

BOARD POLICY

WESTERN IOWA TECH COMMUNITY COLLEGE

Series Number 400.5(h)

Title EA Faculty, UE Support Staff and Meet and Confer Employees

Voluntary Early Retirement

1. PURPOSE

It is the expressed intent of the Board, through this policy, to acknowledge employees in the Education Association faculty bargaining unit ("EA employee"), the United Electrical, Radio & Machine Workers of America support staff bargaining unit ("UE employee"), and the Meet and Confer employee group ("M&C employee") who have provided years of service to the College by offering them a voluntary early retirement incentive subject to the terms and conditions set out in this Policy.

2. STATEMENT OF NON-DISCRIMINATION

The College will not discriminate against any EA, UE or M&C employee on the basis of race, creed, color, sex, national origin, religion, age, disability, sexual orientation, gender identity, actual or potential parental, family or marital status or any other protected basis as defined in Iowa or federal law through the application or administration of this policy.

3. ELIGIBILITY

A full-time EA, UE or M&C employee is eligible for early retirement if the employee:

- a. has reached the age of 59,
- b. is actively employed (i.e., not on an extended leave of absence) during the last fiscal year prior to early retirement and has worked a minimum of the most previous continuous sixteen (16) years at WITCC,
- c. notifies the Board as provided by this Policy, and, in any event, prior to April 1, 2019, and retires not later than June 30, 2019,
- d. applies for a retirement allowance under Iowa Code Chapter 97B or Iowa Code Chapter 294,
- e. has not received a notice concerning termination of the EA, UE or M&C employee's contract, unless the notice is based upon reasons which are related to staff reduction,
- f. has not previously received early retirement benefits from the College, and
- g. is not receiving benefits under IPERS or another WITCC-sponsored retirement plan.
- h. is working in a position not funded by state, federal or other grants or outside sources.

4. DEFINITION OF TERMS

- a. Years of service – Years of service must be consecutive and all years used to establish eligibility must be years of service as a full-time EA, UE or M&C employee.
- b. Full-time EA employee – An EA, UE or M&C employee generally scheduled to work 37½ to 40 hours per week for an indefinite period of time.

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4. DEFINITION OF TERMS (continued)

- c. Continuous Employment – Continuous employment must be without any voluntary interruptions of service. Absences due to reductions in force or due to approved leaves will not constitute a voluntary interruption in service, unless the absence or leave exceeds twenty-four (24) consecutive months in length. However, the period of time which during which an EA, UE or M&C employee is absent due to a reduction in force or due to approved leaves will not be counted for purposes of determining the minimum length of service required to establish eligibility.

5. APPLICATION

- a. Applications must be received by the Chief Human Resources Officer between December 11, 2018, and March 31, 2019.
- b. The date of retirement for an EA, UE or M&C employee may be any date selected by the retiree and approved by the Board that is not later than June 30, 2019.
- c. Application materials must include the following forms:
 1. Voluntary Early Retirement Policy Agreement
 2. Election to Participate Form
 3. Continuation of Health and Dental Coverage Election Form
 4. Agreement Not to Seek Re-Employment Form. This agreement does not prohibit the College from offering employment to the EA, UE or M&C employee in the future.
 5. Letter of Resignation

An EA, UE or M&C employee's application for early retirement benefits is not, in itself, a resignation from employment with the College nor does it require the Board to accept the application. However, acceptance by the Board of an EA, UE or M&C employee's application for early retirement will be considered a voluntary resignation and termination of employment.

6. BOARD'S RIGHT TO LIMIT OR DENY BENEFITS

- a. The Board reserves the right to determine whether any early retirement benefits will be paid in a given year, and, if so, to determine how many EA, UE or M&C employees will be granted benefits. The Board expressly reserves the right to reject any application for early retirement benefits.
- b. If the Board decides that only a limited number of EA, UE or M&C employees will be granted early retirement benefits, the Board will then determine the maximum number of EA, UE or M&C employees who may receive benefit. EA, UE or M&C employees who are eligible may apply immediately following the Board's announcement. Recipients will be determined on a first-come, first-served basis. If there is a tie between or among EA, UE or M&C employees using the first-come, first-served basis rule, the tie will be broken by drawing lots.

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7. EARLY RETIREMENT BENEFITS

- a. Early retirement benefits are offered as an inducement to, and consequence of, retirement and are not to be construed as a continuation of the salary.
- b. An EA, UE or M&C employee approved for early retirement will receive insurance benefits. The insurance benefit is described in the section entitled "Insurance Benefit."
- c. EA, UE or M&C employees are advised to seek independent advice with regard to tax or financial consequences associated with any action taken by them under this policy.

8. INSURANCE BENEFIT

- a. For the EA, UE or M&C retiree who is actively employed (i.e., not on an extended leave of absence) during the last fiscal year prior to early retirement and has worked a minimum of the most previous continuous sixteen (16) years or more at WITCC who remains in the College's group health and dental plan and who has currently elected single or family health care and dental care coverage, the College will pay, until the EA, UE or M&C employee is eligible for Medicare, that portion of the single or family health care and dental care premium which is equal to the portion of the single or family health care and dental care premium which the College pays for Meet and Confer employees at the premium rate which is in effect on the date of retirement.
- b. The coverage provided for the EA, UE or M&C retiree and dependents will be that coverage which is provided to Meet and Confer employees through whatever group plan is authorized by the Board during the period of time that insurance benefits are provided.
- c. Nothing herein shall limit the College's ability to change the terms of its existing health and major medical insurance plan. This policy in no way guarantees that a participating EA, UE or M&C employee will be provided any certain level of benefits during the time of the EA, UE or M&C employee's participation in the insurance benefits portion of the early retirement program.
- d. In the event of the death of an EA, UE or M&C retiree, all health insurance contributions by the College shall cease.
- e. The EA, UE or M&C employee shall retain all COBRA rights as appropriate and determined by the College's insurance carrier.

9. TERMINATION AND RIGHT TO WAIVE REQUIREMENTS

This Voluntary Early Retirement Policy will terminate on June 30, 2019. Notwithstanding the termination of this plan, EA, UE or M&C employees who are granted benefits pursuant to this plan will continue to receive such benefits as set forth herein.

The Board reserves the right to waive any requirement or condition of this policy at its discretion and at any time. Any decision by the Board to waive a requirement or condition which is a part of this policy shall not establish any precedent with regard to any other request for a waiver.

Page 3 of 3

Date of Adoption 12/10/18

Legal Reference: (Code of Iowa)

Date of Last Revision _____

279.46, 97B, 294

Date of Current Revision _____

Related Administrative Procedures and Cross References _____