.

**46. If a student assistant reaches the 1,300 hours worked before they reach 12 months they must stop working. When can they begin working again?**

The student assistant may not work until the 12-month period has elapsed. Once it has, the 1,300 hours is reset for the next 12 months.

#### **Other Questions**

**47. Are transition tracking periods used for current employees and the standard tracking periods for new hires? I ask because I see that the measurement, administrative and stability periods overlap somewhat.**

As we implement the ACA requirements, we are required to have a transition (initial) measurement period of at least six months duration. The BOR has chosen May 1, 2014 through October 31, 2014, as the transition measurement period. All employees who are not

health benefits eligible who are on payroll as of May 1st will be on the transition measurement period. Employees hired on May 2<sup>nd</sup> or after will be on a new hire measurement period (beginning the first of the month following month of hire) until they are employed through a standard measurement period. Measurement periods overlap. The BOR is looking at procuring vendor based software which will track these ACA periods for USG institutions.

**48. How should Rehired Retirees be treated? Are they now considered Regular and continue to work .49 FTE or less or are they Temporary and limited to the 1,300 hours in a 12 month period? If Temporary, must they also have the 26 week break in service?**

Rehired retirees are limited to only .49 FTE or less than 20 hours per week according to Board of Regents policy (8.2.8.3). To avoid temporary policy issues, it may be preferable to set up Rehired Retirees in regular status at .49 FTE.

**49. Is there an ACA requirement that affects the competitive process of hiring employees?**

No. Existing Federal, State and Board policies are not affected by ACA.

**50. What is the definition of FTE?**

Please reference the Business Procedures Manual (BPM) Section 22.3.2 for the definition of Full Time Equivalency.

**51. What do I do with my joint staffed employee?**

Changes to the current Joint Staffing policy are being addressed by a working group. Under the ACA, all institutions are considered an “employer-control group” for determining health care eligibility; therefore, employees who work more than one job at one or more institutions, shall combine all hours worked for determining health care eligibility. As a reminder, all employees that work for the USG should be paid by one institution through a joint staffing agreement. If an employee becomes eligible for health benefits due to a joint staffed agreement, the home institution is responsible for covering the health care costs.

**52. What impact will this have on IPEDS reporting and/or BCATs?**

The University System of Georgia will be working on IPEDS reporting issues related to the ACA. If job codes or BCATS change, then reporting would be impacted in the next IPEDS reporting period.

**53. How should hours be tracked for part time Athletic Coaches?**

A smaller working group is addressing the issues with part time athletic coaches and more information will be available soon in regards to tracking time. In the meantime, time should be tracked as soon as they begin working, i.e. when stepping on bus to travel, and should stop being tracked when work ends.

**54. For SSC-supported institutions, employees' start and termination dates are entered to drive payment to employees. For example, some institutions pay part time faculty at the end of the month September through December for Fall semester so their start date is not until September 1<sup>st</sup>. However, because of the need to track hours in eTIME, these employees must be active when working. How should this be handled?**

Currently, there are two options being considered:

1. If a part time faculty has been employed before, instead of entering a termination when the faculty member leaves the previous semester, enter an action of "End Full Time Appointment" which will leave them active in eTIME and they will be able to track hours when they return even before you begin their next appointment.
2. Enter a row in job data with the date they need to begin tracking hours (or day before so data will flow over to eTIME) with zero compensation and add another row with the effective date their pay needs to start with the compensation filled in.

The SSC is brainstorming other ideas as well and would welcome any additional suggestions/ideas.

**55. We have employees who are titled as Occasional Professionals at the moment in our English Language Institute. These individuals teach non-credit courses in the areas of grammar, reading, writing, and spoken English in an effort to get international students prepared for starting their student careers. Is there any language in the policy addressing individuals like these?**

Under the ACA, the 26-week break in service is used to determine when an employee is a “new hire” or “rehire” for purposes of determining the tracking of hours for determining health benefits eligibility and for ACA tracking periods. These employees do not have to break service if they are made regular. The 1,300 policy cap is in place for temporary employment. For regular employment, the rules defining benefits eligibility are described in the policy.