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Title 22@ Social Security

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Division 1@ Employment Development Department

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Subdivision 1@ Director of Employment Development

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Division 1@ Unemployment and Disability Compensation

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Part 2@ Disability Compensation

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Chapter 6@ VOLUNTARY PLANS

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Section 3257-1@ Application for Approval of Blanketing-In

3257-1 Application for Approval of Blanketing-In

When 85 percent of the eligible employees have consented, in writing or by electronic mail, at the employee's option, if electronic means are available, to be covered under a voluntary plan, the employer, or 75 percent of the employees who have consented to the plan, may elect to have the plan apply to all employees when the following provisions have been met:

(a)

If the form of the notice to be posted and circulated, the written notice form and written statement form to new employees have previously been approved by the department:

(1) The notice to the department of such election by the employer or 75 percent of his or her employees shall be filed not later than the effective date, which time may be extended by the department not to exceed a period of seven (7) days, provided the insurer, or self-insurer, submits evidence of assumption of the risk as of the effective date. (2) Such notice shall contain a certification by the employer that:

1. On _____ (Date) there were a total of _____ eligible employees in employment of which _____ consented in writing or by electronic mail, at the employee's option, if electronic means are available. 2. A notice approved by the department has been or will be posted and circulated on _____ (Date) for the attention of all employees who have not previously consented in writing or by electronic mail, at the employee's option, if electronic means are available, to the

plan, and that they will be deemed to have elected coverage on

_____ (Date) except those who have rejected in writing. The notice has been or will be posted at such places on the premises of the employer that are usually used to post information for the employees. 3. All new eligible employees employed after the date plan deemed applicable to all will be furnished with such written notice form and written statement form, and all such employees will be covered by the plan except those rejecting in writing. 4. The consent records in (2)1. above and rejection records in (2)2. and 3. above will be maintained for inspection by the department for a period of four (4) years unless in a particular case a shorter period of time is approved by the department.

(1)

The notice to the department of such election by the employer or 75 percent of his or her employees shall be filed not later than the effective date, which time may be extended by the department not to exceed a period of seven (7) days, provided the insurer, or self-insurer, submits evidence of assumption of the risk as of the effective date.

(2)

Such notice shall contain a certification by the employer that:1.

On _____ (Date) there were a total of _____ eligible employees in employment of which _____ consented in writing or by electronic mail, at the employee's option, if electronic means are available. 2. A notice approved by the department has been or will be posted and circulated on _____ (Date) for the attention of all employees who have not previously consented in writing or by electronic mail, at the employee's option, if electronic means are available, to the plan, and that they will be deemed to have elected coverage on _____ (Date) except those who have rejected in writing. The notice has

been or will be posted at such places on the premises of the employer that are usually used to post information for the employees. 3. All new eligible employees employed after the date plan deemed applicable to all will be furnished with such written notice form and written statement form, and all such employees will be covered by the plan except those rejecting in writing. 4. The consent records in (2)1. above and rejection records in (2)2. and 3. above will be maintained for inspection by the department for a period of four (4) years unless in a particular case a shorter period of time is approved by the department.

1.

On _____ (Date) there were a total of _____ eligible employees in employment of which _____ consented in writing or by electronic mail, at the employee's option, if electronic means are available.

2.

A notice approved by the department has been or will be posted and circulated on _____ (Date) for the attention of all employees who have not previously consented in writing or by electronic mail, at the employee's option, if electronic means are available, to the plan, and that they will be deemed to have elected coverage on _____ (Date) except those who have rejected in writing. The notice has been or will be posted at such places on the premises of the employer that are usually used to post information for the employees.

3.

All new eligible employees employed after the date plan deemed applicable to all will be furnished with such written notice form and written statement form, and all such employees will be covered by the plan except those rejecting in writing.

4.

The consent records in (2)1. above and rejection records in (2)2. and 3. above will be

maintained for inspection by the department for a period of four (4) years unless in a particular case a shorter period of time is approved by the department.

(b)

If the form of notice to be posted and circulated, the written notice form and written statement form to be given new employees have not been approved by the department: (1) The form of notice and forms to be used for new employees shall be submitted in advance of the effective date. After approval by the department, the employer can post such notices in the manner set forth in (2)2.

(1)

The form of notice and forms to be used for new employees shall be submitted in advance of the effective date. After approval by the department, the employer can post such notices in the manner set forth in (2)2.

(c)

If the notice to the department is filed by 75 percent of the employees, it must contain the information required under (a)(2)1., 2., 3. and 4. and, in addition, contain the certification that at least 75 percent of the employees who have consented desire to have the plan apply to all.

(d)

Coverage may commence for any employee who withdraws his or her notice of rejection and applies for coverage under the plan under any of the following provisions: (1) Upon the first day of the calendar quarter immediately after the employee has elected coverage; or (2) Upon the first day of the calendar quarter immediately after the employee has elected coverage and thereafter completed a period of employment of three (3) months or less; or (3) At some determinable date not later than the date specified in (2).

(1)

Upon the first day of the calendar quarter immediately after the employee has elected coverage; or

(2)

Upon the first day of the calendar quarter immediately after the employee has elected coverage and thereafter completed a period of employment of three (3) months or less; or

(3)

At some determinable date not later than the date specified in (2).

(e)

When the provisions of Section 3257 of the code are invoked, the eligibility provisions of the plan shall be amended to provide that new employees are covered immediately on their employment, unless coverage is rejected in writing.