



OUT OF COMPLIANCE REPORT & PROCEDURES - BELI

The Out of Compliance Report (OOC) is available monthly on the *Page Center* website, providing departments an opportunity to monitor their benefits eligibility compliance.

Compliance must be monitored regularly in order to protect the University from liability and to ensure that employees are receiving the benefits for which they are eligible.

Being out of compliance means that the departmentally-assigned *Benefits Eligibility Level Indicator code* (BELI) does not match the Payroll Personnel System’s (PPS) derived BELI code. While the report is mostly accurate, it requires human review, since it frequently includes some employees as OOC when, in fact, they are in compliance.

This occurs in the following situations:

- 1) The information currently active in PPS does not tell the whole story
- 2) Does not recognize ongoing eligibility criteria established in 2001; ee must maintain APT of 17.5 hrs/wk or 43.75%. Report still looks at APT 20 hrs/wk (e.g. BELI 1 or 3 shows as 4 which is not a possibility under the 2001 rules)
- 3) The report does not take into consideration the 750/1000 hours eligibility
- 4) BELI code 1-5 vs 1-9 – Ignore codes 6 thru 9 – they equal BELI-5
- 5) Employees who are in compliance may appear on the report because the report does not recognize that the employee is in “Qualified Status.” If you have an employee in Qualified Status, you may need to add the appropriate Status Qualifier Code to a BELI form and then into HCM.

When the eligibility code truly shows a situation that is out of compliance, either employees are **eligible** for benefits but **are not** receiving them, or employees are **ineligible** for benefits but **are** receiving them.

The main factors on which the reported Derived BELI code is based are:

- Title Code and Title
- Appointment Duration
- Appointment Percentage (%) of Time
- Average Paid Time (APT)
 - APT is based on a “rolling” twelve month average

READING THE OOC REPORT:

Title/Heading

Home Department: Code - Name - Address

First Line:

- Employee name - Employee ID
- Retirement Code:
 - U= UCRP
 - H= Safe Harbor



- N= None
- P= Pers
- FICA Code:
 - E= Enrolled in FICA,
 - M= Medicare Only,
 - N= None
- Employment Status:
 - A= Active,
 - P= Paid Leave,
 - N= LWOP
- Benefits Enrollments: Y for Yes in column under each benefit enrollment
- Average Paid Hours per Week
- Assigned BELI Code
- Derived BELI Code
- Date the employee “first appeared” on the OOC report

Second Line:

- Appointment - If there is more than one, all will be listed by number
- Title Code and Title Name
- Employment Type - Career, Limited, Contract, Casual-Restricted, etc.
- Appointment Begin and End Dates
- Appointment % of Time
- Fixed or Variable Appointment %
- Payment Method - Salaried, Hourly, By Agreement, Without Salary

WHY AN EMPLOYEE APPEARS ON THE OOC:

1. Is the APT less than 17.5 hrs/wk?

- An employee’s APT must be 17.5 hrs/wk or greater in order to maintain benefits eligibility
- Note: EEs appear on the OOC report once their APT drops below 20 hrs/wk - No action is required until APT falls below 17.5 hrs/wk
- APT is found in PPS on the IHRS screen and is displayed as average weekly hours worked
- APT is based on a “rolling” twelve month average or the BELI effective date, whichever is most recent

2. Does This BELI Code Match the Current Appointment?

- A new appointment in a new title may need a new BELI code
- Moving Visiting Titles to a non-Visiting Title will probably require changing BELI



- Employees moving from a Student Reserved Title to a Staff Title will probably require changing the BELI
- Prepare a new BELI form, change the BELI code in HCM and file in the employee's personnel file

3. *Has the Employee Worked Beyond One Thousand Eligible Hours?*

- Employees reaching 1,000 hours in a rolling twelve month period are eligible for Full Benefits
 - Provide a New Hire Kit
 - Counsel the employee about the benefits for which they are newly eligible
 - Provide enrollment assistance either on At Your Service or with a UPAY 850 and/or UPAY-919
 - Change the BELI code to 1 in HCM
- You may ignore entries for employees who are coded BELI-1 and have worked over 1,000 hours when current appointments do not meet BELI-1 appointment duration and percentage of time criteria. The report doesn't take into account the 1,000 hours rules and will derive a BELI code other than 1

4. *Is This Employee An Emeritus Professor?*

- Emeriti must be assigned BELI-5 when in Without Salary Appointments
- Recall appointments must be assigned the appropriate BELI code
- It is not desirable for Emeriti Professors who are Medicare eligible to have appointments greater than 43% because it creates serious problems with Medicare. Please contact the Benefits Office if you have a recalled academic who is Medicare eligible and has an appointment that is more than 43%

5. *Is This Employee A Rehired Retiree?*

- It is not desirable for Academic or Staff Rehired Retirees who are Medicare eligible to have appointments greater than 43% because it creates serious problems with Medicare. Please contact the Benefits Office if you have a rehired retiree, academic or staff, who are Medicare eligible and have appointments that are more than 43%

6. *Is This Employee in a Student Reserved Position?*

- Student reserved positions are BELI-5
- BELI codes for Students in regular staff positions (i.e. recruited for like any other staff position) are assigned based on the appointment % & duration or 1,000 hours
- Students usually have the Student Health Insurance Plan (SHIP) – managed by UHS

7. *Is This Employee in a Visiting Title?*



- Visiting Titles require a BELI code matching the appointment
- Visiting Titles at 50% for one year or more are normally assigned BELI-2 because Visiting Titles are excluded from UCRP participation

8. What is This Employee's % of Time?

- Appointments must have a percent of time if the Description of Service is REG
- If the % appears as zero and this is incorrect, enter correct % in HCM
- Call the Human Capital Management (HCM) Helpdesk at 3-4443 if assistance is required

9. Is PPS Deriving a BELI Code 6-9?

- Ignore the use of these BELI codes if the Assigned BELI is 5 because codes above 5 can be translated as 5

10. Does this Employee have more than one appointment?

- If the employee has more than one appointment, evaluate each one separately to determine if, except for the % of time, it is an eligible appointment i.e. the DOS code is REG. Then add all eligible appointments together to determine the appropriate BELI code
- If the employee works in more than one department, the Home Department maintains BELI code compliance in consultation with the other departments

For example:

Appt. 1 is 40% for 6 months and

Appt 2 is 60% for 8 months – that equals

100% Appt for 6 months and 60% for 2 months = BELI-3

BRINGING EMPLOYEES INTO COMPLIANCE:

Evaluating OOC Data:

- Hours worked and percent of time appointed need to be commensurate
- If the hours worked do not correspond to the % of time appointed, either work hours should be increased or decreased to conform to %, or the % should be changed to reflect actual hours worked
- If bringing an employee's BELI code into compliance requires a change in title, appointment % or a change in the number of work hours, you may need to confer with one of the following because it may represent a change to the terms and conditions of employment
 - Departmental HR Manager
 - HR Employee Relations Consultant
 - Academic Personnel Office Liaison



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- Review the data for each employee listed to determine the reason for differences between the Assigned BELI code and the Derived BELI code

Making Changes and/or Corrections:

- Before changing the BELI code, be sure it actually requires changing as a change in BELI code re-sets the APT
- Make corrections as appropriate, notating errors on the report
- Counsel employees about BELI code related changes to their benefits and take action to enroll or de-enroll employees in benefits as appropriate to the situation
- When the title code and title, appointment duration and % of time, APT and Derived BELI code correspond to and reflect the intent of the department, and the BELI code is out of compliance, the departmentally assigned BELI code may need correcting
- The new BELI code effective date must match the date the employee first became eligible for the new BELI code
- Prepare a new BELI form, change the BELI code in HCM and file in the employee's personnel file

Enroll in Benefits:

- If new benefits eligibility results, give the employee a New Hire Kit and counsel them on enrolling in additional benefits available – see <http://hrweb.berkeley.edu/benefits/eligibility/packages>
- Determine the Period of Initial Eligibility (PIE)
- Two days after the BELI code is changed in HCM, the employee may be able to enroll in benefits on At Your Service if s/he is still within her/his PIE
- If the employee cannot enroll online, they must enroll using a UPAY 850 and/or a UPAY 919
- If enrollment takes place within the PIE, the completed form (s) can be sent directly to HR Benefits (see address, above)
- If the PIE is over, an exception request from the department is also needed. If you need an exception request form, please contact **HR Benefits**
- Complete an exception request form and send it with the completed enrollment form to HR Benefits

De-Enroll:

- If a loss of benefits eligibility results from a BELI code correction, the employee must be de-enrolled from benefits and provided with COBRA and other continuation/conversion information
- If the employee was never eligible for the benefits received, the employee is not eligible for COBRA
- COBRA instructions: <http://hrweb.berkeley.edu/benefits/cobra>



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