

7. NEW BUSINESS

7.3. POLICY 932 – SURS ANNUITANT RETURN TO WORK AND EMPLOYMENT POLICY – REVISED – SECOND READING

Policy 932 – SURS Annuitant Return to Work and Employment Policy is presented for revised Second Reading. The revisions to this policy provide clarity for eligible employees who may wish to re-apply to available part-time faculty roles at the College following retirement.

The policy revisions have been reviewed by the College’s legal counsel and shared governance system.

Recommended changes are highlighted in red and reflect changes presented as the First Reading. There are no revisions for the Second Reading.

Recommendation: Approve the revised Policy 932 – SURS Annuitant Return to Work and Employment Policy.

7. NEW BUSINESS

932 SURS ~~ANNUITANT RETURN TO WORK AND RETIREE EMPLOYMENT POLICY~~

Pursuant to 40 ILCS 5/15-139.5, the College of Lake County may be required to pay to the SURS (~~“State Universities Retirement System”~~) (~~“SURS”~~) an amount equal to the annual annuity of an SURS ~~Annuitant-Retiree~~ who is a College employee, when ~~the Annuitant’s salary earnings~~ exceeds certain threshold amounts. To avoid the possibility that the College could incur this SURS penalty, this Policy is intended to limit the employment of SURS ~~Annuitants Retirees~~ and ~~ensure that Annuitants and employees keep the College informed of their SURS status and of any change in their SURS status.~~ clarify eligibility and conditions of post-retirement re-employment.

Definitions

The following definitions apply to terms in this Policy:

- “SURS” refers to the Illinois State Universities Retirement System.
- An ~~“SURS Annuitant-Retiree”~~ is any individual ~~receiving any retirement annuity from SURS~~; receiving SURS retirement benefit payments and is re-employed by the College.
- An “Affected Annuitant” is a SURS annuitant (1) whose annual earnings in any SURS academic year beginning ~~September 1, 2013~~, from the College or any other SURS-covered employer, either individually or collectively, exceed 40% of the SURS Annuitant’s pre-retirement highest annual earnings and (2) whose annualized retirement annuity is equal to, or greater than, \$10,000.
- An ~~“SURS Academic Year”~~ begins on September 1 and ends on August 31.
- ~~“Extended service” for part-time adjunct faculty is defined as Good Faith Offer (GFO) status as outlined in the applicable collective bargaining agreement for bargaining unit retirees or the GFO-service equivalent for non-bargaining unit retirees.~~

Eligibility and Conditions

~~Effective February 25, 2015, t~~ The College of Lake County will not hire, employ, or continue to employ any person who has retired from the College of Lake County or any SURS employer, except in the limited circumstances set out below.

- A. Full-time ~~College of Lake County employees who retire~~ faculty working as an instructor or librarian at the time of retirement from the College ~~as a full-time employee~~ may be considered for post-retirement re-employment in limited instructional ~~or~~, librarian ~~or counseling~~ capacities ~~including as a Professor Emeritus as outlined in the applicable collective bargaining agreement~~, so long as their post-retirement SURS-earnings will not cause them to become “Affected Annuitants.”
- B. ~~SURS Annuitants who have not retired from the College as a full-time employee and who are currently employed as a~~ Active part-time adjunct faculty with extended service at the time of retirement ~~as of February 25, 2015~~, may be considered for continued post-retirement re-employment in limited instructional; ~~or~~ librarian ~~or counseling~~ capacities so long as their

7. NEW BUSINESS

post-retirement SURS earnings will not cause them to become "Affected Annuitants." ~~After February 25, 2015, the College will not hire or employ any new or additional SURS Annuitants other than those Annuitants described in A. above.~~

C. The College will not hire or employ any new or additional retirees from other SURS employers.

~~C. D.~~ Employment of any A SURS Annuitant Retiree who is re-employed by the College is subject to the following conditions:

1. The Annuitant-SURS Retiree must not earn more than 80% of the individual and employer SURS academic year maximum earning limits;
2. The Annuitant-SURS Retiree must regularly, and as often as the College may request, promptly provide all certifications, documentation, and necessary releases, regarding the Annuitant's SURS earnings and employment;
3. The Annuitant-SURS Retiree must not be employed in any capacity by any other SURS employer. ~~and submit an affidavit to that effect. The Annuitant must advise the Director of Human Resources in writing before becoming employed by any other SURS employer.~~
4. Failure to comply with eligibility and conditions for re-employment will lead to disciplinary action up to including termination of employment.

~~D. Every new applicant must complete a "Statement of SURS Annuity Status" form and immediately advise the College if the applicant or employee:~~

- ~~a. Is a SURS Annuitant;~~
- ~~b. Has applied for retirement under SURS;~~
- ~~c. Becomes a SURS Annuitant; or~~
- ~~d. Becomes a SURS-Affected Annuitant.~~

E. SURS Annuitants, ~~SURS-Affected Annuitants, applicants and employees~~ Retirees who are re-employed by the College, will be advised in writing that pursuant to Public Act 97-0968, falsification of the information contained in SURS Annuity Status forms is considered a Class A misdemeanor and will result in discipline up to and including termination of employment. Also, to the extent permitted by law and policy, the College will impose a financial penalty, including, but not limited to, recoupment of fees and penalties charged to the College by SURS.

F. Where needed to address compelling instructional or operational needs, as determined by the President or designee, the College may allow exceptions to these ~~return-to-work~~ re-employment limitations for SURS Annuitants Retirees who are not, and will not become, "Affected Annuitants." ~~Such exceptions must be approved in writing by the Provost and the Vice President of Administrative Affairs.~~

7. NEW BUSINESS

~~G. The Vice President of Administrative Affairs or designee will develop procedures to implement the terms of this policy.~~

Adopted 02/24/2015

Amended