

**Resolution Temporarily Permitting Certain Benefits Eligibility
and Policies Contradicting the Faculty Handbook**

**Faculty Senate
Executive Committee
Passed April 13, 2015**

Whereas the Affordable Care Act (ACA) requires employers to offer health insurance to employees who have worked an average of 30 hours per week over the ACA measurement period, which at Ohio University is 9 months; and

Whereas the University has, for FY2016, promised eligibility for the full benefits suite to those employees who qualify for the University health insurance program under the ACA, including Group III faculty; and

Whereas the Faculty Handbook (III.P and Q) restricts Educational Benefits to Group I, II, and IV faculty and their families, and

Whereas Handbook Section R.4. specifies that the University does not provide health insurance to Early Retired faculty; and

Whereas faculty appointment decisions should be made on the bases of academic need, demonstrated qualifications, and employment equity, rather than on the requirements of a federal law intended to serve a different purpose; and

Whereas the Benefits Advisory Council and the Faculty Senate, among others, have not had opportunity to consider what level of benefits eligibility is most appropriate for Group III faculty who have qualified for ACA coverage; and

Whereas Faculty Handbook Sections III.A–D (health and dental benefits) and K (Ohio University Credit Union) describe plans, policies, and circumstances that have not existed in fact for a number of years;

Be it resolved that Group III faculty members who qualify for health benefits under the ACA and will be rehired but who have not been approved for a Group I, II, or IV position by their academic department and had those appointments confirmed by the appropriate academic leaders shall be given contracts as “Group III ACA Qualifiers” during the period that the ACA requires benefits to be offered; and

Be it further resolved that faculty participating in the early retirement program who qualify for health benefits under the ACA be given contracts as “Early Retired ACA Qualifiers”; and

Be it further resolved that the Faculty Senate officially acknowledges the currently-existing Handbook Sections III.A–D and K to be non-binding; and

Be it further resolved that this resolution shall be in effect for a maximum of two years; and

Be it further resolved that any amendments to the Faculty Handbook regarding benefit levels, policies, or eligibility will supersede any portion of this resolution with which they conflict, unless otherwise specified in the amending resolution.