

NEW CASTLE COUNTY

PERSONNEL POLICY

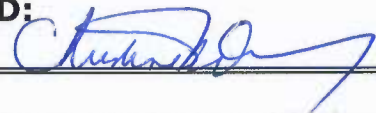
NUMBER 1.04

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DATE 5/6/16

SUBJECT: Eligibility for Health Insurance Coverage

APPROVED:



OBJECTIVE: To define full-time employment status for compliance with the provisions of the Affordable Care Act.

STATEMENT: New Castle County offers health care insurance benefits to all full time employees in accordance with the requirements of the Affordable Care Act. This policy establishes the measurements for determination of whether an employee shall be considered to be full time for purposes of the Affordable Care Act. Designation as full time in accordance with this policy shall not otherwise entitle an employee to full time status beyond the limits of this policy.

Definitions:

1. **Full-Time Employee:** An employee who averages 30 working hours per week in a measurement period.
2. **Variable Hour Employee:** An employee whose hours are uncertain and/or the County cannot immediately determine, as of the employee's start date, whether the employee is reasonably expected to average 30 working hours per week.
3. **Standard Measurement Period:** The twelve month period used to determine whether an employee averaged 30 working hours per week. The Standard Measurement Period begins October 15th of each year and ends October 14th of each year.
4. **Stability Period:** The twelve month period immediately following the initial and/or standard measurement period. An employee shall be offered health care benefits if the employee averaged 30 working hours per week during the initial and/or standard measurement period. The first stability period begins January 1, 2015, and ends on December 31, 2015. Thereafter, stability periods shall begin January 1st and end December 31st. An employee who is deemed eligible for health care benefits because the employee averaged 30 working hours per week shall remain eligible for health care benefits during the entire stability period, regardless of any change in average working hours, so long as the employee remains employed with New Castle County.

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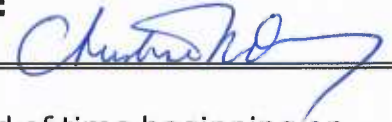
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5. Initial Measuring Period: The twelve month period of time beginning on an employee's start date, and ending on the day before the employee's one year anniversary.
6. Administrative Period: The Period following a Measurement Period when eligible employees are able to enroll in County offered health insurance.
7. Hour of Work: Any hour for which an employee is paid, entitled to payment, or would otherwise be entitled to payment for the performance of his or her duties; and each hour for which an employee is paid or entitled to payment while on approved leave.
8. Special Unpaid Leave: Unpaid leave subject to the Family and Medical Leave Act ("FMLA"), Uniformed Services Employment and Reemployment Act ("USERRA") or leave for jury duty.

PROCEDURES FOR DETERMINATION OF ELIGIBILITY:

1. Full-time employees shall be eligible to participate in County offered health insurance benefits beginning the first day of the calendar month immediately following sixty days from the employee's start date.
2. Employees classified as part-time, recurring part-time, temporary, seasonal, contractor, interns or "variable hour" employees for purposes of this policy are ineligible for health insurance benefits.
3. For variable hour employees hired before October 15, 2014, the County will "look-back" to a 12 month standard measurement period to determine whether an employee averaged 30 hours per week.
4. Variable hour employees hired on or after October 15, 2014, who average 30 working hours per week during the initial measurement period shall be eligible for health insurance benefits during the stability period.

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5. Former employees rehired more than 13 weeks after employment ended with New Castle County shall be treated as a new employee for purposes of this policy. Former employees rehired within 13 weeks after ending employment with New Castle County shall retain the employee's prior employment status for purposes of this policy. Such employee rehired within 13 weeks will be offered health insurance benefits beginning the first day of the calendar month immediately following the employee's new date of hire.
6. An employee who resumes service after a period of at least 13 consecutive weeks, in which the employee did not have an hour of services, shall be treated as a new employee.
7. Any newly hired or existing employee who moves into a new job classification and is reasonably expected to average 30 or more working hours per week during the employee's initial measuring period, shall be treated as a full-time employee and offered health insurance benefits, effective the first day of the calendar month immediately following 60 days from the employee's change in job classification.
8. Breaks in service will be considered as special unpaid leave taken by an employee and shall be deducted from the standard measurement period.

REQUIRED ACTION: The Chief Human Resources Officer, Department General Managers, Row Officers and Timekeepers shall be responsible for the implementation of and compliance with this policy.

Established: 5/6/16