

RESOLUTION NO. 2017- 107

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CALISTOGA, COUNTY OF NAPA, STATE OF CALIFORNIA, APPROVING A POLICY AND GUIDELINES AFFORDABLE CARE POLICY AND COMPLIANCE PROCEDURES TO DETERMINE PART-TIME EMPLOYEE ELIGIBILITY UNDER THE AFFORDABLE CARE ACT (ACA)

WHEREAS, the Patient Protection and Affordable Care Act, also known as the Affordable Care Act or ACA provides that an employer with more than 50 employees offer affordable healthcare coverage with a minimum essential value to at least 95% of full-time employees; and

WHEREAS, per ACA, a full-time employee is one who works on average 30 hours per week to be measured within a specific timeframe defined by the employer (based on mandated guidelines). As a large employer under this Act, the City of Calistoga will comply with these mandates as defined in the policy as shown as Attachment A to this resolution; and

WHEREAS, the City's current benefits program complies with the affordability provision of the Affordable Care Act. The policy of the City of Calistoga is to offer health insurance coverage to 100% of all full-time employees as defined under the ACA. For purposes of the ACA, "full-time" is defined as any employee working an average of 130 hours or more per month or 30 or more hours per week over 52 weeks; and

WHEREAS, employees with a date of hire prior to October 2, 2017 who have been offered and have accepted health insurance in a previous period will be offered the lowest- cost employee and dependent health care coverage. The City will pay 90% of the premiums for this coverage. If employee refuses coverage, he/she is not eligible for an "opt-out" benefit; and

WHEREAS, employees with a date of hire on or after October 2, 2017 or any employees who have not been offered and accepted health insurance before, regardless of date of hire, and who are deemed eligible under this policy in a current or future measurement period, will be offered the lowest-cost employee-only health care coverage. The City will pay 90% of the premiums for this coverage. If employee refuses coverage, he/she is not eligible for an "opt-out" benefit; and

WHEREAS, employees who are determined as full-time during a *Measurement Period* and received and accepted an offer of coverage over the associated *Stability Period* but were not determined full-time during the next *Measurement Period* will receive a notice of cancellation of health care at the end of the current *Stability Period* and will not be eligible for health insurance again until they are determined as full-time in a future

Measurement Period. These employees will then fall under the employee-only health coverage plan.

NOW, THEREFORE BE IT RESOLVED that the City Council of the City of Calistoga hereby adopts the provisions under the City of Calistoga's Policy and Guidelines Affordable Care Policy and Compliance Procedures to Determine Part-Time Employee Eligibility under the Affordable Care Act (ACA) Policy shown as Attachment A.

PASSED, APPROVED, AND ADOPTED by the City Council of the City of Calistoga at a regular meeting held this **3rd day of October, 2017** following vote:

AYES: Vice Mayor Dunsford, Councilmembers Barnes,
Lopez-Ortega and Kraus and Mayor Canning
NOES: None
ABSTAIN: None
ABSENT: None



CHRIS CANNING, Mayor

ATTEST:



KATHY FLAMSON, City Clerk