



NUMBER: 345

SUBJECT: BENEFITS—BENEFITS ELIGIBLE EMPLOYEES

EFFECTIVE DATE: AUGUST 15, 2005

EFFECTIVE DATE OF LAST REVISION: JANUARY 24, 2011

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### **345.1 —POLICY**

#### **345.1.1 — Eligibility for Benefits**

Except as otherwise noted in this policy, Bridgerland Applied Technology College (BATC) employees hired into benefits eligible positions are eligible for the benefits listed in this policy (refer to Section 300.301.1.4 of the Policy Manual for further information). There is nothing in this policy that conveys or implies an entitlement to benefits for non-benefits eligible employees.

#### **345.1.2 — State Retirement**

BATC provides retirement benefits to all benefits eligible employees under one of the following options in accordance with the requirements of Utah Code §49-12-101, etc., and §49-13-101, etc.

##### **345.1.2.1 — Contributory**

Employees hired before July 1, 1986, may have chosen to participate in the contributory retirement plan. Current employees cannot convert from the contributory plan to the non-contributory plan unless the legislature opens a window. Under the contributory plan, one-half of the benefits paid in are vested immediately. These vested benefits are available to the employee upon any termination prior to retirement or upon retirement.

##### **345.1.2.2 — Non-contributory**

All employees hired on or after July 1, 1986, are required to use the non-contributory retirement plan. Under this plan, vesting of benefits occurs under the rules and regulations set by the Utah State Retirement System.

##### **345.1.2.3 — 401(k) and 457 Defined Contribution Plans**

BATC also provides benefits eligible employees with two (2) defined contribution plans: a 401(k) plan and a 457 plan. The College contributes 1.5 percent of a benefits eligible employee's compensation to the 401(k) plan as an employer-paid contribution.

Employee contributions to the 401(k) and/or 457 plans are also allowed up to the current, published IRS limits. These limits are revised periodically by IRS and are, therefore, not included in this policy. Employees who want to identify the current limits are encouraged to see the Accounting Department personnel.

#### **345.1.3 — Teacher's Insurance and Annuity Association of America (TIAA)**

All properly classified employees hired before September 1, 2001, (when BATC became an institution of higher education) have their choice between the Utah State Retirement System options (as outlined in Section 345.1.2 above) or participation in the TIAA plan. This election is final and no rights exist to make any further election.

All employees hired after September 1, 2001, may participate only in the retirement plan which attaches to the person's employment classification. Each classification of employees must be assigned to either the Utah State Retirement system or the Teacher's Insurance and Annuity Association of America.



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*Please note: The provisions of this section are subject to two (2) additional events that have yet to occur: (1) the determination of classifications of employees and the plans to which they are assigned, and (2) appropriate levels of funding from the legislature to provide for the added cost of participating in the TIAA plan, which is currently more costly than participation in the Utah State Retirement Plan. Implementation of this section of the policy is on hold until further guidance from UCAT Central Administration.*

#### **345.1.4 — Group Medical and Dental Insurance**

Bridgerland Applied Technology College (BATC) provides group medical and dental coverage to all benefits eligible employees. BATC administration determines which plan and the details of the plan by balancing the richness of the benefits with the cost of the plan. As a general rule, plan benefits are not routinely modified or reduced, but rather, negotiations are designed to manage the cost of the existing levels of benefits. This philosophy is designed to promote the recruitment and retention of properly qualified employees.

The cost of this benefit for the employee, employee plus one (1) dependent, or for the employee plus two (2) or more dependents is paid entirely by BATC at the lowest applicable rate for the particular circumstance of the employee. This benefit is provided as one component in an employee's compensation package and is provided at full cost rather than "grossing up" an employee's salary or wage and then withholding a portion of the medical insurance cost. While BATC will pay the full cost of this benefit at the applicable rate, BATC will not pay the difference between the family premium and the employee plus one (1) dependent, or the single premium, to the employee.

Dependents of the employee eligible for coverage include unmarried dependent children from birth to their 26<sup>th</sup> birthday and the employee's spouse. Unmarried children may include stepchildren and legally adopted children. A dependent child's coverage may be extended beyond their 26<sup>th</sup> birthday if the child is incapable of self-sustaining employment due to a mental or physical disability and is chiefly dependent on the plan participant for support and maintenance. The plan participant must furnish written proof of disability and dependency to the plan sponsor, claims administrator, and BATC, within 31 days after the child reaches 26 years of age.

Employees should notify BATC within 31 days whenever there is a change in a covered person's situation that may affect the covered person's enrollment eligibility or status.

Voluntary participation in the group medical and/or dental insurance plans is also available to non-benefits eligible employees when the entire cost of the coverage is paid for exclusively by the employee and is subject to acceptance of the employee by the insurance carrier or provider. Alternative plans that provide for higher deductibles and lower premiums may also be made available to non-benefits eligible employees on an entirely voluntary basis and at the expense of the employee. Participation in any arrangement of this nature is subject to acceptance of the employee by the insurance carrier. Payroll withholding is available for participation in BATC approved plans, if any exist.

Voluntary participation in the group medical or dental plan for non-benefits eligible employees does not change the status of the employee from non-benefits eligible to benefits eligible and does not entitle the employee to retirement benefits. This option simply provides the non-benefits eligible employee with access to group health insurance at their own expense and at the discretion of the applicable insurance company. Acceptance of non-benefits eligible employees by the insurance company is entirely up to the applicable insurance carrier and is not a right or an entitlement of the non-benefits eligible employee.



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#### **345.1.5 —Life Insurance**

BATC provides life insurance to all benefits eligible employees at approximately two (2) times their annual salary rounded to the next closest \$1,000 as an optional benefit. The cost of this benefit is divided with BATC paying one-half of the cost, until the level of life insurance being paid for by BATC reaches \$50,000, and with the employee paying one-half of the cost up to the \$50,000 level, and the full cost after the level of life insurance being paid for by BATC exceeds the \$50,000 level. In addition, BATC provides an optional life insurance plan for the spouse and dependent children that is designed to assist with funeral expenses. The cost of this optional plan is paid entirely by the employee.

Additional, optional, group-term life insurance over these amounts may be available. The amount of additional coverage and the cost of the additional coverage is determined by and paid for entirely by the employee. BATC provides payroll withholding for the benefit of the employees who participate in this optional plan(s).

#### **345.1.6 — Long-term Disability**

BATC provides a long-term disability plan for all benefits eligible employees who are also covered by the retirement plan described in Section 345.1.2 above. BATC administration determines which specific plan will be in place and reserves the right to change plan providers when doing so would be in the best interest of BATC. The cost of this long-term disability plan is paid by BATC. For additional details about this benefit, refer to Section 300.357 of the Policy Manual.

#### **345.1.7 — Worker's Compensation**

BATC carries Worker's Compensation insurance with the Worker's Compensation Fund of Utah. All work-related, on-the-job injuries are under this policy, which allows compensation and financial aid for medical care. All employees have this protection. Affected employees should immediately report all injuries (even minor ones) and complete an Employer's First Report of Injury Form directly to the Accounting Department and to their immediate supervisor, at the earliest, practical time, given the seriousness of the particular circumstance.

#### **345.1.8 — Tax-sheltered Annuities**

Any benefits eligible employee may participate in the Tax-sheltered Annuities Program. The cost of this program is paid by the employee as a payroll withholding and may provide for tax-deferred savings or other tax benefits. Only approved companies may be used.

#### **345.1.9 — Annual Leave**

BATC provides benefits eligible employees with annual leave as follows. As a general rule, annual leave is calculated based on full-time employment (2,080-hour work year.) Employees who are working less than full-time (three-quarter time) that are otherwise eligible for this benefit would have their benefit pro-rated. For example, a three-quarter time employee would accrue three-quarters of the full benefit.

Benefits eligible employees accrue one (1) day per month of annual leave for the first five (5) years of their continuous employment. In years six (6) through ten (10), employees accrue 1.25 days per month, and after ten (10) years, annual leave is accrued at the rate of 1.5 days per month. Staff/instructors on less than a 12-month contract accrue annual leave as follows: 9-month accrue three (3) days per year, 10-month accrue four (4) days per year, and 11-month employees accrue five (5) days per year.

Annual leave may be accrued and carried from fiscal year to fiscal year without limit.



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Upon termination, the cash value of the accumulated unused annual leave calculated by multiplying the employee's current hourly rate with the number of accrued hours of annual leave, will be paid directly to the employee's 401(k)/457 plan account as an employer-paid contribution, subject to the IRS rules and regulations regarding the maximum amount that may be contributed to a 401(k)/457 plan in a calendar year and in accordance with the rules set by the Utah State Retirement System as they apply to 401(k)/457 plan contributions. Any excess or remaining benefit over these limits will be distributed to the employee as taxable compensation. Annual leave will be applied first (as opposed to any amount available under the retirement incentive program) to the applicable IRS/retirement limitations.

#### **345.1.10 — Sick Leave**

BATC provides benefits eligible employees with sick leave as follows. As a general rule, sick leave is calculated based on full-time employment (2,080-hour work year.) Employees who are working less than full-time (nine (9) months or three-quarter time) that are otherwise eligible for this benefit have their benefit pro-rated.

Benefits eligible employees accrue one (1) day per month of sick leave. Sick leave may be accrued without limit.

As a general rule, unused sick leave is forfeited upon termination. Additional details of this benefit are provided under the Retirement Incentive Policy (Section 300.349) of the Policy Manual.

BATC abides by the rules and regulations of the Family Medical Leave Act (FMLA). All sick leave will be charged against both the sick leave accrual and the FMLA allowance concurrently as they occur. Please see Section 300.351 of the Policy Manual for FMLA details.

Absence of a benefits eligible employee for sick leave will be charged against his or her sick leave accrual regardless of the employment of a substitute teacher, if applicable.

#### **345.1.11 — Personal Leave**

A maximum of two (2) days per year shall be allowed for personal leave. These days may be used for personal reasons as needed with the approval of the employee's supervisor. These days do not accumulate and unused days will be forfeited at the conclusion of each fiscal year. It is the responsibility of the employee to obtain verbal or written approval from his or her supervisor based on the facts and circumstances of the leave request. Unused personal leave is forfeited upon termination.

### **345.2 — PROCEDURES**

#### **345.2.1 — Application for Leave**

BATC benefits eligible employees are responsible to report any and all usage of annual leave, sick leave, personal leave, leave without pay, military leave, jury duty leave, compensation time earned and/or compensation time used, along with documentation of approval from the appropriate supervisor, on an honor system basis, using the BATC approved Leave and Compensation Time Request Form. While it is the responsibility of the employee to initiate the leave slip, BATC supervisors and administrators reserve the right to complete a leave slip on behalf of an employee who may forget or otherwise not record a properly approved leave slip.

Properly approved leave slips are to be given to the Accounting Department, within a reasonable time after the leave has occurred, for recording purposes.



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All of BATC's leave policies are operated under the philosophy that leave time is provided as a benefit to the employee and that employees are expected to use leave time in a responsible manner. This philosophy is based around the concept that no one knows better when an employee needs to use leave, or when their respective workload can accommodate the use of leave, better than the employee and their supervisor. As such, leave requests will be reasonably accommodated to the extent that they will not interfere with the urgent needs of BATC.

Leave taken should be reported in any hourly increment.

#### **345.2.2 — Leave Reports**

The Accounting Department will provide benefits eligible employees with a monthly accounting of their current leave banks in the format prescribed by the Accounting Department and the available software. Any differences of opinion or error corrections on these monthly reports should be corrected as quickly and as informally as possible directly with the Accounting Department.

### **345.3 — RESPONSIBILITY**

#### **345.3.1 — Department Heads and Supervisors**

Department heads and supervisors are responsible for approving, coordinating, and recording the annual leave of employees within their departments.

#### **345.3.2 — Employees**

Employees are responsible for requesting leave of advance so schedules can be arranged to accommodate the needs of BATC and the employee.