STAFF & STUDENT SCENARIOS REGARDING IMPLEMENTATION OF BOR POLICY ON EMPLOYEE CATEGORIES DUE TO THE IMPACT OF THE AFFORDABLE CARE ACT

	Sample Scenario	Does it meet policy guidelines?	Is there a possible alternative that does not involve offering benefits?
1.	Department requests to temporarily change a regular part-time employee from 19 hours per week to a temporary fulltime employee working 40 hours per week for 5 months during peak processing season, then return the employee to regular part-time at 19 hours per week.	No, the employee will work a total of 1492 hours in the course of a year.	Yes, the employee can work 40 hours per week for 15 weeks, and the total hours over the course of a year would be 1300 hours, which is the total number of hours a non-benefits eligible employee may work in a 12-consecutive month period per the BOR's Human Resources Administrative Policy on Employee Categories.
2.	Department hires a full time, 30 hour per week temporary employee for 6 months, then requests to extend them for 5 more months.	No, the employee will work a total of 1440 hours over the course of the 11 months within the 12-consecutive months in a year.	Yes, the employee can work 3 ½ more months at 30 hours per week, or 5 more months at 24 hours per week, or any combination that does not exceed 1300 hours within 12-consecutive months.
3.	Department hires full time temporary employee at 40 hours per week for 6 months only	Yes, total hours are 1040 hours worked. If the department were to pursue an extension, hours could not exceed 1300 hours within a 12-consecutive month period.	N/A
4.	Department requests that student assistant work 40 hours over the summer.	Yes, provided overall hours for the year do not exceed 1300.	Institutions are not obligated to consider this as an employment option for student assistants.
5.	Temporary employee has worked 30 hours per week for 9 months or a total of 1,174 hours worked, and the department requests that after a break of 60 days the employee is rehired in a temporary position.	Yes, the employee only has only 126 hours before reaching the 1300 hour cap per policy, which is approximately one-month at 30 hours per week.	Once the employee reaches 12-consecutive months at before or at 1300 hours worked, the employee must have a break-in-service of 26-weeks to be considered a "New Hire" under the ACA. If the person s rehired within the 26-2eek period after 12 months, the employee must be hired into a regular status and ACA assessment for health benefits eligibility, as well as for benefits eligibility under the BOR Employee Categories Policy.
6.	Department requests a temporary employee for 9 months at 40 hours per week, which would equal 1,565 hours worked.	No, the employee would exceed the 1300 capped on hours worked in 12-consecutive months.	Yes, the employee can work fewer hours per week or fewer months within the 12-consecutive month period.

Last Revised: 04/01/2014

Temporary Faculty Work Loads

Specific Examples – Two/Three Semesters, FT

	Spring Semester	Summer Semester	Fall Semester	Benefits Eligible Yes/No
1.	30+ hrs per wk		<19 hrs per wk	No
2.	30+ hrs per wk	<19 hrs per wk	<19 hours per wk	No
3.	30+ hrs per wk	30+ hrs per wk	<19 hrs per wk	No
4.	25 hrs per wk	30+ hrs per wk	30+ hrs per wk	Yes
5.	25 hrs per wk	25 hrs per wk	25 hrs per wk	Yes, Partial
7.	30+ hrs per wk		30+ hrs per wk	Yes
8.	30+ hrs per wk	30+ hrs per wk		No
9.	30+ hrs per wk		30+ hrs per wk	Yes
10.		30+ hrs per wk	30+ hrs per wk	No

Last Revised: 04/01/2014

PART TIME/TEMPORARY FACULTY WORK LOADS

Specific Examples – Two Semesters, FT & PT

	Fall Semester	Spring Semester	Benefits Eligible Yes/No
1.	Course#1: 5 Contact Hours = 13.75 Hours Worked (3 Contact Hour Course W/ 2 Hour Lab/Studio) (5 hrs in classroom + 6.25 hrs prep-time + 2.5 hrs meetings/counseling = **13.75 hours**) Course#2: 5 Contact Hours = 13.75 Hours Worked (5 hrs in classroom + 6.25 hrs pre-time = 2.5 hrs office/counseling = **13.75 hours**) **Total Hours Per Week = 27.5**	Course#1: 5 Contact Hours = 13.75 Hours Worked (3 Contact Hour Course W/ 2 Hour Lab/Studio) (5 hrs in classroom + 6.25 hrs prep-time + 2.5 hrs meetings/counseling = **13.75 hours**) **Total Hours Per Week = 13.75**	**No**
2.	**Five 3 Contact Hour Courses**: 8.25 hours work per week per course (15 hrs classroom + 18.75 hrs prep-time + 7.5 hrs meetings/counseling = 41.25 hours) **Total Hours Per Week = 41.25**	**Two 3 Contact Hour Courses**: 8.25 hours work per week per course (6 hrs classroom + 7.5 hrs prep-time + 3 hrs meetings/counseling = 16.5 hours) **Total Hours Per Week = 16.5**	(41.25 + 16.25 = 57.5 divided by 2 = 28.75 hours worked on average per week **No**
3.	**Five 3 Contact Hour Courses**: 8.25 hours work per week per course (15 hrs classroom + 18.75 hrs prep-time + 7.5 hrs meetings/counseling = 41.25 hours) **Total Hrs per week 40**	**Four 3 Contact Hour Courses**: 8.25 hours work per week per course (12 hrs classroom + 15 hrs pre-time + 6 hrs meetings/counseling = 33 hours) **Total Hours per Week 33**	40 + 33 = 73 divided by 2 = 36.5 hours worked on average per week **Yes, Full**
4.	**Three 3 Contact Hour Courses**: 8.25 hours work per week per course. (9 hrs classroom + 11.25 prep-time + 4.5 meetings/counseling = 24.75) **Total Hours Per Week = 24.75**	**Three 3 Contact Hour Courses**: 8.25 hours work per week per course (9 hrs classroom + 11.25 prep-time + 4.5 meetings/counseling = 24.75) **Total Hours Per Week = 24.75**	24.75 + 24.75 = 49.5 divided by 2 = 24.75 hours worked on average per week **Yes, Partial**

Last Revised: 04/01/2014