



**DHRM HR Highlights
February 2021**

Ensure Compliance with the Affordable Care Act: 1500 Hour Rule for Wage Employees

The Affordable Care Act defines a full-time employee as an individual who works an average of at least 30 hours per week. It mandates employers to provide health care coverage for workers who exceed the threshold within the defined period.

This is a reminder to check the number of hours worked by your wage employees to ensure that they will not exceed the 1500 hour limitation. In general, wage employees may not work more than 29 hours per week on average over a 12-month period. Please remind wage employees and their supervisors that they are accountable for monitoring their hours and not exceeding the limit.

Agencies cannot abdicate their accountability for this requirement by changing a wage employee to an alternative staffing status. Wage employees who have worked their 1500 hours may not then be contracted through a temporary agency or other contractual arrangement to perform the same work in an attempt to bypass the limitation.

This restriction is dictated by Manpower Control Program language in the Acts of Assembly and critical to adherence to policy regarding the Affordable Care Act (ACA). Fines for violations of the ACA are assessed based on the number of employees in your entire organization so such penalties may be sizable.