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Tentative Agreement between Contra Costa Community College District (4CD) and United Faculty of 4CD (UF)

May 1, 2023

It is the intent of the parties to fully comply with the provisions of recently signed AB 190 (chaptered as Education Code Sections 87860-87868), which allows the District to expand contributions to part-time faculty health-insurance premiums (excluding dental and vision insurance) and to receive 100% reimbursement from the State. To that end, the Contra Costa Community College District and United Faculty of 4CD, after a series of meetings, have agreed to amend Article 21 of the UF contract with regards to health insurance for part-time faculty as follows:

~~21.9.5.3 District shall contribute toward the premium cost of the health plan based on the member's average load for the previous academic year (fall and spring) in three tiers as follows:~~

~~30% load and greater — District shall contribute 40% of the premium cost~~

~~40% load and greater — District shall contribute 50% of the premium cost~~

~~60% load and greater — District shall contribute 75% of the premium cost~~

Beginning on XX, 202X (see below for timeline), a part-time faculty member shall be eligible for the same District-sponsored healthcare coverage provided to full-time faculty, provided that the member meets the eligibility criteria set forth under Education Code Section 87860-87868 and the other conditions set forth below.

4CD shall contribute towards the premium cost of the Kaiser plan at the same rate for the Kaiser plan as the District contributes for full-time faculty (currently 94% of premium costs). For the Anthem Blue-Cross EPO Plan, 4CD shall contribute 97% of premium costs. Whenever any new plan is added or changes are made to existing plans, District and UF will mutually agree on the District's contribution rate for the new or altered plan, but at no time shall District contributions to any part-time health insurance plan be lower than District contributions for the same plan for full-time faculty. If 4CD changes health carriers in the future, part-time faculty who participate in this program shall continue to have the same healthcare plan options as full-time faculty.

~~21.9.5.4 The member's average load for the prior academic year (fall and spring) shall determine the District's contribution toward the premium for the entire fiscal year in which the member is otherwise eligible.~~

A part-time faculty member shall be eligible for health insurance benefits under this program if the member meets the criteria listed below:

21.9.5.4.1 Has a current assignment as a part-time faculty member in the District and had assignments as a part-time faculty member in the previous two semesters (fall and spring or spring and fall) with an average of 40% load or greater.

21.9.5.4.1.1 The load from summer assignments may be added to the previous spring semester to be included in the total load that makes up the aggregate annual load used to calculate the average referenced in 21.9.5.4.1. For example, a faculty member who teaches 40% load in the fall, 20% load in the spring, and 20% load in the summer would be considered to have taught a 40% average load for the year.

~~**21.9.5.5** Payments shall be averaged over all months in which the member is eligible and selects health benefits coverage.~~

21.9.5.5 To be eligible for health insurance benefits under this program, the part-time faculty member must not be receiving health insurance coverage from another employer either directly, as a spouse, as a domestic partner, or as a dependent, in accordance with Education Code Section 87864.

21.9.5.6 The employee may elect to choose insurance for one party, two party, or family coverage. To be included in plan coverage, dependents of part-time faculty members participating in the District-sponsored healthcare program shall not be receiving benefits from another source simultaneously. Employees will be expected to sign a document verifying that neither they nor their dependents are receiving benefits from another source.

21.9.5.7 The employee portion of premium payments will be automatically made by payroll deduction on a pre-tax basis, unless net salary is insufficient, or the employee prepays. ~~The e-Employees may utilize the IRS Section 125 plan to make his/her their premium payments.~~ Once a part-time faculty member is enrolled in a District-sponsored health plan, the District shall continue to make its share of premium contributions for any months where the part-time faculty member remains eligible but does not receive a paycheck (such as July and August). Participating employees will be covered for the summer months even if not working that session. The District shall prorate the faculty member's share of contributions to deduct even amounts averaged over however many months during each semester that the part-time faculty member receives a regular paycheck.

21.9.5.8 If a part-time faculty member's premiums are in arrears, they will be invoiced at the end of the Spring semester for the remaining balance. The balance must be satisfied by the Fall Open Enrollment to maintain eligibility. Failure to pay premium terminates coverage and the individual cannot be re-instated until the following year and until all employee balances have been paid. If the participating part-time faculty member drops the medical insurance coverage or is dropped for any reason by the plan, the District shall have no responsibility for the payment of premiums.

21.9.5.9 Part-time unit members in the open enrollment will submit provider enrollment forms as directed in the open enrollment communication from the District Office Human Resources. ~~Open enrollment will be at least two weeks at the start of each semester, providing the District has notified eligible part-time faculty two weeks before the beginning of open enrollment period via campus mail, e-mail, or other means of communication. On or before February 8, the District will provide the designated U.F. representative a list of the part-time enrollees, and load data for only the enrollees for the previous spring and fall semesters.~~

21.9.5.9.1 The initial period of open enrollment will begin XX, 202X (see below for timeline). Once an open enrollment period begins, all eligible part-time faculty members will have 15-30 days (to be determined by mutual agreement) to enroll, or they must wait until the next open enrollment period. Any eligible employee who chooses not to participate in the program must wait until the next open enrollment period to join the program.

21.9.5.9.2 An employee who has fulfilled the minimum qualifying criteria at the end of the spring semester will be eligible to begin coverage from the first day of the month following the start of the fall semester.

21.9.5.9.3 Open enrollment periods will be established with Anthem Blue Cross and Kaiser Permanente in order to facilitate year-round coverage.

21.9.5.10 Part-time ~~unit~~ **faculty** members who submit enrollment forms on or before the designated deadline date in the Fall will have payment deductions over a ten (10) month period, and those who submit enrollment forms after the designated deadline date (but still during the open enrollment period) will have payment deductions over a nine (9) month period. Part-time ~~unit~~ **faculty** members who submit enrollment forms on or before a designated deadline date in the Spring will have payment deductions over a five (5) month period, and those who submit enrollment forms after the designated deadline date (but still during the open enrollment period) will have payment deductions over a four (4) month period. Coverage for those beginning participation in the fall will be effective on September 1. Coverage for those beginning participation in the spring will be effective February 1.

These timelines are subject to change by mutual agreement depending on decisions made with regards to open enrollment periods (see 21.9.5.9).

21.9.5.11 If a part-time faculty member who is participating in the program becomes ineligible, the member may exercise COBRA rights or other options as described in HR Procedure 1120.08. 4CD shall not be held liable for changes in scheduling that alter the insurance status for a part-time faculty member.

21.9.5.12 A part-time faculty member who has already met eligibility requirements and is currently enrolled in the program may remain enrolled in a District-sponsored health plan for any semester that the faculty member's load is 40% or higher.

21.9.5.13 Multi-District Part-Time Faculty Members shall be eligible for health-insurance reimbursement for a portion of their paid medical insurance premium, if they have met all of the following criteria over the past two consecutive (fall/spring or spring/fall) semesters:

- a. Served at more than one California community college district;
- b. Not have held an assignment in any California community college district with an AB190-eligible Health Care Program for part-time faculty in which their assignment equaled or exceeded 40% of the full-time equivalent tenured faculty assignment;
- c. Not have received coverage from any other employer-sponsored plan, or as a covered dependent of anyone receiving coverage from an employer-sponsored plan;
- d. Have purchased a healthcare plan covering themselves and optionally any eligible dependents.

21.9.5.13.1 Qualifying Multi-District Part-Time Faculty Members must provide timely documentation as requested by 4CD demonstrating that they meet all eligibility requirements in addition to signing an affidavit provided by the District attesting to having met these requirements.

21.9.5.13.2 Upon receipt of evidence of the Multi-District Part-Time Faculty Members medical premium payment, the District shall issue a reimbursement equal to its share of this premium payment. The District's share shall be determined by dividing the total health insurance premium paid by the total number of California community college districts in which the Multi-District Part-Time Faculty Member currently holds an active faculty assignment. The District's share shall not exceed that which it would have paid if the Multi-District Part-Time Faculty Member had purchased the District's most commonly subscribed plan.

21.9.5.14 If the District receives less than 100% reimbursement from the State for its medical premium and reimbursement expenses under this program, the parties shall reopen negotiations on this topic upon the request of either party. If at any time the State fund for this program is being spent to reimburse participating districts in any fiscal year at a higher rate than 80% of the total available dollars in the State fund, the agreement covering this program shall automatically reopen. In the event that 4CD receives clarification regarding eligibility or if there are changes to the State program with regards to eligibility or funding, the parties shall reopen negotiations on this topic upon the request of either party.

21.9.5.14.1 If for any reason provided for under this agreement, District determines after implementation of this agreement that it is no longer able to offer the plans described herein at the contribution rates described herein, District agrees to reopen negotiations in a timely manner so that alternatives can be discussed in time to avoid any interruption in insurance coverage, if possible.

21.9.5.15 In calculating savings or expenses from this program that may affect other agreements (such as compensation formulas), both parties agree that 4CD may include reasonable, actual administration costs for this program. Depending on implementation workload, a dedicated classified professional may be needed.

The changes described in this agreement shall not go into effect until such time as the District is able to begin a new “open enrollment period” for part-time faculty and subsequently implement the changes described above. The implementation date (ideally during the 2023/2024 academic year but not later than January 1, 2025) will be agreed to by mutual consent between the parties, based on negotiations with the insurance carriers.

The parties agree that prior to implementation, we will reach agreement on a plan to clarify the rights and responsibilities of retired full-time faculty who may be eligible to participate in a district-sponsored health insurance plan as a part-time faculty member.

Implementation of this agreement depends on the District’s health insurance carriers, Kaiser and Anthem Blue Cross, agreeing to add part-time faculty who would become eligible under this agreement to the current District plans as a subgroup without significantly raising premium costs for other subgroups. Implementation also depends on the carriers making available plans and rates that comply with the requirements of AB 190 that allow for full reimbursement. If while attempting to implement the provisions of this agreements, the District learns that the carriers will not offer the same plan to the extended group of part-time faculty who would be eligible under this agreement or that costs for other subgroups will rise substantially, this agreement shall not be implemented, and UF and District will reopen negotiations on part-time health insurance benefits.