

**Title: Providing a notificefications to an employees and an employers**

**PEBB Program Administrative Policy 11-1**

<b>Contact:</b>	Rules Specialist, ERB Division	<b>Effective:</b>	January 1, 201 <del>89</del>
<b>Associated RCW:</b>	41.05.009(2) 41.05.065 <u>(4)(c)(iii), (iv), &amp; (v)</u>	<b>Rescinded:</b>	NA
<b>Associated WAC:</b>	182-12-113(2) 182-12-114 <u>(1)(c)</u> 182-12-114 <u>(2)(c)</u> 182-12-114 <u>(3)(b)</u>	<b>Supersedes:</b>	NA
<b>Assoc. fed law/reg:</b>	NA		
<b>Associated Procedures:</b>		<b>Owner:</b>	<del>Rules &amp; Policy, Rules, &amp; Compliance</del> Manager, ERB Division
<b>Associated Forms &amp; Communication</b>	A, B, C, & D series worksheets	<b>Approved by:</b>	
		<b>Position:</b>	<del>ERB Division</del> Director <u>of the PEBB Program</u>
		<b>Date approved:</b>	12/1/2017

**Purpose:**

To clarify the requirements of an employer-to-employee and employee-to-employer notices, as stated in RCW 41.05.009(2) and 41.05.065 (4)(c)(iii), (iv), and (v).

**Policy:**

1. ~~An Employer~~s 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. ~~An Employer~~s may send this notice via email.

NOTE: PEBB eligibility worksheets in the "A," "B," and "D" series meet the notice requirements; an employers can use the worksheets or use them as templates to comply with this policy.

- a. The notice for an employee 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~~ rights for an employee and reference to ~~WAC~~chapter -182-16 WAC.

In addition to the above, ~~the notice notices~~ for faculty must include:

- v. When the faculty must notify the employer that ~~he or she is~~ they are 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 the employer 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; an employers can use the worksheets or use them as templates to comply with this policy.

- b. ~~The Notices~~ should be provided within a reasonable time frame as part of the hiring process.
- c. For a new hires, an 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 their ~~employee's~~ work pattern changed, the ~~employers~~ must notify the employee in writing that ~~he or she~~ they ~~has~~ ve lost eligibility. An Employers may send ~~thisese~~ notices via email.

~~(NOTE: PEBB eligibility worksheets in the "C" series, and B-2a, B-3a, B-4, and B-5 meet the notice requirements; an employers can use the worksheets or use them as templates to comply with this policy.)~~

2-3. ~~An Employees~~ must notify their employer(s) of their potential eligibility due to:

- a. Stacking (combining hours worked at a single agency for an employees, or combining workload at multiple higher-education institutions for faculty); OR
- b. 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; an 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)).

NOTE: PEBB eligibility wWorksheet B-3 meets the notice requirements; an employees or an 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~~ their employer(s) by this deadline, ~~he or she~~ they 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.