

**HR/LR Procedure #1428P
Interagency Agreement for Concurrent
and Sequential Appointments**

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Authority Enterprise Human Resources

GENERAL INSTRUCTIONS

An employee may become insurance eligible when holding appointments in more than one agency in the same Control Group when:

- The combined Hours of Service are anticipated to average 30 or more hours per week or did average 30 or more hours per week during the most recent applicable Measurement Period; or
- The Hours of Service provided in one agency is followed by service in a second agency and the employee is insurance eligible due to service in one or more of these agencies.

An Interagency Agreement is required when the Hours of Service an employee provides to more than one agency within the same Control Group creates insurance eligibility. The interagency agreement is optional when service in one agency creates insurance eligibility in the immediately subsequent appointment.

Contacts

Your Agency Account Representative - Staffing or SEMA4. A full list is available at: <http://www.mn.gov/mmb/employee-relations/hiring-and-selection/agency-applicant-services/>

MMB website:

<http://www.mn.gov/mmb/segip/humanresources/insurance-eligibility.jsp>

References

DEFINITIONS

Administrative Period: A period of no more than 90 days beginning immediately after a measurement period and ending immediately before the start of the associated stability period. During this period agency HR staff review the hours a measured employee worked during the measurement period and offer coverage to any employee who does not have the full employer contribution coverage but averaged 30 or more hours of service during the measurement period.

Appointing agency (authority): A person or group of persons empowered by the Constitution, statute, or executive order to employ persons in, or to make appointments to, positions in the civil service. (M.S. 43A.02)

Appointment: The act of filling a vacancy by placement of a person in a civil service position through selection from a finalist pool list or a noncompetitive or qualifying process including transfer, demotion or reinstatement. (M.S. 43A.02). It also means the filled position or job.

Appointment date: The first day the employee provides one hour of service is the appointment date for employee insurance eligibility purposes.

Concurrent Appointment: An employee holds two or more appointments (or positions) at the same time within one Control Group. The appointments may be held in the same or different agencies.

Continuing Employee: An employee accepting a new appointment who provided at least one Hour of Service for any agency in the Control Group within the 13 weeks immediately preceding the first day the employee provides at least one Hour of Service for the new appointment. For educational organizations, any employee who provided at least one Hour of Service for an educational organization in the Control Group within the 26 weeks prior to the first day the employee provides at least one Hour of Service for the new appointment for an educational organization in the Control Group is a continuing employee. This definition applies only for insurance eligibility purposes.

Control Group: Means a group of agencies under the control of one or more individuals. The state is divided into four Control Groups: the legislative branch, judicial branch, the executive branch and MnSCU. The total hours an employee provides within a Control Group are added together to determine eligibility. Penalties are assigned to individual agencies within a Control Group. All agencies within a Control Group are subject to Employer Shared Responsibility requirements regardless of size.

Educational organization: The term educational organization means an entity described in § 1.170A–9(c)(1), whether or not described in section 501(c)(3) and tax-exempt under section 501(a). For insurance eligibility purposes, this includes MnSCU, Perpich Arts High School, and the Minnesota State Academies.

Employer Shared Responsibility: A provision of the Affordable Care Act (ACA, otherwise known as health care reform). Under Employer Shared Responsibility (ESR), an employer with 50 or more FTE must offer coverage to all employees averaging 30 or more hours of service each week or pay a penalty. ESR takes effect on January 1, 2015.

Full-time: For insurance eligibility purposes, it is an employee employed on average of at least 30 hours of service per week with an employer. Under the monthly measurement, method 130 hours of service in a calendar month is treated as the monthly equivalent of at least 30 hours of service per week.

Hour of service: An hour of service includes hours for which an employee is paid for the performance of duties for the employer; hours for which the employee is entitled to payment for a period of time during which no duties are performed due to vacation, holiday, sick leave, layoff, jury duty, military duty, or leave of absence; and unpaid hours for FMLA, and USERRA. It also includes employment break periods for employees of educational institutions (e.g. spring break and summer break). Hours a bona fide volunteer provides are not included, nor are hours of service performed as part of a Federal Work-Study Program as defined under 34 CFR 675 or a substantially similar program of a State or political subdivision. In determining hours of service and status as a full-time employee for insurance eligibility purposes, an hour of service for one agency is treated as an hour of service for all other agencies within the same Control Group.

Initial Measurement Period: Is a one-year period during which the hours of service are measured for a newly appointed employee who did not receive the full employer contribution insurance coverage at the time of appointment. If the employee averages 30 or more hours of service during the initial measurement period the employee will be considered full-time for insurance benefit purposes during the following initial stability period.

Look Back Method: A method used to determine if an employee is full-time. The method involves measuring the employee hours of service for a set period and then providing the employee the level of coverage determined for an additional set period.

New Hire: An employee accepting a new appointment who has NOT provided at least one Hour of Service for any agency in the Control Group within the 13 weeks immediately preceding the first day the employee provides at least one Hour of Service for the new appointment (26 weeks for educational institutions). This definition applies only for insurance eligibility purposes.

Not Seasonal Basis Employee: An employee not appointed to provide services for a season.

Ongoing employee: An employee employed by any agency in the Control Group on the first day of any Standard Measurement Period.

Part-time: The term part-time employee, for employee insurance purposes, means an employee who is employed on average less than 30 hours of service per week. Under the monthly measurement method a part-time employee is an employee anticipated to work less than 130 hours of service in a calendar month.

Position: A group of duties and responsibilities assigned or delegated by competent authority, requiring the full-time or less than full-time employment of one person. (M.S. 43A.02)

Primary agency: The agency that employs an employee in a primary job.

Primary job: The record that has “Primary Job” in the Job Indicator field on the Work Location page of the Job Data component. An employee must have exactly one primary job.

Reg/Temp Codes: A category in SEMA4 that includes Emergency, Intern, Limited, Temporary, Unlimited, Non-state, and Trainee.

Season: A period of time that begins each calendar year in approximately the same part of the year, such as summer or winter.

Seasonal Basis Employee: An employee who was both appointed to work for a “season” and who provides services directly related to the season. A Seasonal Basis Employee may include an employee who is appointed for no more than 10 months during any 12 consecutive months but who is expected to return to work year after year. A variety of Reg/Temp coded positions can be made on a Seasonal Basis, including Seasonal, Intern, Student Worker, and Unclassified Temporary.

Sequential Appointment: An employee held an appointment for any agency in the Control Group in which the employee provided at least one hour of service within the past 13 weeks (or 26 weeks for educational institutions). The employee is not currently providing hours of service in that position but may, or may not provide additional hours of service within the next 12 months.

Special eligibility Code: A code used in SEMA4 to denote the level of an employee’s insurance benefit eligibility.

Stability period: The term stability period means a one-year period that immediately follows an administration period and is associated with an immediately preceding standard measurement period or initial measurement period. It is part of the Look Back method. An employee will hold the level of coverage identified in the measurement period during the associated stability period.

Standard Measurement Period: Is a one-year period during which the hours of service for an ongoing employee are measured. If the employee averages 30 or more hours of service during the standard measurement period the employee will be considered full-time for insurance benefit purposes during the following standard stability period.

Variable Hour Employee: The term variable hour employee means an employee who, based on the facts and circumstances known on the employee’s start date, the appointing authority cannot determine whether the employee is reasonably expected to average at least 30 hours of service per week during the initial measurement period because the employee’s hours are variable or otherwise uncertain.

PROCEDURES

A. **Determine if the employee has a Concurrent Appointment or Sequential Appointment within the same Control Group.** After a candidate has accepted a position, the appointing agency must review SEMA4 Job Data Statewide to determine if the new employee has a:

1. **Concurrent Appointment:** Another currently active appointment within the same Control Group.

NOTE: Internal Concurrent Appointments. An Interagency Agreement is not required if the employee holds another appointment within the appointing agency. The agency decides how costs are allocated within the agency and if a written agreement is necessary.

2. **Sequential Appointment:** Separated (or is about to separate) from an active appointment with an agency in the same Control Group for which the candidate provided at least one Hour of Service within the 13 weeks (26 weeks for educational institution) immediately preceding the day on which the employee provides one Hour of Service in the new appointment.

NOTE: When an Interagency Agreement is not required.

- **Concurrent Appointment.** An Interagency Agreement is not required when the period of dual employment will be short term. There is not a specific definition of “short term.” An agreement is necessary to clarify responsibility for ongoing payment of the employer’s share of the insurance cost when the number of hours worked in more than one agency (within one Control Group) creates the eligibility.
- **Sequential Appointment.** An Interagency Agreement is not required if the employee no longer holds the previous appointment. However, the agencies may choose to enter into an agreement to share the cost of coverage when Hours of Service provided through one or more Sequential Appointments create the eligibility.

<p>Stop</p> <ul style="list-style-type: none"> • The employee has not provided one Hour of Service in any agency within the Control Group within the past 13 weeks (or within 26 weeks for educational institutions). There is no Concurrent or Sequential Appointment. 	<p>Continue</p> <ul style="list-style-type: none"> • Concurrent Appointment is found if the employee has another active appointment in another agency within the same Control Group. • Sequential Appointment is found if the employee provided at least one Hour of Service for another agency within the same Control Group within the immediate past 13 weeks (or 26 weeks for educational institutions) before the day the employee began to provide service for the appointing agency. The employee already has ended or soon intends to end the other appointment and accept the appointment with the appointing agency.
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B. Determine if the combined Concurrent Appointments or the Sequential Appointments make the employee insurance eligible.

The appointing agency must promptly contact the other agency (or agencies) when it appoints an employee that has a:

- a. Concurrent Appointment to determine if the anticipated combined Hours of Service make the employee insurance eligible.
- b. Sequential Appointment to confirm if the employee provided at least one Hour of Service within the past 13 weeks (or 26 weeks for educational institutions) and to determine if the other agency expects the employee to terminate that appointment or continue to provide service during the period of the new appointment.

2. Review the Employee Insurance Eligibility at Appointment Procedure to determine if the employee will be insurance eligible based on the anticipated combined Hours of Service per week.

<p>Stop</p> <ul style="list-style-type: none"> • The employee is not eligible for insurance coverage 	<p>Continue</p> <ul style="list-style-type: none"> • The employee is eligible for insurance coverage
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C. Appointing agency must initiate development of an Interagency Agreement.

The agency appointing an employee who holds a Concurrent Appointment, or held a Sequential Appointment, with another agency in the same Control Group must initiate the Interagency Agreement for state employee insurance benefit costs.

Warning:

- If the appointing agency fails to initiate the Interagency Agreement then it will be responsible for all insurance costs until an agreement is initiated.
- The appointing agency is considered the primary agency regardless of how it is coded in SEMA4 until an agreement is initiated.
- The appointing agency will be responsible for any penalties associated with not offering coverage until an agreement is initiated.
- If the other appointing agency refuses to enter into an Interagency Agreement then the default rules described below will be put into an agreement. The appointing agency will become primary, will complete the agreement using the default rules, and will submit the agreement to MMB. MMB will honor the agreement with only the appointing agency's signature.

D. Complete the Interagency Agreement for State Employee Insurance Benefit Costs.

1. Agencies are encouraged to develop an agreement that benefits both agencies and takes into consideration the:
 - a. Ability of each agency to pay the insurance costs.
 - b. Anticipated number of hours or length of service the employee is anticipated to provide each agency.
2. Each Administrative Period, the primary agency must initiate the renewal of the agreement.
 - a. Each agency must retain a copy of the agreement for three years. A copy of the agreement must only be submitted to MMB if one or more agencies refuse to enter into a required Interagency Agreement.

An agency's obligations under an agreement remain in effect until the end of the employee's existing Initial or Standard Stability Period as applicable, or until a date specified in an Interagency Agreement signed by all agencies for which the employee provided an Hour of Service during the period under consideration.

3. These default rules must be followed if the agencies cannot come to an agreement:
 - a. **Service in one agency creates the eligibility.**

- The agency in which the employee's anticipated work schedule by itself creates the eligibility pays the full cost of insurance benefits. The other agency pays nothing towards the cost.
- The agency paying for the insurance benefit is listed as "primary" in SEMA4 and pays the employer's share of the insurance benefits cost. The other agency is listed as "secondary job" in SEMA4 and pays nothing.

b. Service in two or more agencies combined creates the eligibility.

- When the anticipated work schedule at two or more agencies combined creates the eligibility both agencies pay 50% of the insurance benefits cost.
- The appointing agency is the primary job in SEMA4 and pays 100% of the employer share of the insurance benefits cost. The first agency is secondary and reimburses the primary agency for 50% of the employer share of the insurance benefit cost.

c. Service in two agencies each independently creates the eligibility.

- When the anticipated work schedule in two agencies each independently creates the eligibility both agencies pay 50% of the insurance benefits cost.
- The appointing agency is the primary job in SEMA4 and pays 100% of the employer share of the insurance benefits cost. The first agency is secondary and reimburses the primary agency for 50% of the employer share of the insurance benefits cost.

FORMS AND SUPPLEMENTS

**State of Minnesota
Control Groups
(October 2014)**

Executive Branch Control Group			
B7PMN	Accountancy Board	H7BMN	Medical Practice Board
G02MN	Administration Dept.	P01MN	Military Affairs Dept.
G9KMN	Administrative Hearings	G62MN	Minnesota State Retirement Association
B04MN	Agriculture Dept.	E77MN	Minnesota Zoological Garden
B9DMN	Amateur Sports Comm	G10MN	Mn Management & Budget
B14MN	Animal Health Board	E44MN	Mn State Academies
B7EMN	Architecture, Engineering Bd.	G46MN	MN.IT Services Office
E50MN	Arts Board	H60MN	MNsure
G9NMN	Asian-Pacific Council	R29MN	Natural Resources Dept.
G06MN	Attorney General	H7CMN	Nursing Board
B15MN	Barber Examiners Board	H7KMN	Nursing Home Admin Board
H7XMN	Behavioral Health & Therapy Bd.	E60MN	Office of Higher Education
G9LMN	Black Minnesotans Council	H9GMN	Ombud. Mental Hlth. & Dev Dis
G45MN	Bureau of Mediation Services	G92MN	Ombudsperson for Families
G9JMN	Campaign Fin & Public Discl. Bd.	H7JMN	Optometry Board
G9XMN	Capitol Area Architect	P7TMN	Peace Officers Board (POST)
G9MMN	Chicano/Latino Affairs Council	E25MN	Perpich Center For Arts Education
H7HMN	Chiropractors Board	H7DMN	Pharmacy Board
B13MN	Commerce Dept.	H7WMN	Physical Therapy Board
P78MN	Corrections Dept.	H7QMN	Podiatric Medicine Board
B11MN	Cosmetologist Exam Board	R32MN	Pollution Control Agency
P0CMN	Crime Victim Services Center	B7SMN	Private Detective Board
H7FMN	Dentistry Board	G63MN	Public Employees Retire Assoc.
H7UMN	Dietetics & Nutrition Practice	H7VMN	Psychology Board
G9YMN	Disability Council	B24MN	Public Facilities Authority
E37MN	Education Department	P07MN	Public Safety Dept.
H7SMN	Emergency Medical Services Bd.	B80MN	Public Service Dept.
B22MN	Employ & Econ Development Dept.	B82MN	Public Utilities Comm
B20MN	Explore Minnesota Tourism	G05MN	Racing Commission
G09MN	Gambling Control Board	G67MN	Revenue Dept.
G39MN	Governors Office	G53MN	Secretary of State
H12MN	Health Department	P9EMN	Sentencing Guidelines Comm
E9WMN	Higher Ed Facilities Authority	H7LMN	Social Work Board
B34MN	Housing Finance Agency	G61MN	State Auditor
G17MN	Human Rights Dept.	G69MN	Teachers Retirement Association
H55MN	Human Services Dept.	J68MN	Tax Court
G19MN	Indian Affairs Council	T79MN	Transportation Dept.
G38MN	Investment Board	H75MN	Veterans Affairs Dept.
B43MN	Iron Range Resources & Rehab	H7RMN	Veterinary Medicine Board
B42MN	Labor & Industry Dept.	R9PMN	Water & Soil Resources Board
G03MN	Lottery	B41MN	Workers Comp Court of Appeals
H7MMN	Marriage & Family Therapy		

Judicial Branch Control Group	
J58MN	Court of Appeals
J50MN	Guardian ad Litem Board
J70MN	Judicial Standards Board
J52MN	Public Defense Board
J65MN	Supreme Court
J33MN	Trial Courts

Legislative Branch Control Group	
n/a	Minnesota State Senate
n/a	Minnesota House of Representatives
L10MN	LCC-Leg. Coordinating Comm.
L49MN	Legislative Auditor

MnSCU Control Group	
Alexandria Technical and Community College	North Hennepin Community College
Anoka Ramsey Community and Technical College	Northeast Higher Education District (NEHED Service Unit)
Bemidji State University and Northwest Technical College	Hibbing Community College
Central Lakes College	Itasca Community College
Century College	Mesabi Range College
Dakota County Technical College	Rainy River Community College
Fond du Lac Tribal and Community College	Vermilion Community College
Hennepin Technical College	Northland Community and Technical College
Inver Hills Community College	Pine Technical College
Lake Superior College	Ridgewater Community College
Metropolitan State University	Riverland Community College
Minneapolis Community and Technical College	Rochester Community and Technical College
Minnesota State College - Southeast Technical	St. Cloud State University
MnSCU System Office	St. Cloud Technical and Community College
Minnesota State Community and Technical College	Saint Paul College
Minnesota West Community and Technical College	South Central College
Minnesota State University, Mankato	Southwest Minnesota State University
Minnesota State University Moorhead	Winona State University
Normandale Community College	



Interagency Agreement for State Employee Insurance Benefit Costs

This AGREEMENT is entered into this _____ day of _____, 20____, by and between _____ (primary agency) and _____ (secondary agency). The parties hereto agree as follows:

1. _____ (primary agency) agrees to pay the full cost of insurance benefits for named employee.
2. _____(secondary agency) agrees to reimburse primacy agency _____ percent of the total monthly cost of employee insurance benefits for named employee.
3. Employee Information: _____

Name of employee
Employee's ID Number
4. This agreement will cover the period from this ____ day of _____, 20__ through December 31, 20__ and for the following calendar year as long as the employee remains insurance eligible and is insurance benefits eligible in any one agency.

<p>Receiving payment Primary agency information</p> <p>Funds for this employee's insurance benefits will be deposited into this accounting string and this agency will be responsible for making the full payment:</p> <p>Fund ____ Agcy ____ Org # ____ Appr ____</p>	<p>Payment Information Secondary agency information</p> <p>Funds for this employee's insurance benefits will be will be charged to the following accounting string:</p> <p>Fund ____ Agcy ____ Org # ____ Appr ____</p> <p>____ Monthly payment</p> <p>____ Semi-monthly</p>
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Approvals:

Primary agency, by

Secondary agency, by

Date

Date