

RESOLUTION NO. 2013-004

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS

Revising the Ouray County Personnel Policy Manual to Change the Definitions of Part-Time Benefitted Employee and Part-Time Non-Benefitted Employee

WHEREAS, Board of County Commissioners adopted Resolution 2012-031 revising the Ouray County Personnel Policy Manual; and

WHEREAS, federal law, the Patient Protection and Affordable Care Act, Pub. L 111-148, 124 Stat. 119, ("PPACA") includes the definition of full-time employees for purposes of the act and requirements related to providing employees health insurance as one who works an average of at least 30 hours per week in any given month; and

WHEREAS, the Board of County Commissioners does not want to adopt the definition of full-time employee contained in the PPACA for all purposes, but does want to ensure that the county complies with the statutory requirements for providing health care insurance to employees; and

WHEREAS, making appropriate revisions in the definition contained in the Ouray County Personnel Policy Manual will ensure consistency and compliance with federal law and permit the Director of Human Resources to plan and administer future health care benefits for employees consistent with federal law; and

WHEREAS, making this revision at this time allows the Personnel Policy Manual to be completed and printed for employees without requiring additional revisions, to the extent that any other potential revisions have been identified;

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF OURAY COUNTY, COLORADO, AS FOLLOWS:

1. Section 2-8 of the Ouray County Personnel Policy Manual is hereby amended by deleting the reference to "32" hours in the definitions of Part-Time Benefitted Employee and Part-Time Non-Benefitted Employee and replacing such references with "30" hours.

A copy of the pertinent page of the Ouray County Personnel Policy Manual, as revised herein, is attached hereto as **Exhibit A**.

APPROVED AND ADOPTED THIS 5th DAY OF FEBRUARY 2013.

Voting for: Commissioners Fedel, Padgett and Batchelder
Voting against: None



Linda Munson-Haley

 Michelle Nauer, Clerk and Recorder
 By: Linda Munson-Haley, Deputy Clerk of the Board

BOARD OF COUNTY COMMISSIONERS
OF OURAY COUNTY, COLORADO

F. Mike Fedel

 F. Mike Fedel, Chair

Lynn M. Padgett

 Lynn M. Padgett, Vice-Chair

Don Batchelder

 Don Batchelder, Commissioner

CHAPTER 2 – HIRING AND CLASSIFICATION

authorization to work in the United States shall be a condition of employment with the County. Human Resources shall maintain each employee's I-9 documentation as required by law.

2-7 NEW EMPLOYEES

- A. All persons hired by the County, unless otherwise provided for by written contract, are hired "at-will", meaning that they may be terminated at any time, for any reason or for no reason at all. Employees may also terminate their employment at any time, for any reason or no reason.
- B. All new employees will receive a written evaluation at the end of six months and again at the end of the first year of employment, or sooner at the discretion of the supervisor or the Human Resources Director. Current employees who have made a lateral job change will also receive a written evaluation at the end of the first six months in a new job at the discretion of the supervisor or the Director of Human Resources.

Benefits, including the accrual of vacation leave, sick leave and personal leave, will accrue beginning on the first day of employment, but an employee will not be entitled to take any vacation leave or personal leave during the first six months of employment, except as otherwise provided for by written contract, or with the express approval of the Director of Human Resources.

2-8 EMPLOYEE DEFINITIONS

The following definitions shall apply for these regulations:

Full-Time Employee means an employee occupying a position in which the normal workweek is 40 hours per week or more and the position is for an indefinite period. Full-time employees are eligible for all Ouray County benefits set forth in these policies subject to the terms, conditions and limitations of each benefit program.

Part-Time Benefitted Employee means an employee occupying a position in which the normal workweek is at least 30 hours a week and the position is for an indefinite period. Employees designated as this type of employee are eligible for County benefits, sick, vacation and personal leave on a pro-rated basis. Health insurance will not be pro-rated but paid in full.

Part-Time Non-Benefitted Employee means an employee occupying a position in which the normal workweek is less than 30 hours a week and the position is for an indefinite period. Employees designated as this type of employee are not eligible for County benefits and do not accrue vacation, sick or personal leave.

Contract Employee means a position or employee hired to temporarily provide additional personnel support, assist in the completion of a specific project, or to work on an intermittent and/or unpredictable basis, and all seasonal positions unless otherwise stated. The hours worked shall be submitted each pay period. A Contract Employee is not eligible for Ouray County benefits but will receive legally mandated benefits such as employer paid portion of Social Security and Workers' Compensation Insurance.

Part-Time Employees who, on the effective date of this Manual, have County benefits shall not lose those County benefits upon the implementation of this Manual as a result of a change in employment definition. Nothing in this provision shall prevent the County from changing or altering County provided benefits for reasons other than a change in employment definition.