

Why can't we have an early retirement plan like we did before?

The old plan had a TT professor retire and be rehired at 1/3rd teaching load for 1/3rd pay and that is now illegal! (it also used age as a determinant in who was eligible – that is also illegal)

The IRS has told us that there cannot be a promise from any organization whose employees have a tax-deferred retirement pension (STRS) or investment (ARP) system to rehire the employee following a retirement. So it isn't that the university cannot rehire a retired professor to be a contract instructor for a class every so often, it's that there cannot be a promise or agreement that that will occur prior to the retirement of the professor.

A short summary of what we have been told from HR of what any new retirement incentive program has to consider:

1. The university (and anyone in it) cannot make a promise to rehire you in any position after retirement before you retire.
2. You may apply for any open positions at the university post-retirement and will be treated the same as any other applicant.
3. If you are taking a STRS pension and regain employment at the university within 2 months from your retirement date, STRS will not pay the first 2 months of the retirement pension.
4. If you are taking a STRS pension and obtain a position that offers health insurance, the STRS insurance will automatically become a secondary insurance which will reduce your insurance coverage if you do not accept the employer health insurance.
5. If you rejoin the university within 6 months of your retirement the university must offer you health insurance again even if the position would normally not include health insurance. As a result, you will be at a disadvantage in obtaining instructor contracts until 6 months after your retirement date as before that time you would cost the university more than a normal instructor.

Clarifications post first reading:

Negotiations with dept. chair is only over the fraction of T:R:S left and duties for that fraction after the chosen amount (to the limits of the plan) of workload is shifted to transitions. Amount listed in the plan is the maximum workload fraction that can be shifted in a given year, faculty members may elect to shift less but that is not subject to negotiation.

Plan of work for the transitions workload must be approved by dept chair and should be evaluated as part of merit raise determination.

Dept chair cannot say no to someone wanting to enroll in the program any more than they can tell someone they cannot retire.

Resolution to Revise the Faculty Handbook to Permit a Transitional Retirement Policy
Faculty Senate
Professional Relations Committee
Mar 5, 2024 – Second Reading

Whereas the previous early retirement policy was discontinued in 2020, and

Whereas faculty members need to perform duties that allow them to transition to retirement that are not easily covered by the existing workload policies, therefore

Be it resolved that the following text shall be added to the faculty handbook as section III.N.

A Phased Retirement Program

- 1 When a benefits-eligible, tenured faculty member with faculty status and at least five years of service at Ohio University becomes eligible to retire under university policy 41.090, they may elect to enroll in the phased retirement program for a period of up to three years duration. The faculty member will remain eligible to enroll in the phased retirement program for a period for time of at least 5 years after initial eligibility.
 - a. Tenured faculty members who do not have faculty status will need to regain faculty status prior to enrolling in the phased retirement program.
- 2 While enrolled in the phased retirement program, faculty members are eligible to reallocate a fraction of their existing teaching, research, and service workload distribution to an additional workload category of *retirement transitions and succession planning* (hereafter referred to a transitions workload). The transitions workload is defined to include any activity the faculty member deems necessary to permit an effective transition to retirement at the end of the program. Such activities could include, but are not limited to, finishing research programs, organizing research or teaching materials/resources to allow for transfer to colleagues or the department, documenting activities and responsibilities associated with leadership and service roles, converting class notes to a book or lab manual, etc. The fraction of existing workload that can be converted to transitions workload should increase each year enrolled in the program, with the maximum amount each year determined by the university policy authorizing the program.
- 3 Prior to enrollment in the program, a faculty member shall negotiate with their department chair or school director what their T:R:S distributions will become for each year in the plan **within the confines that the total T:R:S is limited by the fraction of total workload the faculty member chooses to reassign to transitions**. The negotiations will state the specific duties the faculty member have under their T:R:S

distributions each year. For RHE faculty, the Vice Provost for Regional Higher Education and Partnerships (or equivalent or designee) should be consulted by the department chair during the negotiations. The negotiated agreements should be reviewed by the relevant college Dean(s) and the Provost's office prior to implementation. Changes to the agreed workload distribution and duties may only be made with agreement of both the faculty member and department chair or school director.

- 4 Faculty members enrolled in the phased retirement program remain at their previous FTE unless negotiated otherwise. Any change in FTE while in the program must be negotiated as per normal tenured track faculty as per II.C.3.a.vii.b. Any reduction in FTE during the program will reduce the transitions workload allowance proportionally with the FTE reduction.
- 5 Faculty members retain all benefits upon enrollment in the program except for the ability to use Faculty Fellowship Leave and being able to be elected to Faculty Senate. Faculty members enrolled in the program retain faculty rank and status.
- 6 Faculty members enrolled in the phased retirement program may not take overload contracts for workload areas whose allocation they reduced in the program during the portion of the academic year covered by their normal contracts.
- 7 Upon enrollment in the phased retirement program, the faculty member must agree to retire at the end of the program period.
- 8 Decisions related to the implementation of a phased retirement plan may be appealed following the prescribed faculty grievance procedure for matters not related to promotion and tenure (Section II.G).