

# DAVIDSON COUNTY COMMUNITY COLLEGE

Human Resources

## AFFORDABLE CARE ACT MEASUREMENT PERIODS

### PROCEDURE 3.2.1.2

To comply with the Patient Protection and Affordable Care Act, the College outlines the following procedures to determine which employees are treated as full-time employees for purposes of shared responsibility provisions of § 4980H of the Internal Revenue Code regarding health insurance coverage.

#### **A. Ongoing Employees**

1. An “ongoing employee” is defined as an employee who has been employed for at least one complete standard measurement period.
2. The Standard Measurement Period is a defined time period of not less than three (3) but not more than twelve (12) consecutive calendar months (as designated by the College). The Standard Measurement Period is eleven (11) consecutive calendar months beginning December 1<sup>st</sup> through October 31<sup>st</sup> of the following year.
3. The Administrative Period is the time between the Standard Measurement Period and the Stability Period used to determine which ongoing employees are eligible for health coverage and open enrollment. The Administrative Period begins each November 1<sup>st</sup> through December 31<sup>st</sup>.
4. The Stability Period is the period of time that allows employees who were determined to be “full-time” during the Standard Measurement Period to be treated as full-time employees for the purpose of an offer of health insurance coverage. The Stability Period will be January 1<sup>st</sup> through December 31<sup>st</sup>.

#### **B. New Employees**

1. A “new employee” is generally an employee who starts work in the middle of a Standard Measurement Period and would not have accumulated enough work history needed to complete a Standard Measurement Period. This “new employee” would be subject to an Initial Measurement Period.
2. The Initial Measurement Period is the period of time not less than three (3), but not more than twelve (12), consecutive months. The Initial Measurement Period for each new employee will start on the new employee’s first day of employment and last through the end of twelve (12) consecutive months.

3. The Administrative Period is the period of time from the end of the Initial Measurement Period through the end of the first calendar month beginning on or after the end of the Initial Measurement Period. The total length of this Administration Period will be one full month plus a partial month, depending on the end of employee's Initial Measurement Period.
4. The Stability Period for such employees must be the same length as the Stability Period for ongoing employees. Therefore, the Stability Period for new employees will equal twelve (12) consecutive months beginning the first month after the Administrative Period. Once an employee, who has been employed for an Initial Measurement Period, has been employed for an entire Standard Measurement period, the employee must be reviewed for full-time status, beginning with that Standard Measurement Period, at the same time and under the same conditions as other ongoing employees. At this point, the "new employee" is now considered an "ongoing employee" and will have the same Standard Measurement Period as other "ongoing employees".
5. The Initial Measurement Period and the following Standard Measurement Period will most likely overlap. Creating two separate measurement periods will ensure that an employee has the opportunity to become eligible for health coverage depending on their working hours in either period.

#### **C. Eligibility**

An employee who is employed on average of at least thirty (30) hours of service per week or one-hundred thirty (130) hours of service per calendar month over the course of any measurement period described above is eligible for an offer of health insurance benefits.

#### **D. Calculating Hours of Service for Adjunct Faculty**

1. **Part-time Non-Exempt (without benefits), Seasonal, and Intercession Employees.** Hours of service for these employees are determined by the actual hours worked by the employee. The College utilizes monthly time sheets to record the number of hours worked. Employees in this category cannot work more than 27 hours per week.
2. **Curriculum Courses.** Hours of service for adjunct faculty teaching curriculum lecture courses are determined based on a 1:1.25 ratio, meaning for every 1 lecture contact hour, the adjunct faculty member teaches, the employee is given credit for 1.25 work hours outside of the classroom. For example, an adjunct faculty member teaching 3 lecture contact hours is given credit for 6.75 hours of work per week (3 hours in class + 3.75 hours outside of class). The College's policy is that adjunct faculty teaching curriculum lecture courses can teach a maximum of 12 lecture contact hours per week, which

equates to 27 work hours (12 hours in class + 15 hours outside of class) per week.

- 3. Continuing Education, Basic Skills, Curriculum Laboratory and Clinical Courses.** Hours of service for adjunct faculty teaching continuing education, basic skills, curriculum laboratory, and clinical courses (e.g. nursing clinical, cosmetology laboratory, etc.) are determined based on a 1:0.25 ratio, meaning for every 1 contact hour the adjunct faculty member teaches, the employee is given credit for 0.25 hours outside of the classroom. For example, an adjunct faculty member teaching a 3-contact hour lab is given credit for 3.75 hours of work per week (3 hours in lab + 0.75 hours outside of lab). The College's policy is that adjunct faculty teaching in these categories can teach a maximum of 21 contact hours per week, which equates to 27 work hours per week.
- 4. Combined Adjunct Faculty and Other Workload.** The College may utilize part-time (non-benefited) employees in multiple roles. For example, the College may hire a part-time curriculum employee to also tutor. Employees with combined workloads cannot work more than 27 hours per week. For example, an adjunct faculty member that is teaching 9 curriculum lecture contact hours is considered to have worked 20.25 work hours (9 hours in class + 11.25 hours outside of class). Therefore, that adjunct faculty member is only eligible to work 6.75 hours as a tutor (27 maximum allowed hours minus 20.25 adjunct faculty hours).

#### **E. Compliance and Reliance**

In compliance with § 4980H of the Internal Revenue Code, the College utilizes a reasonable method consistent with Notices 2011-36, 2011-73, 2012-17 and 2012-58. As additional guidance is issued, the procedures will be amended to ensure continued compliance with the Affordable Care Act.

Adopted: November, 2019

[Legal Reference: § 4980H of the Internal Revenue Code](#)

[Legal Reference: Internal Revenue Service Notice 2011-36](#)

[Legal Reference: Internal Revenue Service Notice 2011-73](#)

[Legal Reference: Internal Revenue Service Notice 2012-17](#)

[Legal Reference: Internal Revenue Service Notice 2012-58](#)