

## DETERMINING THE FULL-TIME STATUS OF VARIABLE HOUR EMPLOYEES UNDER IRS NOTICE 2012-58

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Initial Measurement Period	Initial Administrative Period	Initial Stability Period
<p>The initial measurement period must be:</p> <ul style="list-style-type: none"> <li>• No shorter than three (3) months; and</li> <li>• No longer than twelve (12) months.*</li> </ul>	<p>The initial administrative period must be:</p> <ul style="list-style-type: none"> <li>• No longer than ninety (90) days.</li> </ul> <p>Any days between the employee's start date and the first day of the initial measurement period count as part of the initial administrative period.*</p>	<p>The initial stability period must be:</p> <ul style="list-style-type: none"> <li>• The same length as the standard stability period;</li> <li>• For employees who were determined to be FT, no <i>shorter</i> than the longer of:                             <ul style="list-style-type: none"> <li>– Six (6) calendar months; or</li> <li>– The initial measurement period; and</li> </ul> </li> <li>• For employees determined to be PT, no <i>longer</i> than the initial measurement period plus one (1) month.</li> </ul>
<p>* Combined limit: [The initial measurement period] plus [the initial administrative period] cannot extend beyond the last day of the first month starting on or after the one-year anniversary of an employee's start date (i.e., 13 months plus a partial month).</p>		
Standard Measurement Period	Standard Administrative Period	Standard Stability Period
<p>Status determined on the basis of an initial measurement period must be re-determined on the basis of the first standard measurement period starting after the employee's start date.</p> <p>The standard measurement period must be:</p> <ul style="list-style-type: none"> <li>• No shorter than three (3) months; and</li> <li>• No longer than twelve (12) months.</li> </ul>	<p>The standard administrative period must be:</p> <ul style="list-style-type: none"> <li>• No longer than ninety (90) days.</li> </ul>	<p>If an employee's status in the initial measurement period is not the same as his or her status in the first standard measurement period starting after the employee's start date:</p> <ul style="list-style-type: none"> <li>• The change from FT to PT status cannot be implemented until after the end of the initial stability period.</li> <li>• The change from PT to FT status must be implemented as of the first standard stability period starting after the first standard measurement period (even if the first standard stability period starts before the end of the initial stability period).</li> </ul> <p>The standard stability period must be:</p> <ul style="list-style-type: none"> <li>• For employees who were determined to be FT, no <i>shorter</i> than the longer of:                             <ul style="list-style-type: none"> <li>– Six (6) calendar months; or</li> <li>– The standard measurement period; and</li> </ul> </li> <li>• For employees who were determined to be PT, no <i>longer</i> than the standard measurement period.</li> </ul>