

Part-time and Intermittent Employment (FMC 2.5 – January 1, 2022)

Section 1 – Background: The federal Patient Protection and Affordable Care Act (PPACA) establishes that employers share responsibility for offering health coverage to an employee who is employed on average at least 30 hours of service per week. The FMC articulates the means by which State law and practice are reconciled with PPACA.

Section 2 – Part-time Employment: “Part-time appointment,” defined in 31 IAC 5-1-1 (3) to require at least half-time but less than full-time work, must be administered consistent with PPACA’s definition of “full-time” [IRC Section 4980H(c)(4)(A)]. Persons appointed part-time are only authorized and permitted to work, on average, less than 30 hours per week.

The less than 30 hours weekly can be averaged over the pay period. However, part-time appointments at the Department of Natural Resources, that primarily consist of seasonally variable responsibilities, will be averaged from October 15 to October 14, instead of being averaged over the pay period.

Section 3 – Intermittent Employment: Any amount of time spent performing work on a calendar day constitutes one “working day” for purposes of the 180 working day limit in 31 IAC 5-2-4(c). The annual 180 working day limit is applied during the period October 15 to October 14 of the subsequent year. Any exceptions previously granted to the 180-day working limit for intermittent appointments are rescinded.

Section 4 – Intermittent Employment: The State will apply the on-average-less-than-30-hours-weekly PPACA test against attendance records to determine eligibility for health coverage.



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