

POLICY APPROVAL FORM

Executive Summary

The College realizes the need for the flexibility to hire employees without having to complete a comprehensive competitive recruitment effort. This policy is to articulate the circumstances under which post retirement employment in the same position may be guaranteed.

The College is expecting to experience a significant number of retirements in the next few years. Exempt employees who are members of the Public Employees Retirement System Plan 1 can retire under that system, draw a pension and return to work under the Higher Education Retirement Plan (HERP) formerly known as the Teachers Insurance and Annuity Association – College Retirement Equities Fund (TIAA-CREF) system (employees must satisfy Department of Retirement System rules and waiting periods). There are a number of employees who have expressed interest in electing this option.

In conjunction with the inquiries surrounding this matter, it would be in the College's best interest to develop a policy concerning retiree re-employment in the above-mentioned situation. There are a number of retirement return to work restrictions governed by the state's retirement statutes but this particular situation is not. To our knowledge, no other higher education institution has a specific procedure in place to deal with these situations. They rely on open competitive recruitments to fill positions. Retiring incumbents may apply in the competitive process and if successful, upon rehire, become members in the Higher Education Retirement Plan. This process may not be the most productive or efficient use of college resources.

Justification

The policy is important for these reasons:

- In order to educate interested employees and to treat employees consistently;
- To protect the College in the event the retiree is not successful in the re-employment recruitment process;
- To be mindful of taxpayers contributions and not intentionally guarantee employment to all qualifying employees (whether their employment is critical to the college or not). We must keep in mind that the legislative intent behind the state's retirement systems is to fund a benefit for real retirement not for continued employment. This is one main reason that the State increased the retirement age in the Plan 2 system to age 65 - to support permanent retirement and;
- To provide the College with the necessary critical personnel resources to perform certain functions.

Direction

The Vice-President of Finance and Administration asked that a policy be created so that the issues above could be addressed. The criteria used in this policy replicate those used for the awarding of sole source contracts.

Process

A retiring/retired employee must meet at least one of the following criteria to be considered for re-employment.

1. Unique nature of the service and/or the unique qualifications, abilities or expertise of the employee to meet the institution's needs. Unique service would be those which are highly specialized or one-of-a-kind. However, other factors which may be considered include past performance, cost-effectiveness (learning curve) and/or follow-up nature of the required services.
2. Any other special circumstances which may be relevant such as confidential investigations, copyright restrictions, or time constraints. If time constraints are applicable, identify when the institution was on notice of the need for the services, the entity that imposed the constraints, explain the authority (if not obvious) of that entity to impose them, and provide the timelines within which work must be accomplished.
3. Sole availability in the location required. If the employee is the only source available in the geographical area, state the basis for this conclusion and the rationale for limiting the size of the geographical area selected.

The employee will consult with the Human Resource Office (HRS) to obtain information about the process, the criteria, and the implications of this process. If the employee chooses to go forward, the employee and respective manager submits a request that identifies the criteria above which will apply to his/her situation. The re-employment information and justification will be sent to the HRS for review and consultation with the employee. If the employee wants to continue with the process, HRS would forward a recommendation to the Vice-President or President for the employee's division, who shall make the final decision about re-employment. The employee then has the final determination of whether to go forward or withdraw the request.

In addition to this process, the retiree would be solely responsible to work with the Department of Retirement Systems to ensure that their Public Employee Retirement System benefit would not be impacted if the employee were rehired.

Final review by Assistant Attorney General

_____ Date _____

Vice-President for Academic Affairs and Provost

Barbara Leigh Smith Date 11-11-00


Vice-President for Finance and Administration

John T. Smith Date 11/09/00

Vice-President for Student Affairs

Ann L. Sturtevant Date 11/09/00

President

 Date 11-27-00

Date Policy becomes effective 11-27-00