Patient Protection and Affordable Care Act (ACA)
(Also known as Health Care Reform)
Frequently Asked Questions

General Questions

1. What is changing?
Although the university has always offered medical insurance to those eligible per our policy, the ACA includes a mandate for employers to offer medical coverage to faculty and staff who average 30 hours or more across one or more jobs over a defined measurement period. The university’s measurement period is 12 months.

2. Are there any changes for faculty and staff who are already fully benefit eligible (30 hours per week or a teaching assignment of 9 or more credit hours)?
No, there are no changes for faculty and staff who are already fully benefit eligible.

Variable Hour (or “part-time”) Faculty and Staff Questions

The information below applies to variable hour faculty and staff (part-time).

3. What does the term Variable Hour Employee mean?
An employee is a variable hour employee if, based on the facts and circumstances at the date the employee begins their assignment (the start date), it cannot be determined that the employee is reasonably expected to work on average at least 30 hours per week. (The 30 hours per week average reflects the statutory definition of full-time employee and is the definition of “full-time employee” per the ACA regulation.)

4. What is a measurement period?
The term measurement period indicates a time frame for the employer to “look back” to determine if an employee met the 30 hour requirement. The first measurement period for Baylor will be November 1, 2013 through October 31, 2014 (12 months). Faculty and staff who average 30 hours or more over this 12 month period will be offered medical coverage for the following benefit year (beginning January 2015). The measurement period process will repeat each year.

5. Will the measurement period always remain the same each year?
Employers have the ability to change the measurement period under the regulations. At this point, it is not expected for the measurement period to change. However, as we navigate through the first measurement, administrative and stability periods, we will continue to evaluate whether this is the most appropriate time period for variable hour faculty and staff.

6. Who is required to track worked hours and how/where do they track the time?
- Variable hour non-exempt staff already track worked hours and will continue to do so.
- Variable hour exempt staff are authorized to work no more than 29 hours per week. Supervisors must manage and monitor hours worked.
- Variable hour teaching academic appointments quantify time worked using an equivalency of 3.33 hours worked for each credit hour taught. This methodology is used to determine the full time equivalent (FTE). No action is required on the part of the individual. The FTE is verified by Human Resources based upon the credit hours provided by the department on the hiring paperwork/process (FTPBA or through BearQuest).

7. Does the teaching equivalency (3.33 hours worked per credit hour taught) apply to all types of courses?
Yes, this equivalency will be used for classroom credit courses, online courses and courses taught by Graduate Teaching Assistants (GTAs).

8. What is the penalty if the university does not comply with the requirements?
To comply with ACA, BU must offer medical coverage to at least 95% of faculty, staff, students and researchers (70% in 2015) that average 30 hours per week or more. Not meeting this requirement would mean that Baylor will incur a penalty of up to $2,000 for each ACA eligible employee.

9. Will the teaching equivalency (3.33 hours worked per credit hour taught) be adjusted based upon the number of students enrolled in the course?
No. The teaching equivalency will remain the same regardless of the number of enrolled students.

10. What if the credit course is cross-listed? Does that affect the teaching equivalency?
No. Nothing has changed in this situation. Since the course is a single course, the individual would receive the same 3.33 hours worked for each course credit hour.

11. How is the teaching equivalency calculated for courses that are taught on less than a standard semester basis?
The methodology remains the same: 1 credit hour taught equals 3.33 worked hours, regardless of the time period the class covers.

12. How should hours worked be recorded for variable hour staff who have both teaching and non-teaching assignments?
For those variable hour staff that have both teaching and non-teaching responsibilities, the total FTE will be used to determine the hours worked. The FTE should include the credit given using the teaching equivalency as well as the hours spent doing non-teaching assignments.

13. How many hours are students allowed to work?
In accordance with Baylor policy, students may not work more than 20 hours per week while enrolled in classes unless an exception has been reviewed and approved (graduate school). Students who work 30 or more hours per week on average may be eligible for Baylor’s medical insurance.

14. How do breaks in service impact the measurement period?
The regulations state that breaks in service greater than 26 weeks require faculty and staff to begin a new measurement period. To comply with this, if an employee has a break in service of more than 26 weeks (excluding FMLA and Military Leave), they will be rehired and placed into a new measurement period. If the break in service is not expected to last longer than 26 weeks, then the individual should be placed on an appropriate leave (short work break). When an employee has a break in service of less than 26 weeks, they will be placed back into the same measurement/coverage period that they were in at the time their break began.

15. Do independent contractors need to track their hours?
No. As long as they meet the IRS requirements and campus guidelines to be classified as an independent contractor, they do not need to track their hours.

16. Are variable hour faculty and staff allowed to work more than thirty hours per week?
Departments manage their faculty and staff and make decisions about when and how much one will work. If an individual is consistently working .75 FTE (30 hours) in one or more positions over the measurement period, this individual will be considered eligible for medical insurance under ACA.