



Legislation Text

File #: 2014-0428, **Version:** 2

Clerk 12/03/2014

AN ORDINANCE relating to employee medical benefits; providing that employees who meet the definition of full-time employee under the Patient Protection and Affordable Care Act of 2010, as amended, are added as a class to the list of those county employees who are eligible to receive medical benefits; and amending Ordinance 12014, Section 7, as amended, and K.C.C. 3.12.040.

BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

SECTION 1. Findings:

A. In 2010, the United States Congress passed the Patient Protection and Affordable Care Act of 2010 ("the ACA"). The ACA requires that, effective January 1, 2015, certain large employers, including King County, offer adequate and affordable benefits to full time employees as defined by the ACA ("ACA full-time employees").

B. An employer that declines to offer adequate and affordable benefits to ACA full-time employees is liable for payment of a penalty under the ACA.

C. Certain King County employees who meet the definition of ACA full-time employees do not currently receive medical benefits. This ordinance would allow King County to offer medical benefits, effective January 1, 2015, to ACA full-time employees.

SECTION 2. Ordinance 12014, Section 7, as amended, and K.C.C. 3.12.040 are each hereby amended to read as follows:

A. Full-time regular, part-time regular, provisional, probationary and term-limited temporary

employees shall receive the leave benefits provided in this chapter.

B. Full-time regular, part-time regular, provisional, probationary, ~~((and))~~ term-limited temporary employees and those employees who meet the definition of full time employee under the Patient Protection and Affordable Care Act of 2010, as amended, and including applicable regulations promulgated under the Patient Protection and Affordable Care Act of 2010, as amended, and their spouse or domestic partner, each of their dependent children~~((;))~~ and each of the dependent children of their spouse or domestic partner, shall be eligible for medical, dental, life, disability~~((;))~~ and vision benefits, except in those instances where contrary provisions have been agreed to in the collective bargaining process and to the extent such benefits are available through insurers selected by the county. The director shall establish specific provisions governing eligibility for these benefits as part of the personnel guidelines and consistent with budget requirements. ~~((Such))~~ The provisions may include waiting periods for employees newly-hired to the county.

C. Part-time and temporary employees, other than probationary, provisional~~((;))~~ and term-limited temporary employees who exceed the calendar year working hours threshold defined in this chapter, shall receive compensation in lieu of leave benefits at the rate of ~~((15%))~~ fifteen percent of gross pay for all hours worked, paid retroactive to the first hour of employment and for each hour worked thereafter. The employee ~~((will))~~ shall also receive a one-time only payment in an amount equal to the direct cost of three months of insured benefits, as determined by the director, and, in lieu of insured benefits, in an amount equal to the direct cost to the county for each employee for whom insured benefits are provided, prorated to reflect the affected employee's normal work week, for each hour worked thereafter. ~~((Such))~~ The additional compensation shall continue until termination of employment or hire into a full-time regular, part-time regular or term-limited position. Further, employees receiving pay in lieu of insured benefits may elect to receive the medical component of the insured benefit plan, with the cost to be deducted from their gross pay~~((; provided, that)), but~~ but an employee who so elects shall remain in the selected plan until: termination of employment~~((;))~~; hire into a full-time regular, part-time regular~~((;))~~ or term-limited position~~((;))~~; or service of an appropriate notice of

change or cancellation during the employee benefits annual (~~open-enrollment~~) open enrollment.

Part-time and temporary employees, other than probationary, provisional and term-limited temporary employees, who exceed the applicable threshold (~~will~~) are also (~~be~~) eligible for cash in lieu of the bus pass benefit provided to regular employees. The value (~~will~~) shall be determined based on the average annual cost per employee as determined in the adopted budget, prorated to an hourly equivalent based on the employee's normal work week, and (~~will~~) shall be paid retroactive to the first hour worked and for each hour worked thereafter until termination of employment or hire into a full-time regular, part-time regular(~~;~~) or term limited position.

SECTION 3. This ordinance takes effect January 1, 2015.

SECTION 4. Severability. If any provision of this ordinance or its application to any person or circumstance is held invalid, the remainder of the ordinance or the application of the provision to other persons or circumstances is not affected.