

New Jersey Small Employer Certification

Section 1: Employer information

Legal name of employer

Employer street address

City

State

ZIP

Group policy number or group number (if a current customer)

Section 2: Employee and small employer definitions

For purposes of certification as a New Jersey Small Employer, an employer is considered to be a Small Employer if the Employer satisfies the definition set forth below. The definition of Small Employer counts employees as defined below:

Employee and Small Employer Definitions

Employee means an employee of the Policyholder. An individual and his or her legal spouse when the business is owned by the individual or by the individual and his or her legal spouse, partners in a partnership, sole proprietors, a 2-percent S corporation shareholder and independent contractors are not employees of the Policyholder.

Small Employer means in connection with a Group Health Plan with respect to a Calendar Year and a Plan Year, an employer who employed an average of at least 1 but not more than 50 employees on business days during the preceding Calendar Year and who employs at least 1 employee on the first day of the Plan Year.

All persons treated as a single employer under subsection (b), (c), (m) or (o) of section 414 of the Internal Revenue Code of 1986 shall be treated as one employer.

In the case of an employer which was not in existence throughout the preceding calendar year, the determination of whether such employer is a small or large employer shall be based on the average number of employees that it is reasonably expected such employer will employ on business days in the current calendar year. Use the table on Page 4 of this document to help calculate.

The following calculation must be used to determine if an employer employs at least 1 but not more than 50 employees. For purposes of this calculation:

- a) Employees working 30 or more hours per week are full-time employees and each full-time employee counts as 1;
- b) Employees working fewer than 30 hours per week are part-time and counted as the sum of the hours each part-time employee works per week multiplied by 4 and the product divided by 120 and rounded down to the nearest whole number.

Add the number of full-time employees to the number that results from the part-time employee calculation. If the sum is at least 1 but not more than 50 the employer employs at least 1 but not more than 50 employees.

Please note: Small Employer includes an employer that employs more than 50 full-time employees if the employer's workforce exceeds 50 full-time employees for no more than 120 days during the calendar year and the Employees in excess of 50 who were employed during such 120-day or fewer period were seasonal workers.

Full-Time Employee Definition

The definition of Full-time Employee is used to determine eligibility for coverage under a small employer plan. Full-time employees are counted when determining participation for a small employer.

Full-Time Employee means an employee who works a normal work week of 25 or more hours. Work must be at the Policyholder's regular place of business or at another place to which an employee must travel to perform his or her regular duties for his or her full and normal work hours.

Please note that the above definition of Small Employer above considers full-time to be 30 hours per week and that definition of full-time is used solely for determining whether an employer is a Small Employer. For purposes of determining which employees are eligible for insurance under a Small Employer plan and whether the Small Employer meets the participation requirement, full-time is defined as 25 hours per week.

Section 3: Employees by location

Please indicate below the number of employees by work location/State. Refer to the definition of "employee" on page 1. All employees must be included, regardless of whether or not they currently have medical coverage and through whom that coverage is provided.

Work location (list by State)	Number of employees or former employees			
	Full-time	Part-time	COBRA or State Continues	Other

Section 4: Participation rate

Please indicate below the number of employees by work location/State. Refer to the definition of "employee" on page 1. All employees must be included, regardless of whether or not they currently have medical coverage and through whom that coverage is provided.

Total # full-time employees:

Total # full-time employees applying/enrolling for health benefits coverage:

Total # full-time employees waiving health benefits coverage under the policy with coverage under their spouse's or parent's group coverage, Medicare, Medicaid, or NJ FamilyCare or Tricare or any other group Health Benefits Plan through a different employer:

Total # full-time employees waiving health benefits coverage under the policy with coverage under a Health Benefits Plan issued by another carrier and offered by the small employer:

→ Please separately list the name(s) of the other carrier(s) and the number of employees covered under each:

Total # full-time employees waiving health benefits coverage under the policy without coverage under a spouse's or parent's group coverage; Medicare, Medicaid, or NJ FamilyCare or Tricare or any other Health Benefits Plan:

Total # Employees in an ineligible class or classes:

Section 5: Federal laws and the small employer

The following information will be used to determine how certain federal laws apply to the Small Employer.

Is your firm subject to Working Aged Provisions of federal law (TEFRA/DEFRA)? (You may be subject to the law if you employed 20 or more employees¹ for 20 weeks in the current or prior calendar year):

No Yes

→ If yes, provide the number of full-time and part-time employees you employed for at least 20 or more weeks in the current or prior calendar year:

Is your firm subject to the requirements of the federal COBRA law? (You may be subject to the law if you employed 20 or more employees¹ during 50% or more of the working days during the previous calendar year):

No Yes

→ If yes, provide the number of full-time and part-time employees you employed during 50% or more of the working days during the previous calendar year. (Each part-time employee counts as a fraction of an employee, with the fraction equal to the number of hours the part-time employee worked divided by the hours an employee must work to be considered full-time):

What is the average number of employees you employed during the entire previous calendar years, regardless of whether they were eligible or enrolled for group coverage? (When answering this question, please count any employee for whom your company issues a W-2 and include full-time, part-time, and seasoned workers)

¹For purposes of this question "employee" includes: full-time employees, part-time employees, seasonal employees, temporary employees, employees who are union members, owners, partners, officers and excludes self-employed persons, independent contractors (1099), directors. Each part-time employee counts as a fraction of an employee, with the fraction equal to the number of hours the part-time employee worked divided by the hours an employee must work to be considered full-time.

Section 6: Certification as a Small Employer in the State of New Jersey (for a Group Health Benefits Plan)

Please sign and date appropriate section indicating whether or not you meet the definition of a small employer.

I certify that I qualify as a Small Employer in the State of New Jersey.

AND

I certify that the information provided to Oscar Garden State Insurance is true and complete. I understand that if the above information is not complete or is not provided to Oscar Garden State Insurance Company, in a timely manner, then health benefits coverage does not have to be offered or continued. I further understand that incomplete or untrue information may void health benefits coverage.

I certify that I have obtained and maintain a stand-alone pediatric dental plan for all employees and dependents enrolling for health benefits coverage.

Signature of Officer, Partner or Owner X Print Name of Officer, Partner or Proprietor Date	Sign here	Title Date
Signature of Witness X	Sign here	Date

I certify that I am NOT a Small Employer in the State of New Jersey, as defined above.

Signature of Officer, Partner or Owner X Print Name of Officer, Partner or Proprietor Date	Sign here	Title Date
Signature of Witness X	Sign here	Date

Any person who includes any false or misleading information on an application or enrollment form or certification for a health benefits plan is subject to criminal and civil penalties.

Section 7: Census information

Complete this section if you have certified that the Employer is a Small Employer.

Please include the following persons in the following list:

A) Employees, owners, partners, and officers who are actively working for the employer on a regular basis, and are paid by the employer on a regular basis, whether or not they are eligible to be covered under the policy.

B) Employees, owners, partners and officers who are not working, but who are currently covered under the employer's health benefits plan for reasons such as continuation of coverage or total disability.

Please use the following letters to indicate Status:

O: Owner, partner or officer

F: Full-time employee who works 25 or more hours per week

P: Part-time employee who works less than 25 hours per week

S: Seasonal employee (employee works 120 days or fewer per year)

D: Totally Disabled employee

C: Continuee under state or federal law

U: Employee participating in an employee welfare arrangement established pursuant to a collective bargaining agreement.

Name	Job title	Date of employment	Hours worked per week	Status	Work location (State)	Date of Birth

Section 8: Total Average Number of Employees

January 1 through December 31 - What is the average number of employees you employed including any affiliated companies* during the prior calendar year. An employee is any person to whom you issue a W-2. This includes full-time, part-time, and seasonal workers who may or may not have been eligible for your medical plan or covered by Carrier. To calculate average number of employees, determine the average number of employees for each month, add each month's number to get an annual total, and then divide by 12. Round to the nearest whole number.

*If the business is aggregated with one or more other businesses and treated as a single employer under subsection (b) controlled group of corporations, (c) partnerships, proprietorships, etc., under common control, (m) employees of an affiliated service group, or (o) other regulations of section 414 of the Internal Revenue Code, then please provide the combined total number of employees for all businesses that are included in the "single employer group" under the Internal Revenue Code.

Month:	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Total	Average divided by 12
FT EE														
PT EE														
Seasonal														
Total														