

CP 2-23: Post-Retirement Employment

COLLEGE PROCEDURES CP 2-23

APPROVED: February 24, 2003

EFFECTIVE: February 24, 2003

REFERENCES: BP 2-23

Procedures:

Upon the approval of the post-retirement contract by the college employee and the Board of Trustees, the college employee must resign his or her position. Thereafter, the college employee is responsible for applying to the appropriate retirement system if he or she wishes to obtain retirement benefits. Tenure for faculty members terminates when this resignation becomes effective.

The public retirement provisions regarding employees' retirement are governed by the Teachers' Retirement System (TRS) and the Public Employees Retirement System (PERS).

Notification of Employer:

The college employee must reach an agreement with the college administration at least six (6) months prior to retirement and request post-retirement employment. The college administration may waive the six-month notification requirement. This oral understanding must lead to a written contract which is reviewed by the President and approved by the Board of Trustees before a change in employment status becomes effective. For individuals covered by a collective bargaining agreement, in the absence of a union agreement that provides for individual negotiation of post-retirement contracts, no such negotiations may take place until the individual's retirement is effective.

Terms and Conditions:

1. The term of a post-retirement agreement shall be determined on an individual basis. The individual contract will describe the term of the intended appointment, not to exceed three years, and, in the case of a faculty member's contract, shall be subject to Article 11.3 of the Master Agreement as if the contract employee were a tenured faculty member with zero (0) years of seniority.
2. The contract for post-retirement employment can include any one semester, summer session, or be prorated over any part of the fiscal year. This period of employment within the year may be changed annually by mutual agreement.
3. The faculty member shall be subject to at least one performance evaluation process per contract term. In other regards, for all post-retirement contract employees, the evaluation process shall be consistent with the college's normal evaluation process except that, whenever special conditions and criteria are to be applied, such criteria will be spelled out as part of the employment contract of the employee.
4. There is no guaranteed contract renewal. All post-retirement contract agreements automatically expire at the end of the term of the contract. However, post-retirement agreements may be renewed at the discretion of the President with the approval of the Board of Trustees depending upon the programmatic needs of the college and expertise of the individual employee. An employee must notify the college administration in writing at least six (6) months prior to the expiration of the post-retirement agreement that

he or she desires to negotiate a new agreement. The college administration may waive the notification requirement.

5. The maximum rate of pay or term of employment shall be in accordance with the appropriate Public Retirement System regulations.

Termination:

A faculty member may be terminated for cause during the period of post-retirement employment pursuant to Article 11.3 of the Master Agreement whereas a classified staff member or administrator may be terminated for cause during the period of post-retirement pursuant to Policy 3-0130 of the Montana Operations Manual.

SCOPE These procedures apply to Dawson Community College.

PROCEDURES The College President shall promulgate such procedures as may be needed to implement this policy.