

**Auxiliary Benefits
Policy and Procedures**

BOT Approved: 3/16/2016
 Revised: 8/25/2016
 Revised: 12/1/2016
 Revised: 7/1/2017
 Revised: 7/2/2018
 BOT Revised: 6/19/2019
 Revised: 7/1/2020
 Revised: 7/1/2021

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Auxiliary Benefits Policy and Procedures

I. Philosophy and Scope

Frederick Community College (“FCC” or the “College”) recognizes the benefit of a healthy workplace and promotes employee health, wellness, and professional growth by providing medical, dental, vision, retirement, and tuition benefits to eligible Full-time Auxiliary employees.

II. Definitions for the Purpose of this Policy and Procedures

- A. **“Family Medical Leave Act” (FMLA)** is the federal law that provides employees with up to 12 weeks (or 420 hours) of unpaid, job protection for their own serious health condition; the serious health condition of a spouse/domestic partner, dependent child, or parent of the employee; the birth, adoption or foster placement of a child with the employee; or for a qualifying exigency.
- B. **“Full-time Auxiliary Employees”** refers to designated full-time staff in Dining Services, the Bookstore, and the Children’s Center, including full-time teachers in the Children’s Center.
- C. **“Full-time Plan Year Employee Contributions”** refers to the insurance premium rate sheet which shows the monthly insurance premium cost, College insurance premium contributions, and per pay period premium contributions paid for by the employee.
- D. **“Paid Time Off (PTO)”** refers to a bank of hours that full-time Auxiliary employees may use for vacation, illness, or personal reasons.

III. Responsible Senior Leader and Responsible Office

Vice President for Human Resources

Office of Human Resources

IV. Entities Affected by this Policy and Procedure

Auxiliary Staff

V. Procedures

A. Medical, Dental, and Vision Insurance

Full-time Auxiliary employees are eligible for medical, dental, and vision insurance. Employees may enroll eligible family members, including domestic partners (complete the [Domestic Partnership Declaration](#)). Coverage for eligible full-time Auxiliary employees is effective on the first of the month following thirty (30) days of employment. Eligible full-time Auxiliary employees will pay premiums in accordance with the Full-time Plan Year Employee Contributions.

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The College provides a Health Savings Account (HSA) to employees enrolled in the FCC high deductible health insurance plan. New enrollments effective after July 1 will result in a pro-rated contribution. Employees who enroll in the high deductible health insurance plan may contribute additional funds to their HSA on a pre-taxed basis.

Any full-time Auxiliary employee and their family may be eligible to obtain health insurance coverage through the Health Insurance Marketplace, as outlined by the [Patient Protection and Affordable Care Act](#).

B. Waiver of Medical Insurance

Full-time Auxiliary employees eligible for medical insurance under approved College insurance plans may elect to waive such coverage by completing the Waiver of Medical Insurance Coverage form available in the Human Resources office and the HR benefits intranet site. Future enrollment in an approved College insurance plan will be limited to open enrollment periods and other times as provided by plan rules and State and Federal laws in effect at the time. Eligible full-time Auxiliary employees who voluntarily elect to waive health insurance coverage will receive a taxable opt-out cash incentive in lieu of the health insurance benefit. To be eligible to receive the opt-out benefit, employees must provide proof of other health insurance coverage. The opt-out incentive will be paid on each semi-monthly pay date as long as the employee would otherwise be eligible for health insurance coverage from the College. All such payments shall cease for any period of time the employee is on an unpaid leave of absence, or if the employment relationship is severed for any reason. The full amount will be recorded as taxable income and all applicable taxes will be deducted per the employee's withholding requirements.

C. Flexible Benefits Plan

Eligible full-time Auxiliary employees may elect to pay for the full-time Auxiliary employee share of insurance premiums on a pre-tax basis through salary reduction. This plan is intended to be a cafeteria plan as defined in Section 125(d) of the Internal Revenue Code of 1954, as amended.

D. Flexible Spending Accounts (FSA)

Full-time Auxiliary employees are eligible to participate in General Health, Limited Health, and/or Dependent Care flexible spending accounts (FSA). The FSAs are operated in accordance with the Federal Tax Code. These accounts are funded by the full-time Auxiliary employee and are not subsidized by the College.

E. Tuition Waivers

Full-time Auxiliary employees may be eligible for a waiver of tuition for job-related credit or non-credit FCC classes. The supervisor will review the request to determine if the course is job-related. An [Educational Benefits Application Form](#) must be completed prior to registering each semester. Tuition waivers under this Policy and Procedures do not apply to family members or dependent(s).

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The IRS has determined that some employee benefits such as tuition benefits for employees may be taxable and therefore fall under the U.S. Tax Code.

F. Voluntary Benefits

Full-time Auxiliary employees are eligible for a variety of voluntary benefits. Information regarding the voluntary benefits program can be obtained by contacting the Human Resources office.

G. Employee Assistance Program

The College Employee Assistance Program (EAP) provides free and confidential wellness, counseling, and referral services 24 hours a day, seven (7) days a week, to full-time Auxiliary employees who are eligible for healthcare benefits and members of their households. The EAP is available to help individuals and families cope with personal crises and problems, including financial, family or legal concerns, substance abuse rehabilitation, and stress management. Services include up to four (4) face-to-face counseling sessions per person, per episode and unlimited telephonic legal and financial services. In addition, a variety of information is available through the online resource library.

Contact the Human Resources office for EAP provider information or visit the [HR benefits intranet site](#) for additional information.

H. Leave Benefits

Eligible full-time Auxiliary employees will receive eighty (80) hours of PTO per fiscal year.

PTO is allocated and available for use beginning July 1 of each year, or pro-rated from the date of hire. However, PTO is unearned until the employee works the hours necessary to accrue the time. PTO is earned at a rate of 6.67 hours per month.

If an employee separates from employment before the end of the fiscal year, unearned PTO that has been used will be deducted from the employee's final pay.

PTO requests must be submitted and approved by the employee's direct supervisor in advance. PTO requests for five (5) or more days must be submitted and approved by the employee's direct supervisor at least two (2) weeks in advance. In extenuating circumstances, the supervisor may approve PTO requests submitted less than two (2) weeks in advance.

Full-time Auxiliary employees may not carry forward any unused PTO accrued as of June 30 of each year. Upon separation from employment, there is no cash payout for unused PTO.

FCC abides by the Maryland Healthy Working Families Act for employees who regularly work 12 or more hours per week.

I. Leave Usage During Inclement Weather Closures

Full-time and part-time auxiliary staff normally scheduled to work on a day the College is closed for inclement weather will be compensated at their regular rate of pay. Essential personnel who are scheduled to work on a day the College is closed for

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inclement weather will be compensated at one and one-half times (1½) their regular rate of pay.

If an employee has approved leave for a day in which the College is closed for inclement weather, the leave may be rescinded upon notification to the Payroll Office by the employee's direct supervisor. See the [Inclement Weather/College Closing Policy and Procedures](#) for additional information on leave usage during inclement weather.

J. Jury Duty/Court Attendance

Jury duty or court attendance leave provides time off to full-time Auxiliary employees to fulfill their civic responsibility when summoned. Employees who are summoned for jury duty to court for other than personal reasons, will receive normal compensation during the period of absence from the College. To be compensated, the employee must remit to the College all compensation paid to the employee for jury duty or court attendance (except for reimbursement for mileage and meals).

Employees must submit to their supervisor a copy of the summons to service as soon as practicable after it is received. Employees are expected to return to work when they are released. In addition, proof of service must be submitted to the supervisor when the period of jury or court attendance is completed.

K. Military Leave

Orders activating a service member to military duty must be provided to the direct supervisor, Senior Leader and Human Resources.

Mandatory Military Reserve Training

Full-time Auxiliary employees who participate in required military service training, including inactive duty training for the organized Maryland Militia, are entitled to a leave of absence from duties, without loss of pay, time, or performance rating not to exceed fifteen (15) working days annually. Employees will be paid the difference between their College base pay and the total military or militia pay and allowances (exclusive of those for travel and uniforms). Employees will not be required to use annual leave for this period. Employees must provide the Office of Human Resources with a copy of their activation orders in advance of their service.

Active Duty Call-up

In the event an employee is ordered to active duty, including employees in the organized militia called to State active duty, the employee will be paid the difference between their College base pay and the total military pay and allowances (exclusive of those for travel and uniforms) for a maximum period of ninety (90) days per year without loss of time or efficiency rating. The employee must provide to the Office of Human Resources with a copy of their activation orders in advance of their service.

All College-provided medical and dental benefits in effect immediately prior to active duty call-up will remain in effect for up to ninety (90) days. Such benefits will then cease as of the end of the month in which continued base pay ends. Applicable

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Consolidated Omnibus Budget Reconciliation Act (COBRA) coverage shall then be made available to the employee and to eligible dependents.

Reinstatement Rights

Full reinstatement rights shall be extended to employees returning from active military duty as stipulated under the Uniformed Services Employment and Reemployment Rights Act (USERRA). For the purposes of determining longevity, pay, or pay advancement, the status of the employee will be considered uninterrupted by military service. Human Resources should be contacted with any questions or concerns regarding compliance with USERRA.

L. Organ and Bone Marrow Donation Leave

The College complies with the State of Maryland Organ and Bone Marrow Donation Leave laws. An employee is eligible for Organ and Bone Marrow Donation Leave if they have worked for the College for at least 12 months and at least 1,250 hours during the previous 12 months. Human Resources will make the determination concerning whether or not leave is covered under the Organ and Bone Marrow Donation Leave upon receipt of medical certification.

M. Family and Medical Leave

The College complies with State of Maryland and Federal Family and Medical Leave laws. All employees must consult with the VP for Human Resources or designee before going on Family and Medical Leave, or as soon as possible if due to an emergency or unforeseeable circumstance. Taking leave under this policy will not be used against an employee in any employment decisions including the determination of raises or discipline.

There may be times when an employee uses leave provided by the College which will qualify as Family and Medical Leave even though the employee has not specifically applied for Family and Medical Leave. The College has the right to designate such absences as Family and Medical Leave if the leave used is no more restrictive than that provided by law. It is the responsibility of the supervisor to notify Human Resources of all absences of more than three (3) days for sickness that may fall under the Family and Medical Leave Act (FMLA). Human Resources will make the determination concerning whether or not leave is covered under the FMLA upon receipt of medical certification. If an employee's absence is designated as Family and Medical Leave, they will be notified in writing by the VP for Human Resources or designee.

Eligibility

An employee is eligible for Federal Family and Medical Leave if they have worked for the College for at least twelve (12) months and at least 1,250 hours within the previous twelve (12)-month period. The FMLA provides for up to twelve (12) weeks of unpaid, job-protected leave during any twelve (12)-month period to eligible employees for their own serious health condition; the serious health condition of a spouse/domestic partner, dependent child, or parent of the employee; the birth, adoption or foster placement of a child with the employee; or for a qualifying exigency. FMLA leave taken in the prior twelve (12) months will be included in the total of twelve (12) weeks

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(or twenty-six (26) weeks when applicable) available under the FMLA. The employee will be required to use all available sick, annual, and personal leave during FMLA before unpaid leave is granted.

For the purposes of this policy, a dependent child is a child under the age of eighteen (18) who is the biological or step child of the employee, who is adopted by the employee, or whom the employee is legally responsible. A child over the age of (18) who is incapable of self-care because of a mental or physical disability, or who incurs a serious health condition which renders them incapable of self-care, is also considered a dependent. A parent is the individual who assumed day-to-day and financial responsibility for the employee when the employee was a child. Domestic partners, while not covered by the Law, will be included by the College provided that the partner is identified on an FCC Domestic Partner Declaration form.

Eligible employees whose spouse, son, daughter, or parent is on covered active duty or called to covered active duty status may use their twelve (12)-week leave entitlement to address certain qualifying exigencies. Qualifying exigencies may include attending certain military events, arranging for alternative childcare, addressing certain financial and legal arrangements, attending certain counseling sessions, and attending post-deployment reintegration briefings.

In addition, eligible employees may take up to twenty-six (26) weeks of unpaid leave to care for a covered service member during a single twelve (12)-month period. A covered service member is: (1) a current member of the Armed Forces, including a member of the National Guard or Reserves, who is undergoing medical treatment, recuperation or therapy, is otherwise in outpatient status, or is otherwise on the temporary disability retired list, for a serious injury or illness*; or (2) a veteran who was discharged or released under conditions other than dishonorable at any time during the five-year period prior to the first date the eligible employee takes FMLA leave to care for the covered veteran, and who is undergoing medical treatment, recuperation, or therapy for a serious injury or illness.*

**The FMLA definition of “serious injury or illness” for current service members and veterans are distinct from the FMLA definitions of “serious health conditions.”*

Emergency FMLA Provision

The College complies with the federal regulations to provide emergency FMLA for families affected by the COVID-19 pandemic. An employee who has worked a minimum of thirty (30) days is eligible for this leave if unable to work or telework due to the need to care for a minor child because school or child care is closed due to a public health emergency. Eligible employees may receive up to twelve (12) weeks of FMLA and some leave time may be paid. Employees should contact Human Resources for additional information and eligibility requirements.

N. Unpaid Leave

With supervisor approval, full-time Auxiliary employees may be granted up to eighty (80) hours of unpaid leave per fiscal year. Leave benefit time will not be earned during non-FMLA unpaid leave. Health-related insurance benefits will continue provided the employee pays the full cost of coverage at the College group rates.

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O. Years of Service Recognition

Full-time Auxiliary employees will receive a one-time bonus of \$1,000 in the anniversary month of each 5th year of service (5, 10, 15, 20, etc.). This bonus is paid through the normal payroll process, and subject to taxes, in the pay period that the anniversary date occurs.

P. Retirement

Full-time Auxiliary employees are provided with membership in the Optional Retirement Program (ORP) through TIAA effective at the time they commence employment with the College. Eligibility is determined by the Maryland State Retirement and Pension System. Information about the ORP is available in the Human Resources office.

VI. Related Policies and Procedures

[Employee Recognition](#)

[Inclement Weather/College Closing](#)