

# Section 5

## Employee Benefits

### Temporary Part-Time Staff

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## **Vacations**

## **5.1**

Benefits eligible part-time employees will begin to earn vacation once they have met the eligibility requirements outlined in Section 3.1.IV.A.

Vacation hours will be based on the average hours worked during the previous 12-month period reviewed. Vacation credits will accrue as follows:

- First year of benefits eligibility – Equivalent of one week
- Second year through fifth year of benefits eligibility – Equivalent of two weeks
- Sixth year of benefits eligibility and beyond – Equivalent of three weeks

Years of benefits eligibility need not be consecutive. However, only first year benefits eligibility dates that fall between July 1 and September 30 will count as having completed a full year for subsequent year vacation credit accrual. First year eligibility dates October 1 and later will not count as a full year toward subsequent year vacation credit accrual.

Hours will be reviewed quarterly for new employees and on July 1 of each year thereafter. The employee will be notified in writing of the part-time benefits.

Vacation hours will be prorated for new employees who become benefits eligible during the fiscal year. For example, if a part-time employee becomes benefits eligible on October 1 and averaged 32 hours during the 12-month period reviewed, they would receive 3/4 of the vacation time, or 24 hours.

Vacation days can be used for weather-related Kirkwood closings and holidays. No carry-over of any vacation days will be permitted. On June 30 of each year, all unused vacation credits will be purged.

Vacation may be used in a minimum of one-hour increments. A maximum of 35 hours per week may be submitted for vacation or any combination of vacation and work hours.

## **Personal Illness or Injury**

## **5.2**

Benefits eligible part-time employees will begin to earn sick leave credits once they have met the eligibility requirements outlined in Section 3.1.IV.A.

Personal illness/injury leave will accumulate as shown below.

<u>Average Hours Personal Illness/Injury Worked Per Week</u>	<u>Leave Hours Granted</u>
20-29	48
30 or more	72

Personal illness/injury leave can be accrued to 400 hours.

Personal illness/injury leave hours will be prorated for new part-time employees who become benefits eligible during the fiscal year. For example, if a part-time employee becomes benefits eligible on October 1 and averaged 32 hours during the 12-month period reviewed, they would receive 54 hours (or 3/4) of personal illness/injury leave.

If an employee's illness or injury leave has potential to result in an absence of more than five (5) consecutive work days, please see "How to Apply for Family and Medical Leave/Illness or Injury Leave" under Section 5.6.

Personal illness or injury leave may be used in a minimum of one-hour increments.

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### **Bereavement Leave** **5.3**

Benefits eligible part-time employees may use available personal illness/injury leave credits for bereavement leave in case of death in the immediate family to a maximum of five (5) days per year. Unless specific hours are noted on the Employee Leave Report, a day will be considered five (5) hours. The immediate family shall be interpreted as father, mother, son, daughter, wife, husband, family partner (as specified in the employee's Affidavit of Extended Family Relationship filed with Human Resources), brother, sister, grandparent, grandchild, comparable in-laws and step-parents/children. Documentation of such leave may be requested. Bereavement leave may be used in a minimum of one-hour increments.

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### **Illness in the Immediate Family** **5.4**

Benefits eligible part-time employees may use available personal illness/injury leave credits for illness in the immediate family to a maximum of three (3) days per year. Unless specific hours are noted on the Employee Leave Report, a day will be considered five (5) hours. The immediate family shall be interpreted as father, mother, son, daughter, wife, husband, family partner (as specified in the employee's Affidavit of Extended Family Relationship filed with Human Resources), brother, sister, grandparent, grandchild, comparable in-laws and step-parents/children. Documentation of such leave may be requested. Leave may be taken in a minimum of one-hour increments.

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### **Holidays** **5.5**

Benefits eligible part-time employees receive two paid holidays per year, paid at four hours per day. Those two holidays include December 25 and New Year's Day, January 1.

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### **Family and Medical Leave (FMLA)** **5.6**

Notwithstanding any other provisions under Paid or Unpaid Leaves in this handbook, an employee who has been employed for at least 12 months and for at least 1,250 hours of service during the previous 12 months, may be granted unpaid leave for one or more of the following reasons:

1. Birth of son/daughter and in order to care for such son/daughter.

2. Placement of son/daughter with the employee for adoption or foster care.
3. To care for a spouse, son, daughter or parent who has a serious health condition.
4. A serious health condition that renders the employee incapable of performing the functions of his/her position.

A total of 12 work weeks of leave during any 12-month period may be granted under this policy. Such leave must be taken on a sustained or uninterrupted basis, except that intermittent leave may be taken for serious health care of the employee, child, spouse or parent. The employee shall provide as much prior notice as reasonably possible.

When the leave is related to a serious health condition, the employee must make a reasonable effort to schedule treatment(s) so as not to unduly disrupt their job responsibilities. The employee is required to first use their available sick days, accrued paid vacation and/or personal days for any part of the 12-week period. FMLA will run concurrent with all paid leave options - after the fifth consecutive day of absence. If such paid leave is available, Kirkwood provides enough additional unpaid leave to total 12 weeks. Where paid leave is available, the total FMLA absence (paid and unpaid) shall not exceed 12 weeks in a 12-month time period.

For Family and Medical Leave taken for reasons other than employee illness, paid leave time must be utilized prior to unpaid leave. Family and Medical Leave will run concurrent with this paid and/or unpaid leave.

The employee will be allowed to return to the same job or an equivalent position with equivalent pay and benefits. Previously accrued benefits will not be forfeited; however, additional benefits or seniority will not accrue during the absence.

Group insurance benefits will be continued during an approved absence, as applicable, provided the employee continues to remit his/her share of the premium if applicable. In cases where an employee takes a one-half time leave, benefits will be accrued at one-half the normal rate.

Medical certification of a serious health condition of the employee, spouse, parent or child may be required, and/or the college may request a second opinion. If a second opinion is requested, it will be at the expense of the college.

“Serious health condition” shall mean an illness, injury, impairment or physical or mental condition that involves inpatient care in a hospital, hospice or residential medical care facility, including any period of incapacity, or incapacity which includes continuing care by a medical provider or incapacity due to a chronic serious health condition.

#### How to Apply for Family and Medical Leave/Illness or Injury Leave

Any illness or injury of a duration of more than five consecutive work days should be reported to Human Resources. A Personal Illness/Injury Verification form will be forwarded to the employee. The Personal Illness/Injury Verification form must be completed by the attending physician and will serve as verification of the employee’s illness/injury under FMLA or for family illness/injury leave.

If FMLA is for the employee's illness or injury leave, he or she must provide a Verification of Return to Work release from the attending physician before returning to his/her regular duties. There may be cases where the physician has released the employee to return to work, but with limitations or restrictions. This information is requested on the Verification to Return to Work form. This form is to ensure that employees do not return to work without permission from their physician to do so. It protects both the employee and Kirkwood from contributing to continued or further disability.

If the employee is released to return to work, but with limitations or restrictions, the form should be forwarded to Human Resources five days prior to the employee's anticipated return to work. The immediate supervisor and Director, Human Resources, will then determine if an accommodation can be made. If the physician has released the employee to return to regular duties without restrictions or limitations, this form should be returned to Human Resources at the time of the employee's return to work.

**Health Insurance/Flexible Spending Account** **5.7**

Benefits eligible part-time employees are given the opportunity to reduce their income taxes and increase their spendable income through enrollment in the Flexible Pre-Tax Benefit Plan under Section 125 of the Internal Revenue Service Code. Benefits eligible part-time employees will be provided with a flexible spending account that may be used to pay insurance premiums or it may be taken in cash. Amounts taken in cash will be taxed accordingly. The amount allocated to the employee's flexible spending account will be determined on an annual basis.

Benefits eligible part-time employees will be permitted to participate in one of the available four Wellmark health plans: Alliance Select Plus and Alliance Select Standard (both PPOs) and Blue Advantage Plus and Blue Advantage Standard (both HMOs). All four plans include a prescription drug program and mental health/substance abuse program. Benefits eligible employees will receive an annual flexible spending account to help purchase this health insurance plan, as shown below.

<u>Average Hours Worked Per Week*</u>	<u>Annual Flexible Spending Account</u>	<u>Amount Added to Pay Per Pay Period</u>
30-35 hours per week	\$500	\$20.83
20-29 hours per week	\$360	\$15.00

\*Average hours worked per week will be based on a 12-month period reviewed as described in Section 3.1.IV.A.

Upon initial notification of benefits eligibility, part-time employees will be provided with plan and rate information for the available health plans. Benefits eligible part-time employees will have 30 days from the date they became benefits eligible to enroll in the health plan. At this time, employees have the opportunity to also enroll family members in the health plan.

A pre-existing condition waiting period is applied unless new enrollees can provide a Certificate of Creditable Coverage from their prior insurance carrier. Months of prior coverage will be

credited to Kirkwood's 12-month pre-existing condition limitation. If 12 months of prior coverage is provided, the pre-existing condition limitation will be waived. Contact Human Resources for more details on the pre-existing condition limitations.

If an employee declines to enroll because of other group health insurance coverage, the employee may enroll themselves in the future, following a qualifying event, provided that the request is made within 31 days after this other group coverage ends. In addition, if an employee acquires a new dependent as a result of a qualifying event, such as marriage, birth, adoption or placement for adoption, they may enroll dependents provided the request is made within 30 days after the qualifying event.

Examples of events that qualify for a special enrollment are listed below.

A loss of eligibility for group coverage under another plan may be due to:

- Legal separation of marriage.
- Divorce.
- Death.
- Termination of employment.
- Reduction in hours.
- Employer contribution towards coverage terminates.

Termination of COBRA benefits.

Termination of Title XIX or Hawk-I

A change in family status due to:

- Marriage.
- Birth of a child.
- Adoption or placement for adoption.
- Meeting the qualifications under the Extended Family Relationship Eligibility.

A change in job status:

- Part-time to full-time.
- Full-time to part-time.

Significant change in employer contribution.

Employee returns from a leave of absence.

## **Continuation of Insurance (COBRA)**

**5.8**

The Consolidated Omnibus Budget Reconciliation Act of 1986 (COBRA), a federal law, entitles employees and their eligible dependents continuation of health care coverage after it would otherwise end.

Individuals who are eligible for COBRA continuation coverage are described below.

- An employee (and any covered dependents) whose coverage ends due to termination of employment for a reason other than gross misconduct.
- An employee (or any covered dependents) whose coverage ends due to a reduction in work hours.
- An employee's former spouse (and dependent children) whose coverage ends due to divorce or legal separation.
- An employee's surviving spouse and/or dependent children, whose coverage ends due to the employee's death.
- An employee's spouse and/or children whose coverage ends due to the employee's election to drop out of the group health plan upon entitlement to Medicare.
- An employee's child whose coverage ends because the child ceases to be a dependent child under the terms of the plan.

Employees or their eligible dependents, if applicable, should notify the Human Resources office immediately if any of these events occur. A Continuation of Health Coverage Notice will be sent to the eligible individual(s) explaining COBRA coverage.

Employees who choose continuation due to any reason listed above are afforded the opportunity to maintain coverage for 36 months, unless the employee lost group coverage because of termination of employment or reduction in hours. In that case, the required continuation is 18 months.

Upon receiving the Continuation of Health Coverage Notice, eligible individuals must apply for COBRA within 60 days after the date of the notice or within 60 days after coverage would otherwise end, whichever is later. If application is not made within the 60-day period, the continuation option expires.

An individual who elects continued coverage under COBRA is required to pay the full monthly premium plus an administrative fee. The individual's continued coverage through Kirkwood would cease when he/she becomes covered for similar insurance under another group plan due to re-employment, re-marriage, etc., or for failure to make monthly premium payments in a timely manner.

## **Retirement Programs**

**5.9**

Employees who qualify may elect to participate in either the Iowa Public Employees' Retirement System (IPERS) or Teachers Insurance Annuity Association/College Retirement Equity Fund (TIAA-CREF).

New employees have 60 days from their date of eligibility to make a retirement plan selection. The retirement plan selection is a one-time election and employees cannot later select the other plan. If an employee does not make a plan selection within the 60-day enrollment period, Kirkwood is required by law to default the employee to IPERS. A default to IPERS will be considered the employee's one-time plan selection.

IPERS is a defined benefit plan that provides a pre-set amount of retirement income that is guaranteed and predictable. The retirement benefit is determined using a formula, which takes

into account the employee's highest three years of IPERS taxable wages, their age and their years of participation.

TIAA-CREF is a defined contribution plan. The employee and the college contribute a certain percentage of the employee's salary each month into an individually owned retirement annuity accounts. The employee decides how to allocate these combined contributions among TIAA's fixed (guaranteed) annuity and CREF's investment accounts. The results of the employee's participation in these options will determine the size of their overall accumulation and the amount of retirement income they will receive.

The employee and employer contributions will be maintained at the same level of benefits in both programs. The contribution Schedule is as follows:

	Pre- July 1, 2007	July 1, 2007	July 1, 2008	July 1, 2009	July 1, 2010
Combined Rate	9.45%	9.95%	10.45%	10.95%	11.45%
Employer	5.75%	6.05%	6.35%	6.65%	6.95%
Employee	3.70%	3.90%	4.10%	4.30%	4.50%

The employee contribution is state-mandated. Employees cannot contribute more or less than the state-mandated contribution level. Employees who wish to contribute additional pre-tax money toward retirement can participate in a tax-sheltered annuity (see Section 5.10).

## **Tax-Sheltered Annuities** **5.10**

Within the provisions of Iowa law, it is the policy of the Board of Trustees to honor the written request of employees to allow purchase of an individual tax-sheltered annuity. Each employee is responsible for making arrangements for proper deductions and having billing statements sent to Payroll. This should be arranged with the tax-sheltered annuity agent. The college does not advise employees concerning amounts to be sheltered nor does it assume any responsibility for an employee's program. The college serves only as an agent between the employee and his/her insurance company/agent.

Changes to a tax-sheltered annuity may be made as determined by the Internal Revenue Code.

Additional information and tax-sheltered annuity salary reduction agreements are available in the Human Resources office.

## **Enrollment in Kirkwood Courses** **5.11**

Part-time benefits eligible employees may enroll, at no cost, for one elective credit class or one elective continuing education class per academic year in accordance with the following guidelines.

- Kirkwood pays only tuition. Any books and all fees are the responsibility of the employee.

- The part-time benefits eligible employee's supervisor must complete and sign the Part-Time Employee/Adjunct Faculty Course Approval form and submit to Human Resources for approval.
- The class must be taken on the employee's own time.
- If the class is only one hour, it counts as one class.
- Continuing education class is limited to \$200.
- If the credit course is not satisfactorily completed with a passing grade, the employee will be responsible to reimburse the college for the tuition expense.
- This benefit does not include travel programs.
- No travel time will be paid to or from classes.

Part-Time Employee/Adjunct Faculty Course Approval forms are available on the Human Resources website. Once the request has been approved by the Supervisor and Human Resources, it will be forwarded to Enrollment Services who will handle the enrollment. The request will then be forwarded to the Supervisor as verification of approval. The employee is not to register for the class themselves.

In addition to the above benefit, Kirkwood will pay tuition for any Kirkwood class approved by the supervisor and Human Resources as being required for the non-benefits eligible or benefits eligible part-time employee's position. If Kirkwood offers a course through Staff Development that is identical or similar to this course, the part-time employee must take the Staff Development class. Though there is no specific limit to the number of Staff Development classes in which a part-time employee may participate, the employee must obtain supervisor approval so arrangements can be made to appropriately staff the department during class time.

## **Personal Liability**

**5.12**

The college provides all employees with personal liability insurance for activities related directly to the terms of their employment by the college with limits of risk and in such amounts as maintained in the office of the Secretary to the Board of Trustees.

## **Iowa Health Care Access Law**

**5.13**

The Iowa Health Care Access Law requires employers to provide written referral on where employees may purchase health insurance if they or members of their family are uninsured and are not eligible for group coverage.

The Iowa Health Care Access Law does NOT apply to employees:

- if they are already insured elsewhere;
- if they are a temporary employee with seasonal, intermittent or trainee status;
- if they are a minor, an independent contractor, or already receiving health care coverage through government programs.

Employees currently uninsured for health care, who are not exempt from the law because of one of the items noted above, and who are interested in receiving information on the availability of

health insurance plans may contact Wellmark Blue Cross and Blue Shield of Iowa at 1-800-336-0505.

## **Worker's Compensation**

**5.14**

Worker's compensation provides benefits for employees who suffer personal injury from accidents or illnesses arising out of, and in the course of, their employment with the college. An employee who is injured on the job, or whose injury or illness is directly related to the performance of job duties, regardless of severity of the injury or illness, should:

- Seek appropriate medical attention, either from the campus nurse or St. Luke's Work Well. First aid treatment can be obtained by contacting the campus nurse at ext. 5588, or call 9-911 for emergencies. For emergencies, employees must go to St. Luke's Hospital.
- Report the occurrence to their immediate supervisor.
- Report the occurrence to the Human Resources Generalist, 313 Kirkwood Hall. The Human Resources Generalist will need to obtain information as to exactly what happened, how the injury or illness occurred, the exact time and location, as well as any witnesses to the occurrence.

Should an employee experience a disabling work injury or illness, the nature of which necessitates an absence from work, the Human Resources Generalist, will provide the injured or ill employee with information concerning his/her lawful benefits. The appropriate form(s) should be obtained, completed and returned to the Human Resources Generalist, as soon as possible following the injury or illness. If, as a result of this injury or illness, the employee is absent from work and/or receiving worker's compensation payments, the following procedures will go into effect:

- For each day the employee is absent, he/she will continue to receive their daily or weekly rate of pay, and the time will be charged against accrued sick leave. Employees are to submit an Employee Leave Report for days absent due to worker's compensation.
- If the employee has sufficient accrued sick leave to cover the total period of absence, the total amount of worker's compensation payments will be signed over to the college.
- If the employee does not have sufficient accrued sick leave to cover the period of absence, the only compensation they will receive for the time not covered by sick leave will be what they receive for worker's compensation benefits.

The provider of care for work-related injuries or illnesses should be instructed to send medical bills to Kirkwood so they can be filed with the worker's compensation claim. The bills for work-related incidents should not be sent to the employee's health insurance carrier.

If the employee does not feel that medical treatment by a physician or registered professional is needed for a work-related injury or illness, it will be documented as such. Any employee who is absent for three consecutive workdays because of a work-related injury or illness must report the incident to the Human Resources Generalist, whether he/she did or did not seek medical treatment.

Worker's compensation claims have a 90 day elimination period, so it is important to report injuries as soon as possible.

Employees who have questions concerning the payment of worker's compensation benefits are encouraged to contact the Program Manager, Insurance, 219 Kirkwood Hall.

The following Treatment and Insurance Claims Reporting Policy and Procedure is applicable to all Kirkwood Community College employees and all students participating in clinical programs.

#### I. Treatment and Reporting Procedure and Requirements

As soon as any clinical/work-related incident (injury or illness) occurs, the following process should be followed:

A. Any Kirkwood employee or a student in a clinical setting, having knowledge of an incident, should report the incident immediately to their department supervisor or clinical instructor.

#### B. Non-Emergency and Non-Urgent Illness / Injury Incidents

These incidents include those where an appointment is required and there is not an obvious concern of the threat of loss of life or limb if care is not urgently or emergently provided. Some examples of these incidents include minor sprains, strains, back pain, minor burns.

- If the incident occurred on main campus, the employee or student should report to Campus Health (111 IA Hall) for evaluation by the Campus Nurse and completion of the required documentation (letter "D" below). The incident needs to be reported within 24 hours (or the next business day).
- After evaluation, the Campus Nurse or designated person should complete a Kirkwood Illness and Injury Report form. One copy of this form will remain in Campus Health office in the employee or student medical file. A second copy of this form will be sent to the Insurance Human Resources Generalist within 24 hours (or the next business day). The employee or student can also be given a copy upon request.
- All non-emergency or non-urgent healthcare evaluations related to the incident must be scheduled at St. Luke's Corporate Health / Work Well Clinic located at 830 1<sup>st</sup> Ave NE, 319-369-8153. Failure to use St. Luke's Corporate Health/ Work Well Clinic may result in loss of benefits for payment of services.
- If off-campus (Outreach Centers / Iowa City campus), the Kirkwood Illness and Injury Report form should be completed and sent to Campus Health (111 Iowa Hall, Main Campus) within 24 hours of the incident. All non-emergency / non-urgent healthcare evaluations related to the injury must be scheduled at St. Luke's Corporate Health/ Work Well Clinic located at 830 1<sup>st</sup>. Ave NE, 319-369-8153. Failure to use

St. Luke's Corporate Health/ Work Well Clinic may result in loss of benefits for payment of services.

C. Urgent and Emergency Medical Care Incidents

These include incidents where there is a concern of the loss of life or limb. Some examples would include suspected heart conditions, severe back injury with neurological changes or severe pain, or a laceration needing stitches.

- In the Cedar Rapids / metro area, the designated emergency department is St. Luke's Emergency Department located at 1026 A. Ave NE, Cedar Rapids, 319-369-7105.
- At the outreach centers and at the Iowa City campus, a St. Luke's or Iowa Health Systems medical facility is preferred, but the nearest facility should be used for a true emergency.

D. The Campus Nurse, Human Resources Generalist or designated person will assure that the injured employee or student is given an information packet including:

1. A copy of this policy and procedure.
2. The First Report of Injury or Illness form (if outside medical care is needed) and a business reply envelope.
3. Information on St. Luke's Corporate Health / Work Well Clinic.

E. When a health insurance claim is received, an investigation will commence to determine the type of claim, severity of the incident, and the identification of the people and / or property involved.

## **II. Employee / Student Responsibilities**

- A. Any Kirkwood employee or a student in a clinical setting, having knowledge of an incident, should report the incident immediately to their department supervisor or clinical instructor and follow the treatment and reporting procedure and requirements as listed above.
- B. All employees or students should submit all bills and / or receipts of medical services or care as a result of the incident to the Human Resources Generalist, 313 KH, Main Campus.
- C. The employee or student should also notify the Kirkwood Human Resources Generalist of any claim they feel is not being resolved either as quickly as it should or in the manner they feel it should.
- D. Kirkwood employees and students will be responsible for all costs deemed not covered by Kirkwood Community College after the claim has been adjusted and payment has been authorized.

- F. Kirkwood employees and students may be held responsible for all costs of non-emergency or non-urgent healthcare services related to a work or clinical injury or illness not provided by St. Luke's Corporate Health / Work Well Clinic.

### **III. Kirkwood Community College Responsibilities**

- A. Emphasize safety practices and accident prevention to avoid losses.
- B. Advise employees and students, involved in an incident, not to make any statements regarding fault or liability.
- C. Encourage employees and students to ensure all incidents are promptly reported and documented.
- D. Initiate a report on all incidents to ensure that a written record exists. All incidences involving actual, or suspected criminal acts, or if required by law, ordinance, or regulation, should be promptly reported to the appropriate law enforcement agency.
- E. Any damaged property should be protected to prevent any additional damage, injury or loss.

### **IV. Contact Information**

#### **CORPORATE HEALTH CLINIC**

Doctor: St. Luke's Corporate Health / Work Well Clinic  
Address: 830 1<sup>st</sup> Ave NE  
Telephone Number: 319-369-8153

**AMBULANCE** 9- 911 (from campus phone)  
911 (from non-campus phone)

#### **HOSPITAL EMERGENCY ROOM**

Hospital: St. Luke's Emergency Department  
Address: 1026 A. Ave. NE  
Telephone Number: 319-369-7105

**KIRKWOOD HEALTH SERVICES**

Campus Health 319-398-5588  
Emergency Cell 319-310-5199  
Kirkwood Community College  
Main Campus, 111 IA Hall  
6301 Kirkwood Blvd. SW  
Cedar Rapids, IA 52406

**KIRKWOOD INSURANCE PROGRAM MANAGER**

319-398-7673  
Human Resources Generalist  
Kirkwood Community College  
Main Campus, Business Services, 313 KH  
6301 Kirkwood Blvd. SW  
Cedar Rapids, IA 52406