



# City and County of San Francisco Office of Labor Standards Enforcement

## Healthy Airport Ordinance (HAO)

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Office of Labor Standards Enforcement

# Healthy Airport Ordinance (HAO)

- Presentation is for San Francisco International Airport (SFO) Quality Standards Program (QSP) employers.
- HAO is a requirement for all SFO QSP employers.
- OLSE administers and enforces the HAO.



# Background

- On November 10, 2020, the SF Board of Supervisors amended the Health Care Accountability Ordinance (HCAO) with specific requirements for SFO QSP employers.
- The amendment, “Healthy Airport Ordinance” (HAO), became operative on **March 21, 2021**.



# Healthy Airport Ordinance (HAO)

## Covered Employers:

HAO applies exclusively to SFO QSP Employers

If you don't know if you are a QSP Employer, contact [qsp@flysfo.com](mailto:qsp@flysfo.com) or 650-821-1003



# Healthy Airport Ordinance (HAO)

## Covered Workers:

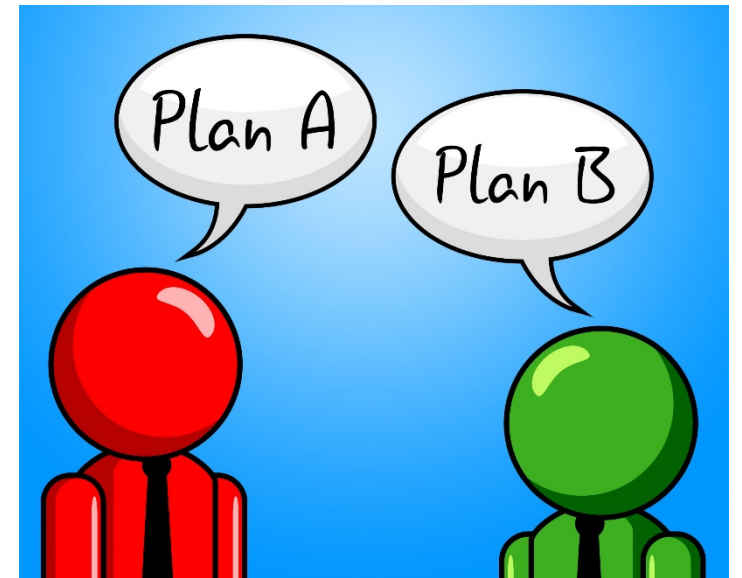
### Quality Standards Program (QSP) Employees at SFO

- All hours worked at SFO are covered
- There are no minimum hours requirement
- If you don't know if you have QSP Employees, contact [qsp@flysfo.com](mailto:qsp@flysfo.com) or 650-821-1003



# Healthy Airport Ordinance (HAO)

- For every QSP worker, Employer must comply with the Healthy Airport Ordinance (HAO)
- Employer has two (2) options



# Requirements – Option 1 of 2

1. Offer each covered employee and the employee's dependents a health plan that meets the requirements at no charge to the employee
  - Platinum family plan that meets health plan requirement at no charge to the employee
  - See [HAO website](#) for more information about health plan requirements in the FAQ document.
  - Watch the HAO health plan requirements on-demand video.



# Requirements – Option 1 of 2

After meeting the Platinum requirement, the employer may offer additional Gold level plans that meet the plan requirements.

## **Buy Up Option is Allowed**

- Employer may require the employee to pay a contribution towards Gold plans.
- Cost limited to the difference between the employer's premium cost of the most expensive Platinum plan and the employer's premium cost of the Gold plan(s).





# Requirements – Option 1 of 2

## Definition of “dependents”

- Covered Employee’s spouse or registered domestic partner, and the Covered Employee’s child, which shall include any legally adopted child, recognized natural child, stepchild, foster child, and minor legal ward.
- In accordance with federal law, coverage for children must be made available until a child reaches the age of 26, even if the young adult no longer lives with the covered employee, is not a dependent on the covered employee’s tax return, or is no longer a student.



# Requirements – Option 1 of 2

When is compliance required?

- For new employees hired after April 1, 2021, no later than the first of the month after 30 days from the covered employee's start date
- The offer must be made on an annual basis



# Requirements – Option 1 of 2

## *Voluntary HCAO QSP Waiver*

When to use this form?

- Use waiver form if the employee does not want to accept the Platinum health plan(s) employer has offered.
- Employers can only use a voluntary waiver form **IF** they have offered health plan(s) that meet the requirements at no charge.



# Requirements - Option 1 of 2

## Voluntary HCAO QSP Waiver (1/2)

### Declination is Voluntary

- Employee decides whether or not to decline your offer.
- Employers can't ask employees to sign form if they have insurance from another source.



# Requirements Option 1 of 2

## Voluntary HCAO QSP Waiver (2/2)

### Declination Reason

- Employee has health coverage from another source and they would like to decline the offering.
  - Make sure page 2 of the waiver form is filled out completely.
  - Submit supporting document(s) that show employee and family has coverage from another source.



# Best Practices

## Offering an HAO Compliant Health Plan

- Have your insurance broker read and understand the HAO health plan requirements.
- Does your health plan meets all of the HAO compliance standards?
  - Watch the on-demand video from DPH that explains HAO compliance standards.
- If you think you have a compliant health plan(s), have DPH confirm compliance:

**Max Gara, MPH | Health Program Planner**

Office of Policy and Planning

San Francisco Department of Public Health

[maxwell.gara@sfdph.org](mailto:maxwell.gara@sfdph.org)

(415) 554-2621



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# Requirements – Option 2 of 2

2. Pay the HAO Fee Rate per hour (weekly max cap of 40 hours)

- Rate adjusted every July 1
- City Option <https://sfcityoption.org/>
- Amount is the same for a employee only employee with dependents



# Requirements – Option 2 of 2

## Making Contributions

- Contributions must be made by the 15th of each month for hours worked in the preceding month.
- Inform your employees in writing when you have made the first payment and what to expect.





# Best Practices

## City Option Contributions

- Contact the City Option to set up an account and understand how to make reports and payments.
- Please mention that you are an San Francisco International Airport (SFO) employer.
- Payments are due the 15<sup>th</sup> of each calendar month.
- City Option Program

[www.sfcityoption.org](http://www.sfcityoption.org)

[employerservices@sfcityoption.org](mailto:employerservices@sfcityoption.org)



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**SF City Option**

THE EMPLOYER'S HEALTH CARE CHOICE

# Posters and Forms

- Employers must use official poster & forms
- All posters & forms will change every July 1

English, Spanish, Chinese, and Filipino documents are at

<https://sfgov.org/olse//healthy-airport-ordinance-hcao-amendment>



# Frequently Asked Questions



# 1. Am I a Quality Standards Program (QSP) Employer? Do I have QSP Employees?

Contact SFO QSP directly ([qsp@flysfo.com](mailto:qsp@flysfo.com) or 650-821-1003) to determine if you are a QSP employer and/or if you have QSP employees.



## 2. Union and non-union employees...Who is covered under this ordinance?

All QSP employees are covered under the Healthy Airport Ordinance (HAO).

The HAO does not allow a Collective Bargaining Agreement (CBA) Waiver.



# 3. When do I have to start complying?

1. Offering health plan: No later than the first day of the month after 30 days from the covered employee's start of employment.

OR

2. Making City Option Contributions: After 30 days from covered employee's start of employment, make payments by the 15<sup>th</sup> of the following calendar month.



4. I have different types of employees: variable hour and people who work consistently 40 hours a week. Does my compliance option have to be the same for all employees?

No. Your HAO compliance option does not have to be the same for each employee (i.e. offer HAO compliance health insurance) but you should decide on a method of compliance that is consistent and create a policy.



## 5. Do I have to have employees sign the waiver form?

If you have offered a compliant health plan and the employee does not want the health plan because they have another plan, then you can ask your employee to sign the voluntary waiver form and provide supporting documents to show the employee has coverage from another source.

Employees signing the form is voluntary.

You must get an answer (yes or no) for each employee.







# Webpage

<https://sfgov.org/olse/healthy-airport-ordinance-hcao-amendment>

## Resources available on our webpage

- Amendments
- Frequently Asked Questions
- Posters & Forms



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<https://sfgov.org/olse/healthy-airport-ordinance-hcao-amendment>

415-554-7903

[hcao@sfgov.org](mailto:hcao@sfgov.org)



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