

**APSCUF'S RESPONSE TO PROPOSAL STATE SYSTEM PROPOSAL REGARDING
IMPACT OF ACA EMPLOYER PLAY OR PAY MANDATE¹
Submitted to the Pennsylvania State System of Higher Education June 19, 2015**

MEMORANDUM OF AGREEMENT

This Agreement is made between the Association of Pennsylvania College and University Faculties ("APSCUF") and the Pennsylvania State System of Higher Education ("State System") (collectively, "the Parties").

The Parties agree to amend the collective bargaining agreement's provisions relating to eligibility for health benefits and cost-sharing for bargaining unit faculty who are "full-time" within the meaning of the Patient Protection and Affordable Care Act ("ACA"), and the implementing regulations and guidance promulgated thereunder, as follows:

1. All bargaining unit faculty who are employed full-time within the meaning of the ACA ("ACA full-time faculty") shall be eligible to participate in the medical and prescription plans offered to faculty under Article 21, Sections A.2 and 9 of the collective bargaining agreement, beginning on the first day of employment in an ACA full-time faculty position. The faculty member's eligibility shall continue for a period of at least 12 months from the first date of employment in an ACA full-time position, or until the employee ceases employment in an ACA full-time position, whichever is longer.

¹ APSCUF reserves the right to add to, delete from, alter or amend this proposal. Unless otherwise noted, existing provisions not altered by these proposals would remain unchanged. Each and every proposal is made without precedent or prejudice to existing rights and entitlements, regardless of the character or source of same.

2. Any ACA full-time faculty member who is eligible for benefits under paragraph 1 of this agreement shall contribute to the cost of the selected health insurance plan on the same basis as a full-time faculty member, under Article 21, Section A.3. of the collective bargaining agreement. For any periods during which the ACA full-time faculty member is not receiving a paycheck from the State System, and so cannot make contributions to the cost of medical and prescription coverage through payroll deduction, his/her contributions shall be made on a monthly basis by check made payable to the State System or by electronic funds transfer, at the employee's option.

AGREED this ____ day of _____, 2015:

APSCUF

STATE SYSTEM

By: _____

By: _____