

# House Bill 2740

Sponsored by Representative HUDSON (Pre-session filed.)

## SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure **as introduced**.

Establishes uniform method for calculating eligibility of part-time faculty member of community college or public university for certain health care, retirement and other benefits.

## A BILL FOR AN ACT

1  
2 Relating to part-time faculty; creating new provisions; and amending ORS 238.074, 238A.142 and  
3 350.355.

4 **Be It Enacted by the People of the State of Oregon:**

5 **SECTION 1.** ORS 350.355, as amended by section 30, chapter 81, Oregon Laws 2022, is amended  
6 to read:

7 350.355. (1)(a) Except as provided in paragraph (b) of this subsection, a part-time faculty member  
8 at a public institution of higher education is eligible for the same employee-only health care benefits  
9 as full-time faculty members if the part-time faculty member is **employed as a part-time faculty**  
10 **member for at least 600 hours in a calendar year**, [*working at a level equal to at least half of a*  
11 *full-time equivalent employee determined as an average*] either at a single public institution of higher  
12 education or in aggregate at multiple public institutions of higher education during at least three  
13 of the four previous academic terms. **For purposes of calculating hours of employment of a**  
14 **part-time faculty member under this section, each hour assigned to the part-time faculty**  
15 **member as an hour of lecture time or as an hour of classroom time constitutes 4.35 hours**  
16 **of employment.**

17 (b) The total cost of providing any health benefit plan offered by a public institution of higher  
18 education to a part-time faculty member under this section may not increase annually by more than  
19 the annual increase in premium amounts paid for contracted health benefit plans that is permitted  
20 under ORS 243.135 (8)(b) or 243.866 (9)(b).

21 (2)(a) In order to receive employee-only health care benefits under this section, a part-time fac-  
22 ulty member must select a home public institution of higher education for the duration of the benefit  
23 year under a process established by each institution. A home public institution of higher education  
24 selected under this subsection:

25 (A) Must be one at which the part-time faculty member is working during the academic term  
26 at the time of the application; and

27 (B) Is responsible for:

28 (i) Determining whether the part-time faculty member is eligible to receive health care benefits  
29 under this section;

30 (ii) Determining, on an annual basis, whether a part-time faculty member who was found to be  
31 eligible to receive health care benefits under sub-subparagraph (i) of this subparagraph continues to

**NOTE:** Matter in **boldfaced** type in an amended section is new; matter [*italic and bracketed*] is existing law to be omitted.  
New sections are in **boldfaced** type.

1 be eligible to receive health care benefits under this section;

2 (iii) Collecting the premiums for health benefit plans that must be paid by the part-time faculty  
3 member under subsection (3) of this section;

4 (iv) Paying the full cost of the insurance premiums for providing health benefit plans to the  
5 part-time faculty member, subject to reimbursement as described in subsection (4) of this section;  
6 and

7 (v) Administering and providing health benefit plans to the part-time faculty member in the  
8 manner described in this section.

9 (b) In order to receive health care benefits under this section, a part-time faculty member must  
10 provide the home public institution of higher education with all information necessary for the in-  
11 stitution to determine the eligibility of the part-time faculty member to receive health care benefits  
12 under this section.

13 (3)(a) Except as provided in paragraph (b) of this subsection, a part-time faculty member at a  
14 public institution of higher education shall pay 10 percent of all insurance premiums for health  
15 benefit plans.

16 (b) A public institution of higher education may provide by collective bargaining at the institu-  
17 tion to pay for some or all of the insurance premiums that must otherwise be paid by a part-time  
18 faculty member under paragraph (a) of this subsection. The public institution of higher education  
19 may not be reimbursed under subsection (4) of this section for the costs the institution incurs to  
20 provide health benefit plans under this paragraph.

21 (4)(a) Every three months a public institution of higher education may request reimbursement  
22 from the Higher Education Coordinating Commission for the cost of paying insurance premiums for  
23 providing health benefit plans to each part-time faculty member who has selected the institution as  
24 the faculty member's home public institution of higher education under subsection (2) of this section.

25 (b) The commission shall use moneys from the Part-Time Faculty Insurance Fund established  
26 under ORS 350.357 to fully reimburse each public institution of higher education for all documented  
27 costs requested by the institution under this subsection, except for any costs described in subsection  
28 (3) of this section.

29 (5) Unless otherwise provided for by collective bargaining, a part-time faculty member at a  
30 public institution of higher education who is eligible for health care benefits under subsection (1)  
31 of this section may receive health care benefits only in the manner provided by this section.

32 (6) The Higher Education Coordinating Commission may adopt rules necessary to implement  
33 subsection (4) of this section.

34 **SECTION 2.** ORS 238.074 is amended to read:

35 238.074. [*An academic employee of a community college who is employed 0.375 full-time equivalent*  
36 *(FTE) on a 12-month basis or 0.50 FTE on a nine-month basis shall be deemed to be employed for 600*  
37 *hours or more in a year for purposes of this chapter. The combination of duties that comprises a 1.0*  
38 *FTE in any given discipline or academic activity shall be determined by the governing body of the in-*  
39 *stitution in which the academic employee is employed.] **For purposes of calculating hours of em-***

40 **ployment of an academic employee of a community college operated under ORS chapter 341**  
41 **or a public university listed in ORS 352.002, each hour assigned to the academic employee**  
42 **as an hour of lecture time or as an hour of classroom time constitutes 4.35 hours of em-**  
43 **ployment.** Nothing in this section is intended to affect the rights of [*academic employees at insti-*  
44 *tutions of higher learning or*] academic employees employed in public secondary or elementary  
45 schools.

1        **SECTION 3.** ORS 238A.142 is amended to read:

2        238A.142. [(1) *An academic employee of a community college who during a calendar year is em-*  
3 *ployed 0.375 full-time equivalent on a 12-month basis, or is employed 0.50 full-time equivalent on a*  
4 *nine-month basis, is considered to have performed 600 hours of service in the calendar year for all*  
5 *purposes under this chapter.*]

6        [(2) *The governing body of a community college shall determine the duties of an academic employee*  
7 *of the community college that constitute a full-time equivalent in any discipline or academic activity for*  
8 *the purposes of this section.*] **For purposes of calculating hours of service of an academic em-**  
9 **ployee of a community college operated under ORS chapter 341 or a public university listed**  
10 **in ORS 352.002, each hour assigned to the academic employee as an hour of lecture time or**  
11 **as an hour of classroom time constitutes 4.35 hours of service.**

12        **SECTION 4.** **If a community college operated under ORS chapter 341 or a public univer-**  
13 **sity listed in ORS 352.002 offers a benefit to part-time faculty members, the community col-**  
14 **lege or public university shall ensure that a part-time faculty member is eligible for the**  
15 **benefit if the part-time faculty member is employed as a part-time faculty member for at**  
16 **least 600 hours in a calendar year. For purposes of calculating hours of employment of a**  
17 **part-time faculty member under this section, each hour assigned to the part-time faculty**  
18 **member as an hour of lecture time or as an hour of classroom time constitutes 4.35 hours**  
19 **of employment.**

20        **SECTION 5.** (1) **Except as provided in subsection (2) of this section, the amendments to**  
21 **ORS 350.355 by section 1 of this 2023 Act apply to health benefit plans offered to part-time**  
22 **faculty members on or after January 1, 2024.**

23        (2) **To the extent that a conflict exists, the terms of collective bargaining agreements and**  
24 **other contracts entered into before the effective date of this 2023 Act shall prevail over the**  
25 **amendments to ORS 350.355 by section 1 of this 2023 Act.**