

# **MCCCD ACTIVE RETIREMENT PROGRAM**

## **I. Introduction**

The Governing Board of the Maricopa County Community College District authorizes the following Active Retirement Program for those employees who meet the qualifications as outlined in this document. It is a requirement of this plan that participants also be in retirement status, i.e. receiving annuity allowances from the Arizona State Retirement System. Employment with MCCCD of any person who is in retirement status shall be solely in accordance with the conditions contained in the MCCCD Active Retirement Program, unless the person terminated employment with an ASRS employer at least twelve months before commencing employment with MCCCD in retirement status. The MCCCD Active Retirement Program, for purposes of this document, will be referred to as the "Active Retirement Program."

The Governing Board and MCCCD support the concept of this Active Retirement Program, and will continue the past practice of making part-time employment accessible at all colleges and units to the extent that is possible and appropriate within the parameters of the MCCCD mission and vision.

The Governing Board also supports the concept that all MCCCD colleges and district offices maintain an active retirement program, such that eligible employees will have an equal opportunity to apply and be considered for participation.

It is anticipated that meaningful assignments will be available which will prove to be beneficial to both participants and the District. Neither the Governing Board, the District, nor the colleges/centers can guarantee an assignment or a level of participation for any person in this program. Continued participation requires yearly approval by the appropriate district/college administrator(s).

Active retirement candidates will first apply to the college or unit from which they are retiring. If no assignment is available at that college or unit, or if the applicant does not accept a proffered assignment, he or she may then request consideration for assignment at another location within the district. Campus Active Retirement Coordinators will take an active and collaborative role in out placing candidates that are not selected for, or do not accept, an assignment at their college or unit of origin.

If a candidate accepts an assignment at a location other than the college/unit of origin, funding responsibility will pertain to the college/unit placement and not the college/unit of origin.

The Governing Board reserves the right to modify this program but will not do so without providing a minimum of six months notice to employees prior to any changes.

This amended policy becomes effective after June 30, 2004. Employees who retire prior to this effective date shall be governed by the previous version of the Active Retirement Policy, which was amended on June 26, 2001. Regardless of the date of retirement,

executives shall be subject to the previous version of the Active Retirement Policy, which was amended on June 26, 2001.

These guidelines do not affect any person who is a participant in the Early Retirement Program.

## **II. Qualifications for Participation**

An employee wishing to retire and participate in the Active Retirement Program must notify, in writing, the appropriate supervisor, administrator(s), and college/district retirement manager at the place of current employment as soon as possible prior to the date of retirement. Verification of eligibility in the Arizona State Retirement System will be necessary before approval to enter the Program is granted.

Additionally, the employee must have a minimum of ten (10) consecutive years of service with MCCCDC as a full-time regular employee. (OYO status years excluded.) For Active Retirement eligibility purposes, all employees, both faculty and non-faculty, whose regular schedule or time of accountability is a 9, 9.5, or 10 month calendar, will earn a full year of service at the end of the period of accountability, provided the full 9, 9.5, or 10 months was worked.

Current MCCCDC employees with a minimum of five (5) years of service and appropriate additional service at the Maricopa Skill Center or in a specially funded position prior to

becoming regular full-time MCCCCD employees are eligible to participate in the MCCCCD Active Retirement Program.

**III. Additional Requirement for Participation**

- A. The employee shall receive notification from the appropriate college/district retirement manager or administrator of eligibility. If the employee is not eligible to enter the Active Retirement Program or if an acceptable assignment is not available, then he/she may withdraw the letter of intent to retire.
  
- B. The employee must have an assignment with the required approvals prior to beginning participation in the Active Retirement Program.

**IV. Conditions of Participation /5-Year Tiered Program**

- A. Conditions of Participation
  - 1. Eligible employees may participate for up to five (5) years, as determined by years of service within the MCCCCD system as indicated below:

<u>Years of Service</u>	<u>AR Eligibility</u>
0 – 9.99	<i>no eligibility</i>
10 – 14.99	2 years
15 – 19.99	3 years
20 – 24.99	4 years
25 years +	5 years

- 2. The participant's assignment could continue to the end of the semester in which the graduation date occurs, with the President's/Vice Chancellor's approval.

- B. The level of participation in the Active Retirement Program along with the assignment must be approved each year. Participation level may vary but must be less than fifty percent (50%). Less than maximum participation for any year will not extend the length of eligibility as noted above.
- C. Continued participation in the Active Retirement Program may be affected as follows:
1. The participant chooses not to continue in the program by so stating in writing to the appropriate retirement manager and/or administrator. Returning to the program will not be permitted.
  2. The participant is unable to reach agreement and secure approval on a mutually acceptable assignment.
  3. A participant may be released from the program because of less than satisfactory performance. In this event, the participant may appeal the decision, in writing, within thirty (30) days, to the appropriate president, provost, or vice chancellor
- D. If, during the term of his/her participation in the program, the participant becomes totally disabled, he/she will be eligible to continue participation to the extent that is permissible under state and federal law.
- E. Once an employee elects to enter the Active Retirement Program, he/she may not return to full-time employment with MCCCCD except under the provisions provided by Arizona Statutes.

**V. Benefits**

**A. Benefits**

1. The District will not provide any health, health-related, or dental insurance benefits to participants in the Active Retirement Program.
2. Effective January 26, 1994, all employees who enter the Active Retirement Program and elect COBRA will forfeit flex benefit credits provided by the District.
3. The District will make available, at retiree cost, term life insurance, not to exceed the level of participation at the time of retirement, but not to exceed \$50,000; and other insurance coverage as approved by the Governing Board.

**B. Wages In Lieu Of Benefits**

1. Participants in the Active Retirement Program will be granted benefit credits as determined by the Governing Board.
2. Payment will be made on a schedule and in a manner to be determined by the Vice Chancellor for Human Resources.

**C. Tuition Waivers**

1. Participants in the Active Retirement Program shall be entitled to take classes at any Maricopa County Community College with the tuition/activity fee waived. (This tuition/activity fee waiver is to the extent of that amount determined by the Governing Board each year to be paid for one unit of credit for regular students attending classes. The tuition/activity fee waiver does not extend to additional

fees, which may be assessed for certain courses.) Tuition/activity fee waivers do not extend to spouses or dependents.

D. Termination of Wages In Lieu of Benefits

1. Participants in the Active Retirement Program will be granted benefit credits (see section V. B) through the end of the month in which they are no longer participating in the program in accordance with one of the subsections of IV.A.

**VI. Program Funding**

Funding to support each participant in the Active Retirement Program is the responsibility of the college/center or district office location approving the assignment. If an assignment is approved for more than one location, each location will share in the funding in the same proportion as the assignment.

It is understood that the duties/services performed as part of any active retirement assignment must be of genuine value to the College/District Office, and that the compensation for such duties/services is both reasonable and appropriate. Presidents and Vice Chancellors are responsible for assuring such for each College/District unit. The college/center will be responsible for the salary at the assignment level.

**VII. Compensation and Accountability**

A. Compensation

Salaries for employees whose first day of retirement is July 1, 2004, or after, will be determined based on the schedules in effect on the date of retirement for the job assignment the active retiree will assume. No step changes or cost of living adjustment (COLA) will be applicable.

If an employee accepts a lower grade position at any time during their participation in the active retirement program, the salary schedule in effect for that position on the date of the employee's retirement shall serve as the basis for salary placement. The salary for a lower grade position will be determined based on the top step of the employee group salary schedule in effect on the date of retirement for the position to which the active retiree is assigned.

If an employee accepts a higher grade position at any time during their retirement assignment, their salary schedule would be determined using the same promotional increase schedule that is being used according to the policy group of the assignment the retiree accepts. This would be based on the salary schedule in effect on the date of the employee's retirement.

The salary that is in effect on the first day of a retiree's assignment within a fiscal year will remain in effect throughout the entire fiscal year.

B. Accountability

1. Accountability for all participants will be determined by applying the approved percentage to the time requirement of the position as determined by the appropriate Employee Policy Manual in effect at the time of retirement except for

instructional (classroom) faculty. Participation for instructional duties will be calculated based on specified load hours in Residential Faculty Policy with maximum participation being less than fifty percent (50%) of a full load for any academic year; residential faculty will have 49% of the load/accountability of residential service/teaching faculty.

## 2. Participants Assigned 'Service Faculty' Duties

### a. Maximum Assignment

As in the case of faculty in the classroom, any participant performing non-classroom duties must work less than fifty percent (50%) of a full load during the academic year.

A participant in this category is limited to less than fifty percent (50%) of a full-time assignment (per week) if his/her assignment is to be for more than six (6) months in the calendar year.

- b. A participant assigned service faculty duties may also teach and/or substitute and/or provide other non-teaching duties so long as the combination of all of the above is less than fifty percent (50%) of a full assignment during the academic year.

## 3. Participants Assigned Non-Faculty Duties

### a. Maximum Work Load

A participant may work no more than nineteen (19) hours per week if his/her assignment will continue for more than five (5) months.

### **VIII. General Comments**

#### **A. Work Options**

A participant, after commencing in the Active Retirement Program with approval, has the option of increasing/decreasing his/her level of participation in subsequent years.

#### **B. Participation**

A participant, with approval, may be permitted the option of not working and not being paid at all during an academic year(s). That academic year(s), however, will be counted in the approved years of eligibility. Participant must pay his/her life insurance premium, if applicable while not on the payroll in order to remain in the district group coverage.

#### **C. Minimum Participation**

In order to qualify to receive wages in lieu of benefits, a participant in the Active Retirement Program must work at least one (1) day per fiscal year, unless that requirement is waived for medical or other extraordinary reasons, by the Vice Chancellor for Human Resources.

#### **D. Jury Duty**

A participant who is required to serve jury duty during the time when he/she has agreed to work for the college/district will continue to be paid at the regular rate

except that pay received from jury duty, less mileage reimbursement, shall be deposited with the college fiscal officer or appropriate District official.

E. Sick Leave

Sick Leave is neither earned nor can it be used by participants in the Active Retirement Program.

F. Regular Employee

A regular employee is one who is covered by any of the following policy manuals:

Residential Faculty Policy Manual

Management/Administrative Technological Personnel Policy Manual

Professional Staff Association Policy Manual

Maintenance & Operations Policy Manual

Crafts Policy Manual

Safety Policy Manual

G. Due Process

It is the goal of the Active Retirement Program to provide fair and equitable treatment to its active retirees. Accordingly, employees who believe that they have been treated unfairly in terms of admission to the Program, or in terms of designated work assignment or compensation, or other related working conditions, may file a written petition to the Vice Chancellor for Human Resources within twenty-one (21) days of their perceived unfair treatment. The Vice Chancellor will issue a final written decision within fifteen (15) days after receiving the petition.

**IX. Administration**

- A. The Active Retirement Program shall be under the direction of the Vice Chancellor for Human Resources.
  
- B. The Active Retirement Program is subject to applicable laws and regulations of the State of Arizona, the rules and regulations of the Maricopa County Community College District, and all related federal and state statutes.

REV. Sept. 27, 2005

**MCCCD  
ACTIVE RETIREMENT  
PROGRAM**

CHANDLER-GILBERT COMMUNITY COLLEGES  
DISTRICT SUPPORT SERVICES CENTER  
ESTRELLA MOUNTAIN COMMUNITY COLLEGES  
GATEWAY COMMUNITY COLLEGES  
GLENDALE COMMUNITY COLLEGES  
MESA COMMUNITY COLLEGES  
PARADISE VALLEY COMMUNITY COLLEGES  
PHOENIX COLLEGE COMMUNITY COLLEGES  
RIO SALADO COMMUNITY COLLEGES  
SCOTTSDALE COMMUNITY COLLEGES  
SOUTH MOUNTAIN COMMUNITY COLLEGES

JULY 1989  
AMENDED JULY 23, 1991  
REVISIONS MARCH 31, 1995  
AMENDED JUNE 27, 1995  
AMENDED OCTOBER 22, 1996  
AMENDED NOVEMBER 21, 2000  
AMENDED JUNE 26, 2001  
AMENDED DECEMBER 9, 2003  
AMENDED MAY 24, 2005  
AMENDED SEPTEMBER 27, 2005