


**Title: Providing a notice to an employee and a state agency****PEBB Program Administrative Policy 11-1**

<b>Contact:</b>	Policy and Rules Coordinator, ERB Division	<b>Effective:</b>	January 1, 2023
<b>Associated RCW:</b>	41.05.009(2) 41.05.065 (4)(c)(iii), (iv), & (v)	<b>Owner:</b>	Policy, Rules, & Compliance Manager, ERB Division
<b>Associated PEB Board Policy Resolutions:</b>		<b>Approved by:</b>	
<b>Associated WAC:</b>	182-12-113 182-12-114 182-12-129 182-12-131	<b>Position:</b>	Director of the PEBB Program
<b>Assoc. fed law/reg:</b>	NA	<b>Date approved:</b>	August 24, 2022
<b>Associated Forms &amp; Communication</b>	A, B, C, & D series worksheets		

**Purpose:**

To clarify the requirements of a state agency-to-employee and employee-to-state agency notice, as stated in WAC 182-12-113(2), and RCW 41.05.009(2) and 41.05.065 (4)(c)(iii), (iv), and (v).

"State agency" means an office, department, board, commission, institution, or other separate unit or division, however designated, of the state government. It includes the legislature, executive branch, and agencies or courts within the judicial branch, as well as institutions of higher education and any unit of state government established by law.

**Policy:**

1. A state agency must send a written notice to an employee upon hire and when an employee becomes eligible for the employer contribution toward PEBB benefits because of a change in work pattern. The notice should be provided within a reasonable time frame as part of the hiring process. An employee eligible for PEBB benefits must have no less than ten calendar days after the date of notice to elect coverage.

To comply with this policy, a state agency must use either:

- a. PEBB eligibility worksheets in the ["A," "B," or "D" series](#), or
- b. Stand-alone notices provided by the PEBB Program.

A state agency may send this notice via email.

2. When an employee loses eligibility for the employer contribution toward PEBB benefits due to termination or because their work pattern changed, a state agency must notify the employee in writing that they have lost eligibility.

To comply with this policy, a state agency must use either:

- a. PEBB eligibility worksheets in the [“B” or “C” series](#), or
- b. Stand-alone notices provided by the PEBB Program.

A state agency may send this notice via email.

- 3. When an employee who is ineligible for the employer contribution toward PEBB benefits has a change in work pattern that increases their work hours that results in remaining ineligible for the employer contribution toward PEBB benefits, a state agency must notify the employee in writing that they remain ineligible.

To comply with this policy, a state agency must use either:

- a. PEBB eligibility [worksheet B-1 or B-2](#) (Worksheet B), or
- b. Stand-alone notices provided by the PEBB Program.

A state agency may send this notice via email.

- 4. An employee must notify their state agency of their potential eligibility due to:
  - a. Stacking (combining hours worked at a single state agency for an employee, or combining workloads at multiple institutions of higher-education for faculty); OR
  - b. Layoff within the past 24 months.

Upon notification from the employee, the state agency must use and provide the employee either PEBB eligibility worksheets in the [“A” or “D” series](#), or a stand-alone notice provided by the PEBB Program. A state agency may send this notice via email.

- 5. Faculty must notify their institutions of higher-education of their potential eligibility for maintaining the employer contribution through two-year averaging (WAC 182-12-131(3)).

Upon notification from the faculty, an institution of higher-education must use and provide to the faculty either PEBB eligibility [worksheet B-3](#) (Worksheet B), or a stand-alone notice provided by the PEBB Program. An institution of higher-education may send this notice via email.

- a. Faculty must provide written notification to their institutions of higher-education of their potential eligibility of two-year averaging within the deadlines established by the institutions of higher-education.
  - b. If the faculty works for more than one institution of higher-education with different deadlines between them, then the faculty has until the latest deadline to notify all institutions of higher-education.
  - c. If a faculty fails to notify their institutions of higher-education by this deadline, they will not receive the employer contribution for that academic year through two-year averaging. The faculty has the right to appeal or reapply for consideration the next academic year.
- 6. A state agency must keep a hard copy or electronic acknowledgement that the notice was received by the employee.