

## AAM 290. PART-TIME EMPLOYEES

<a href="#">290.010</a>	Introduction to Part-Time Employees	04/10
<a href="#">290.020</a>	Not Used	04/10
<a href="#">290.030</a>	Duration of Probation	05/98
<a href="#">290.040</a>	Merit Anniversary Date and Year	04/10
<a href="#">290.050</a>	Holiday Pay	04/10
<a href="#">290.060</a>	Floating Holidays	04/10
<a href="#">290.070</a>	Leave Accruals	04/10
<a href="#">290.080</a>	Leave Anniversary Date	05/98
<a href="#">290.090</a>	Leave Usage	04/10
<a href="#">290.100</a>	Mandatory Leave Usage	04/10
<a href="#">290.110</a>	Leave Cash-Ins	05/98
<a href="#">290.120</a>	Business Leave Bank Contributions	05/98
<a href="#">290.130</a>	Family Leave	04/10
<a href="#">290.140</a>	Terminal Leave	05/98
<a href="#">290.150</a>	Health Insurance Benefits	04/10

### **AAM 290.010 Introduction to Part-Time Employees (04-10)**

A part-time employee occupies a permanent or nonpermanent position scheduled to work less than a full workweek. The reduced work schedule may be due to a work load requiring fewer hours to accomplish, budget constraints in the program in which the position is budgeted, or a job share arrangement for the position.

The Personnel Act and Personnel Rules, and various collective bargaining agreements provide considerable variation in benefits provided to part-time employees. For example, leave benefits do not apply to nonpermanent employees under [AS 39.25.195 - 200](#) and do not apply to short-term, nonpermanent employees under collective bargaining agreements. Leave benefits do apply to employees in permanent and in long-term, nonpermanent positions. Collective bargaining agreements and the statutes must be reviewed to determine which benefits apply to nonpermanent employees.

Most part-time employees are paid an hourly rate for hours in pay status. There are references to “scheduled” hours and “nonscheduled” hours throughout [AAM 290](#). Scheduled hours refer to the hours a part-time employee is scheduled to be at work. Nonscheduled hours are calculated as the difference between a part-time employee's scheduled hours and

scheduled hours for a full time employee. A part-time employee's number of scheduled hours and nonscheduled hours are used in AKPAY to calculate proration for various benefits. Where applicable, nonscheduled hours are treated as leave-without-pay (LWOP) when calculating leave accruals, the probationary period, and the leave and merit anniversary dates.

<b>AAM 290.020    Not Used (04-10)</b>
--

<b>AAM 290.030    Duration of Probation</b>
---

A permanent employee in the classified service is subject to a probationary period as provided in Personnel Rules [2 AAC 07.240](#) and collective bargaining agreements. The duration of a probationary period is addressed in Personnel Rules [2 AAC 07.245](#) and collective bargaining agreements.

The eligibility requirement for entitlement of permanent status is six or twelve months of full-time service. The probationary period is extended one month for each 23 (full-time) accumulated workdays of LWOP and/or part-time, nonscheduled hours. A permanent part-time employee will take more calendar months to fulfill requirements for achieving permanent status.

At the beginning of the leave year, AKPAY accumulators are set to zero (0) for all LWOP and/or part-time, nonscheduled hours. Agencies performing manual prior service calculations to verify the duration of a probationary period should duplicate AKPAY and begin each new year with zero hours in the LWOP accumulators.

<b>AAM 290.040    Merit Anniversary Date and Year (04-10)</b>
---

Personnel Rule [2 AAC 07.360\(a\)](#) defines the merit anniversary date for an employee entering a pay range at the beginning step as the first day of the pay period following completion of the probationary period. [2 AAC 07.360\(b\)](#) identifies the merit anniversary date as the first day of the pay period following completion of one year of service for an employee entering a pay range above the first step. The merit anniversary year as defined in [2 AAC 07.360\(f\)](#) is based on a year of full-time employment. A part-time employee will take a proportionately longer period of time to complete a merit anniversary year.

Pursuant to [2 AAC 07.360\(g\)](#) the merit anniversary date is moved one month later for every 23 (full-time) accumulated workdays of LWOP and/or part-time, nonscheduled hours in the leave year.

At the beginning of the leave year, AKPAY accumulators are set to zero (0) for all LWOP and/or part-time, nonscheduled hours. Agencies performing manual prior service calculations to verify merit anniversary dates should duplicate AKPAY and begin each new year with zero hours in the LWOP accumulators.

<b>AAM 290.050    Holiday Pay (04-10)</b>
---

Collective bargaining contracts have differing provisions for holiday pay for part-time employees. When a holiday occurs on an employee's regular day off, some contracts provide for the day of observance to be rescheduled to another day within the pay period. Some contracts provide for holiday pay only if an employee is normally scheduled to work the day of the week on which the holiday falls and only for the number of hours for which the employee is normally scheduled.

Holiday pay for employees who are covered by statutes is provided for in [2 AAC 07.810](#). Permanent, probationary, and provisional employees whether full- or part-time are eligible for holiday pay under this rule; however, the benefit is prorated for part-time employees.

An employee must be in pay status for a portion of the employee's last scheduled workday before, and a portion of the first scheduled workday following the holiday to be eligible for holiday pay, unless they actually work on the holiday. Employees who work on a holiday are in pay status on that day and are therefore eligible for holiday pay, in addition to the appropriate compensation for working that day. As an example, assume an employee is regularly scheduled to work on Wednesdays, Thursdays, and Fridays. When a holiday falls on a Monday, the employee may be entitled to the holiday (observing the holiday on one of the employee's regular scheduled workdays or receiving holiday pay for the holiday), or the employee may not be entitled to the holiday based on collective bargaining agreement provisions. In any case, to be entitled to the holiday, the employee must be in pay status on the employee's last scheduled workday before, and first scheduled workday following the holiday. In this example, the employee must have been in pay status the Friday before and the Wednesday following the holiday.

For a part-time employee who is covered by the Personnel Rules or contract provisions similar to the rules, and who works the same number of hours each week, the number of prorated holiday hours to which the employee is entitled is calculated by dividing the number of regular

scheduled hours for a workweek by five (the number of days in a normal workweek) and rounding the result to the nearest quarter hour increment.

The following are examples of prorated holiday benefit calculations for a part-time employee who works the same number of hours each workweek:

An employee scheduled to work five days a week, six hours a day (30 hours a week) is eligible for six hours of holiday pay:

$$\frac{30 \text{ scheduled hours}}{5 \text{ days}} = 6.0 \text{ hours holiday pay}$$

An employee scheduled to work five days a week, four hours a day (20 hours a week) is eligible for four hours of holiday pay:

$$\frac{20 \text{ scheduled hours}}{5 \text{ days}} = 4.0 \text{ hours holiday pay}$$

An employee scheduled to work three days a week, 7.5-hour days (22.5 hours a week) is eligible for four and one-half hours of holiday pay:

$$\frac{22.5 \text{ scheduled hours}}{5 \text{ days}} = 4.5 \text{ hours holiday pay}$$

A part-time employee who works less than five days in a workweek may not be in pay status for the number of hours necessary to complete the workweek in a week containing a holiday. In the preceding example of three 7.5-hour days, the employee is eligible for 4.5 hours of holiday pay. When a holiday falls on one of the employee's regular work days, the employee may be short three hours for the week as a result of observing the holiday. The employee may work the extra hours on another day in the workweek, turn in a leave slip for the hours, or accept less pay for the pay period. The employee may not work the extra hours on the holiday.

For a part-time employee who does not work the same number of hours each week, hours for a holiday are calculated based on the straight-time hours the employee was scheduled to work in the pay cycle in relation to the number of hours scheduled for an employee working a fulltime schedule in the pay cycle, rounded to the nearest quarter hour increment.

For example, an employee working a variable workweek schedule of 60 hours in an 11 day pay cycle with 10 workdays (75 hours for an employee working a normal schedule) and one holiday, would be eligible for holiday pay as follows:

$$\frac{60 \text{ scheduled hours}}{10 \text{ workdays in the pay cycle}} = 6.0 \text{ hours holiday pay}$$

## **AAM 290.060 Floating Holidays (04-10)**

Some labor contracts provide for floating holidays. The Personnel Rules also provide a mechanism for designating certain holidays as floating holidays.

Floating holidays are awarded to an eligible part-time employee by crediting prorated holiday hours to the employee's annual or personal leave account. For a part-time employee, floating holidays are prorated consistent with the guidance provided in [AAM 290.050](#).

Under some collective bargaining contracts, leave hours for floating holidays are available for immediate use the day of the holiday and thereafter. An agency must delay processing floating holiday leave usage until leave is posted if the employee has insufficient accrued leave against which the leave usage can be processed. This may require agencies to track floating holiday leave usage manually until the holiday leave accrual is recorded in AKPAY.

Under other collective bargaining contracts, floating holidays are only available for use after the holiday leave is posted to employee annual or personal leave accounts at the end of the pay period in which the holiday occurs.

Floating holiday leave is not subject to continuous employment/eligibility requirements identified in [AAM 280.020](#) Leave Accrual Rate and Eligibility Rules.

Floating holiday leave posted to an employee's leave account may be reduced by mandatory business bank contributions referred to in [AAM 290.120](#) Business Leave Bank Contributions.

## **AAM 290.070 Leave Accruals (04-10)**

Nonpermanent part-time employees in leave-accruing positions and permanent part-time employees are eligible for personal or annual and sick leave as provided for in [2 AAC 08.040](#) or in respective labor contracts. Leave accrual rates are established by [AS 39.20.200](#) and through collective bargaining agreements. Leave accrual rates are based on the number of years of eligible service and accrue each semimonthly pay cycle. Leave accrual rates for part-time employees are prorated based on the number of hours in pay status in each work week within a pay cycle. Refer to [AAM 280.020](#) Leave Accrual Rate and Eligibility Rules.

## **AAM 290.080    Leave Anniversary Date**

The leave anniversary date is the date an employee is eligible to accrue leave at a higher rate. For most employees, leave accrual rate changes become effective on the 16th of the month immediately following the pay period in which an employee completes the service requirement to be eligible for the higher accrual rate. For some employees covered by collective bargaining, leave accrual rate changes become effective on the 1st or the 16th of the month immediately following the pay period in which an employee completes the service requirement to be eligible for the higher accrual rate. The leave anniversary date is advanced one month for every 23 (full-time) days of LWOP and/or part-time, nonscheduled hours accumulated in the leave year as provided for in [2 AAC 08.100](#). A part-time employee may not receive the higher leave accrual entitlement as soon as a full-time employee due to periodic advancing of the leave anniversary date.

At the beginning of the leave year, AKPAY accumulators are set to zero (0) for all LWOP and/or part-time, nonscheduled hours. Agencies performing manual prior service calculations to verify leave anniversary dates should duplicate AKPAY and begin each new year with zero hours in the LWOP accumulators.

## **AAM 290.090    Leave Usage (04-10)**

A part-time employee may use annual and sick, or personal leave in accordance with [AS 39.20.220](#), [2 AAC 08.050](#), and respective labor contract provisions. Maximum leave used in a workweek may not exceed the number of hours for which the part-time employee is normally scheduled to work in a week. For example, a part-time employee who is scheduled to work 20 hours a week may not use more than 20 hours of leave for a week of leave.

For a part-time employee, accrued personal leave is available for use following the wait period of 30 continuous calendar days of employment as specified in [2 AAC 08.050](#) and in labor contracts.

## **AAM 290.100    Mandatory Leave Usage (04-10)**

Leave Rule [2 AAC 08.060](#) and mandatory leave provisions of collective bargaining contracts apply to part-time employees on a prorated basis. The rule requires employees to use five days of personal or annual leave each leave year. A day of leave as defined in [2 AAC 08.999\(1\)](#) means the number of hours normally scheduled to be worked in a workweek divided by five. For example, a day of leave for a part-time employee working 20

hours a week is four hours. The employee is required to take five four-hour days of leave (20 hours of leave) in a leave year.

Where contracts provide for greater mandatory leave usage, such as the ten-day rule, an employee's day of leave is multiplied by ten days to determine mandatory usage requirements.

Computing the pro-rated day of leave is a means of tracking mandatory leave. The following is an example of prorated mandatory leave calculations for an employee who does not work the same number of hours each week:

An employee worked 42.0 hours and took three hours of leave one day and seven hours of leave another day in a 12 day pay cycle. The employee was in pay status for 52.0 hours for the pay cycle. A day of leave for this employee is calculated as follows:

$$\frac{52.0 \text{ hours}}{12 \text{ days}} = 4.33, \text{ rounded to } 4.25 \text{ hours}$$

For this employee, a 'day of leave' for this pay cycle is 4.25 hours. Mandatory leave used for the pay cycle is calculated as follows:

$$\frac{10.0 \text{ leave hours}}{4.25 \text{ hours}} = 2.35 \text{ days of mandatory leave used}$$

Mandatory leave used this pay cycle is 2.35 days.

The prorated portion of a full day of leave changes every pay cycle based on the number of hours in the pay cycle and the number of hours worked. Agencies are required to manually calculate and verify actual leave usage of part-time employees who have not met the mandatory usage requirements at the end of the leave year.

## **AAM 290.110 Leave Cash-ins**

Leave balance requirements and maximum leave cash-in limitations of the leave cash-in rule, [2 AAC 08.065](#), and cash-in provisions of labor contracts, apply to part-time employees on a prorated basis. For example, an employee who is subject to [2 AAC 08.065](#) and is scheduled to work 30 hours a week is required to retain five days (30 hours) of accrued personal leave in the personal account. Leave cash-in provisions of collective bargaining agreements establish similar requirements for the amount of leave available for cash-in.

## **AAM 290.120 Business Leave Bank Contributions**

Members of some labor unions are required to contribute leave to their union business leave bank. Collective bargaining contracts specify the number of hours or number of leave days required and when contributions will be deducted from leave balances. When a contract specifies “a day of leave,” the part-time employee is required to contribute a prorated day of leave as defined in [2 AAC 08.999\(1\)](#).

AKPAY calculates leave bank contributions based on a 7.5- or 8-hour workday. It is the agency’s responsibility to calculate a part-time employee’s prorated portion of a day of leave for a business bank contribution. The agency must refund to the employee's leave account the difference of the actual contribution taken by AKPAY and the prorated contribution established by the collective bargaining contract.

Mandatory contributions to business banks deducted from leave accounts reduce the first leave earned which may include floating holidays.

## **AAM 290.130 Family Leave (04-10)**

A part-time employee is entitled to the same number of weeks of family leave as a full-time employee when the employee meets threshold requirements established in the Alaska Family Leave Act (AFLA) and/or the federal Family and Medical Leave Act (FMLA). Refer to [AAM 280.360 - 450](#) for specific threshold requirements and leave entitlements of these acts.

Part-time employees who are employed for less than 35 but at least 17.5 hours a week for 12 months meet this threshold requirement and would be eligible for leave entitlements under the AFLA if the other thresholds are met. To meet the threshold requirement of the federal FMLA (1,250 hours over the previous 12 months), part-time employees would be required to work an average of at least 24 hours a week for a year.

For a part-time employee, the maximum leave hours that may be used in a workweek for family, parental, or medical leave may not exceed the number of hours for which the employee is normally scheduled to work in a week. Additionally, because leave entitlement durations are set periods, a part-time employee's leave entitlement period is the same as the period for a full-time employee.



## **AAM 290.140 Terminal Leave**

Payment for the unused balance of a personal or annual leave account is available to an employee upon separation as provided in [2 AAC 08.110](#) and in labor contracts.

[AS 39.20.200\(b\)](#) provides for conversion of accrued personal leave to a cash value for noncovered employees and employees who are covered under a collective bargaining contract that provides for payment of terminal leave in accordance with statutory provisions. Leave is converted to a cash value by multiplying hours accrued by the employee's annualized hourly rate of pay at the time accrued. As provided in [AS 39.20.250\(a\)](#), terminal leave paid will equal the cash value of the employee's personal leave balance at the time of separation.

Collective bargaining agreements provide a variety of methods for calculating terminal leave. Refer to the agreements for appropriate calculations.

## **AAM 290.150 Health Insurance Benefits (04-10)**

Part-time employees who work less than 15 hours a week are not eligible for health insurance benefits.

Pursuant to [AS 39.30.090\(a\)\(9\)](#), part-time employees who work a minimum of 15 hours but less than 30 hours a week are eligible for health insurance benefits by self-paying one-half the state contribution rate for health and life insurance for a full-time employee. Additionally, some collective bargaining contracts provide a cap on the cost of employer paid health insurance. Where a premium cap is established, employees pay the portion of the premium that exceeds the cap. The type of coverage an employee will receive and the portion of the premium above the employer's premium cap the employee will pay are established in collective bargaining agreements and statutes and by election under Select Benefits.

For most employees, eligibility for health insurance begins when the employee has served in a permanent or long-term nonpermanent, full-time or part-time position for 30 continuous calendar days as provided in [AS 39.30.090\(b\)\(1\)\(A\)](#). Part-time employees may elect to purchase health insurance benefits through the Division of Retirement and Benefits or their Union Health Trust. The employee must enroll before the end of the eligibility period. Should a part-time employee elect coverage at a later time, the employee must provide evidence of insurability. The Division of Retirement and Benefits or Union Health Trust is notified by the carrier of the eligibility date or denial of coverage.