

CERTIFICATED PERSONNEL

Early Retirement Option

Certificated non-management staff shall be permitted to participate in an early retirement option according to the provisions contained in the collective bargaining agreement then in effect at the time of retirement. If no collective bargaining provision exists, the following policy shall apply.

Early Retirement Policy if No Collective Bargaining Provision Exists

Certificated non-management employees who have attained at least the age of 55 and have continuously served the Humboldt County Office of Education for a period of not less than 10 years may request at time of retirement participation in the Golden Handshake Early Retirement option, which credits the eligible employee with 2 additional years of service credit (Education Codes 22724 and 44929). In lieu of the Golden Handshake option, eligible employees may request participation in one of the following early retirement options.

A. Program Number One: Retirement with Benefits.

1. Early Retirement Option Number One is available only to unit members employed in a certificated position with the Humboldt County Office of Education as of June 30, 1998, who remained continuously employed thereafter, and who meet all other applicable criteria.
2. The Superintendent shall provide to eligible employees retiring prior to the age of 65 health and welfare benefits as provided active certificated employees according to the qualifications conditions and limitations described in this section.
3. In order to receive full coverage, the retiring employee must have
 - a. Provided a minimum of 10 years continuous full time certificated service with the Humboldt County Office of Education immediately preceding the date of entry into the early retirement program or
 - b. Been legally entitled to 1.0 FTE status on the certificated seniority roster for the academic year in which the date of retirement is to take effect and had previously served ten years continuous full time certificated service during his/her employment with the Office of Education; and
 - c. Received full employer-paid benefits during the 12 calendar months immediately preceding the effective date of the retirement.
4. In order to receive prorated coverage, the retiring employee must have:

- a. Provided the equivalent of 10 years continuous full time certificated service with the Humboldt County Office of Education during his/her employment and
- b. Received full or part time Employer-paid benefits during the 12 calendar months immediately preceding the effective date of the retirement.

The proration of Employer-paid benefits after retirement shall be based on the average annual certificated service rendered the Office of Education since the employee's first year of regular, non-substitute employment.

5. The health and welfare benefits for the retiree shall be for a period of time not to exceed 10 years, until the former unit member reaches the age of eligibility for Medicare participation based upon Health Care Financing Administration (HCFA) regulations (irrespective of the member's actual participation) or until death, whichever occurs first.
6. Commencing July 1, 2008, Employer contributions towards retiree benefits shall be fixed at the monthly rate(s) paid on the retiree's behalf during the 2007-2008 school year.
7. If at any time a retiree is required to make a monthly co-payment of premiums and if the retiree fails to pay his/her share of premiums by the fifteenth of the month in which the payment is due, his/her benefits shall be discontinued.
8. Should an employee not wish to take the retirement with benefits, he/she may opt of annual cash payments of \$4,000 per year during the same time period as described in paragraph 5 above. The employee must provide evidence of alternative health coverage in order to select this option. Once a retiree selects this cash option, the retiree shall not be permitted to re-enroll in the health benefit program on an Employer-paid basis. The \$4,000 cash payment shall be pro-rated pursuant to paragraph 4 above in the case of part-time employees.

B. Program Number Two: Reduced Workload Prior to Final Retirement. An employee may apply for consideration to reduce his or her workload from full-time to part-time duties, and receive the service credit for retirement that the employee would receive if the employee were employed on a full-time basis and have his or her retirement allowance, as well as other benefits that the employee is entitled to as a member of STRS, based upon the salary that the unit member would have received if employed on a full-time basis.

To meet the program needs of the employer, employees working full time who volunteer to reduce their workload in any given school year, will retain their rights to participate in Program Number One at the time of their retirement.

The regulations for this program shall be the following:

1. Final approval of the request to participate in the reduced workload option shall be at the discretion of the Superintendent in response to a request of an employee. Once in the program, participation can be revoked only with the mutual consent of the Superintendent and the employee.
2. The employee shall have been employed full-time in a position requiring membership in STRS for at least 10 years of which the immediately preceding 5 years were full-time employment.
3. During the period immediately preceding a request for reduction in workload, the employee shall have been employed full time in a position requiring membership in STRS for a total of at least 5 years without a break in service. For purposes of this section, sabbaticals and other approved leave of absence shall not constitute a break in service. Time spent on a sabbatical or other approved leave of absence shall not be used in computing the 5 year full time service requirement.
4. The employee shall have reached the age of 55 prior to reduction in workload.
5. The period of part-time employment shall not exceed 10 years.
6. The minimum part-time employment shall be no less than the equivalent of one-half (1/2) of the number of days of service required by the employees contract of employment during his or her final year of service in a full-time position.
7. The employee shall be paid a salary that is the pro rata share of the salary the employee would be earning had he or she not elected to exercise the option of part-time employment.
8. Prior to the reduction of an employee's workload under this section, the superintendent, in conjunction with the administrative staff of STRS, shall verify the eligibility of the unit member for the reduced workload program.
9. The employee shall contribute to the Teacher's Retirement Fund the amount that would have been contributed had the unit member been employed full-time.

10. The Office of Education shall contribute to the Teachers' Retirement Fund an amount based upon the salary that would have been paid to the employee had the employee been employed full-time.
 11. The Office of Education shall maintain the necessary records to separately identify each unit member receiving credit pursuant to this section.
 12. While participating in this program, the employee will be entitled to receive the same level of employer-paid health and welfare benefits as his or her full time certificated employee colleagues are receiving during the same time.
- C. Program Number Three: Retirement with Optional Cash Payment or Benefits Purchase. Program Number Three is available only for certificated employees whose first day of regular, non-substitute, continuous certificated service with the Office of Education occurred between July 1, 1998, and June 30, 2001.
1. For all eligible employees, an amount not to exceed \$20,000 will be made available to be used at the discretion of the retiree, either as a lump sum cash payout in the form of additional compensation, or as an amount of monies which the retiree may apply towards the purchase of continued health and welfare benefits after his/her last date of active service. The fund amount shall be prorated for part-time employees as defined. If the employee chooses to receive additional compensation, the amount received by the retiree shall not be used by STRS in the calculation of his/her retirement annuity.
 2. In order to receive the full amount, the retiring employee must have:
 - a. Provided a minimum of 10 years continuous full time certificated service with the Office of Education immediately preceding the date of retirement; or
 - b. Been legally entitled to 1.0 FTE status on the certificated seniority roster for the academic year in which the date of retirement is to take effect and had previously served 10 years continuous full time certificated service during his/her employment with the Office of Education.
 3. In order to receive a prorated amount, the retiring employee must have provided the equivalent of 10 years continuous full time certificated service with the Office of Education during his/her employment. The proration of the amount available to the retiree shall be based on the average annual certificated service rendered the Office of Education since the employee's first year of regular, non-substitute employment.

4. In order for the employee to be able to opt for the purchase of benefits after retirement, he/she must have been previously covered during the 12 calendar months immediately preceding the date of retirement.

D. Program Number Four: Retirement with Optional Cash Payment or Benefits Purchase. Program Number Four is available only for employees whose first day of regular, non-substitute, continuous certificated service with the Office of Education occurred after July 1, 2001.

1. For all eligible unit members, an amount not to exceed \$25,000 will be made available to be used at the discretion of the retiree, either as a lump sum cash payout in the form of additional compensation, or as an amount of monies which the retiree may apply towards the purchase of continued health and welfare benefits after his/her last date of active service. The fund amount shall be pro-rated for part-time employees as defined. If the employee chooses to receive additional compensation, the amount received by the retiree shall not be used by STRS in the calculation of his/her retirement annuity.
2. In order to receive the full amount, the retiring employee must have:
 - a. Provided a minimum of 20 years continuous full time certificated service with the Office of Education immediate preceding the date of retirement; or
 - b. Been legally entitled to 1.0 FTE status on the seniority roster for the academic year in which the date of retirement is to take effect and had previously served 20 years continuous full time regular, non-substitute service during his/her employment with the Office of Education
3. In order to receive a prorated amount, the retiring employee must have provided the equivalent of 20 years continuous full-time certificated service with the Office of Education during his/her employment. The proration of the amount available to the retiree shall be based on the average annual certificated service rendered the Office of Education since the employee's first year of certificated employment.
4. In order for the employee to be able to opt for the purchase of benefits after retirement he/she must have been previously covered during the 12 calendar months immediately preceding the date of retirement.

Legal References

EDUCATION CODE

22714 Service credit under STRS; additional two years

44907 Retirement

44929 Service credit under STRS; additional two years

Policy

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HUMBOLDT COUNTY OFFICE OF EDUCATION

Eureka, California