#11-1

Title: Providing notifications to employees and employers

Policy # 11-1

Contact:	PEBB Rules Manager	**Effective:**	June 1, 2010
		Rescinded:	NA
Associated RCW:	41.05.009(2) 41.05.065(4)(c)(iii),(iv),& (v)	**Supersedes:**	NA
Associated WAC:	182-12-113(2) 182-12-114(1)(c) 182-12-114(2)(c) 182-12-114(3)(b)	**Last Review:**	June 1, 2010
Assoc. fed law/reg:	NA	**Next Review:**	June 1, 2012
Associated Procedures:		**Owner:**	Rules Specialist
Associated Forms & Communication	A,B,C,& D series worksheets	**Approved by:**	
		Position:	Assistant Administrator
		Date approved:	6-1-10

Purpose:

To clarify the requirements of employer-to-employee and employee-to-employer notices, as stated in RCW 41.05.009 and 41.05.065(iii),(iv) and (v).

Policy:

1. Employers must send a written notice to all employees upon hire and when an employee becomes eligible for the employer contribution because of a change in work pattern. Employers may send this notice via email. NOTE: PEBB eligibility worksheets in the "A," "B," and "D" series meet the notice requirements; employers can use the worksheets or use them as templates to comply with this policy.

    a. The notice must include:
        i. A determination of whether the employee is eligible for PEBB benefits;
        ii. A description of any hours that are excluded when determining eligibility;
        iii. A reference to PEBB rules (WAC) 182-12-114 (eligibility for benefits) and 182-12-131 (maintaining the employer contribution); AND
        iv. A statement describing the employee's right to appeal and reference to WAC 182-16.

    In addition to the above, notices for faculty must include:
        v. When the faculty must notify the employer that he or she is working as faculty at another institution (stacking);
        vi. A statement summarizing eligibility criteria for off-quarter or summer coverage; AND
        vii. A statement summarizing eligibility criteria for 2-year averaging and the agency's deadline for faculty to request to be considered for 2-year averaging.

    NOTE: PEBB eligibility worksheets A-3, B-2, B-3, C-3, and D-3 meet the notice requirements for faculty; employers can use the worksheets or use them as templates to comply with this policy.

b. Notices should be provided within a reasonable time frame as part of the hiring process.

c. For new hires, employers must keep a hard or electronic acknowledgement that the notice was received by the employee.

2. When an employee loses eligibility for the employer contribution toward insurance coverage due to termination or because the employee's work pattern changed, the employers must notify the employee in writing that he or she has lost eligibility. Employers may send these notices via email. (NOTE: PEBB eligibility worksheets in the "C" series and B-4 meet the notice requirements; employers can use the worksheets or use them as templates to comply with this policy.)

3. Employees must notify their employer(s) of their potential eligibility due to:
   - Stacking (combining hours worked at a single agency for employees, or combining workload at multiple higher-education institutions for faculty); OR
   - Layoff within the past 24 months.

   If the notice is received by the employer more than thirty days after the date in which the employee became eligible through stacking or layoff, then the employer contribution toward insurance coverage begins the first day of the month after the notice is received.

   NOTE: PEBB eligibility worksheets in the "A" series meet the notice requirements; employees can use the worksheets or use them as templates to comply with this policy.

4. Faculty must notify their employer(s) of their potential eligibility for maintaining the employer contribution through two-year averaging (WAC 182-12-131(3)). Worksheet B-3 meets the notice requirements; employees or employers can use the worksheet or use it as a template to comply with this policy.

   a. Faculty must provide written notification to their employer(s) of their potential eligibility of two year averaging within the deadlines established by the employing agency or agencies.
   b. If the faculty works for more than one institution with different deadlines between them, then the faculty has until the latest deadline to notify all employers.
   c. If a faculty fails to notify his or her employer(s) by this deadline, he or she will not receive the employer contribution for that academic year through two-year averaging. The faculty has the right to appeal or reapply for consideration the next academic year.