

# Davis Technical College

## Early Retirement Incentives Policy

Effective Date: 29 June 2018

### 1. Purpose

The purpose of the Early Retirement Incentives Policy of the Davis Technical College (College) is to (1) provide benefits to eligible retiring employees in exchange for the early termination of employment services (early retirement), and (2) to encourage some measure of staffing flexibility, consistent with overall College needs.

### 2. References

- 2.1. Davis Technical College Sick Leave Policy
- 2.2. Davis Technical College Vacation Leave Policy and Procedures
- 2.3. Davis Technical College Retirement Programs Policy

### 3. Policy

**3.1. Eligibility** - Employees eligible to apply for participation in the early retirement incentives program are those employees hired prior to December 1, 2009, with a full-time (40 hours per week), College position for 9 months or more in a fiscal year, who have at least ten (10) years of service at the College, who retire prior to the time they become eligible to receive unreduced social security benefits, and who meet one of the following age and service requirements:

- 3.1.1. Age 62 with at least 10 years of service; or
- 3.1.2. Age 60 with at least 20 years of service; or
- 3.1.3. Any age with at least 25 years of service.

**3.1.4.** Participation in the early retirement incentives program is neither an entitlement nor a right automatically available to all persons who meet the eligibility criteria. The College reserves the right to limit the total number of participants in the program in order to preserve the viability of the College's basic programs and the integrity of its financial resources.

**3.2. Ineligible Employees** - The following employees are not eligible for participation in the early retirement incentives program:

- 3.2.1. Any employee who has received a written notice of termination.
- 3.2.2. Any employee who is retiring under the disability provisions of the Utah State Retirement Act.
- 3.2.3. Any employee who has previously received an early retirement incentive from the College or is currently receiving Utah State Retirement System benefits.
- 3.2.4. Any employee hired into a full-time (40 hours per week) position after December 1, 2009.

**3.3. Employee Responsibility** - Employees should consult with qualified attorneys, accountants, or financial advisors of their own choosing before making retirement decisions.

**3.4. Right to Amend or Terminate Program** - The Board reserves the right to amend or terminate the early retirement incentives program at any time, but no amendment or termination shall affect any participant who has already retired under its provisions.

**3.5. Retirement Contribution**

**3.5.1.** Retirees who receive approval to participate in the early retirement incentives program will receive a contribution of fifteen percent (15%) of their annual wages per year into the employee's 401(k) or 403(b) account, or to a qualified Health Savings Account (HSA), (not to exceed the level legally permissible under prevailing tax law) for three (3) years or until they become eligible to receive unreduced social security benefits, whichever occurs first. The contribution will be prorated for eligible periods of less than a full year or years.

**3.5.2.** Approved employees may voluntarily authorize the College to purchase additional service credit for them in Utah Retirement Systems by applying some or all of their eligible early retirement incentive contribution on a one-time lump sum basis. Eligible employees shall notify the Payroll Office in writing of such a request no later than the early retirement notification deadlines as indicated in this policy.

**3.5.3. Payment Timing** – The first payment shall occur within 180 days of retirement from the College. The second payment shall occur in February of the first year following a complete calendar year without contributions to the URS or TIAA retirement account for the original position from which the employee retired. The third payment shall occur the following February.

**3.5.4.** If the retiree dies, the amount remaining to be paid under the Retirement Contribution section of this policy shall be paid to the retiree's designated beneficiary.

**3.6. Sick Leave Payout** - Employees who retire prior to the time they become eligible to receive unreduced social security benefits, who receive approval to participate in the early retirement incentives program and who had a sick leave balance as of June 30, 2004 may receive a payout of a portion of sick leave balances. Sick leave balances as of June 30, 2004 are available for use as sick leave, but if used as leave days, they are no longer available for a payout at early retirement. Further, sick leave days used from the June 30, 2004 balance cannot be replaced as days available for payout by unused sick leave days from subsequent periods. Employees approved for early retirement incentives may select one of the following options for a sick leave payout:

**3.6.1. Option One** - An amount paid as a lump sum employer contribution to the employee's 401(k) or 403(b) account, or to a qualified Health Savings Account (HSA), (not to exceed the level legally permissible under prevailing tax law) equal to twenty percent (20%) of the value of the employee's June 30, 2004 sick leave balance based on the employee's current position on the pay schedule.

**3.6.2. Option Two** - An amount equal to twenty percent (20%) of the value of the employee's June 30, 2004 sick leave balance based on the employee's current position on the pay schedule paid by applying some or all of the payment as a voluntarily purchase of additional salary service credit in Utah Retirement Systems. Eligible employees shall notify the Payroll Office in writing of such a request no later than the early retirement notification deadlines as indicated in this policy.

**3.6.3. Option Three** - A credit equal to twenty percent (20%) of the value of the employee's June 30, 2004 sick leave balance based upon the employee's current position on the pay schedule to be applied toward the payment of health insurance premiums during retirement.

**3.7. Post-Retirement Health and Dental Insurance** - Employees who receive approval to participate in the early retirement incentives program will continue to be enrolled in group medical and dental programs until they become eligible for Medicare, or for the ten (10) consecutive years following retirement, whichever occurs first. The College will pay the same amount towards insurance premiums for early retirees as for active employees. This enrollment is contingent upon the retirees contributing the balance of the premium not covered by the College for the first three (3) years and the full premium for the following seven (7) years.

**3.8. Application**

**3.8.1.** In order to apply for early retirement incentives, an employee must notify the Director of Human Resources in writing by submitting a completed application form at least thirty (30) days prior to their planned date of retirement. An employee may submit a written request to the Director of Human Resources to rescind the retirement request during the thirty (30) days. Unless the College grants the request to rescind, the retirement shall be considered final.

**3.8.2. Official Forms** - No verbal communications or letters of intent will be accepted as application for participation in the early retirement incentives program. Without appropriate completion of the official application form no employee shall qualify for nor receive any of the benefits provided through the program.

**3.8.3. Approval of Application** - The application for early retirement incentives shall be forwarded to the College administration. Benefits under this policy shall be due to retiring employees only with administrative approval.

**3.9. Program Non-coordination** - Benefits of this early retirement incentives program provided by the College are independent of Utah Retirement Systems and TIAA. Benefits of this early retirement incentives program are not intended to be combined or coordinated with the early retirement provisions outlined in Utah Code section 67-19-14.

**3.10. Last Day Worked** - For purposes of determining the early retirement incentives, the number of years before the retiree becomes eligible to receive unreduced social security benefits as of the official last day of work shall be used. Leave days for which an employee receives pay following the last day worked shall not be considered in determining early retirement incentives.

**4. Approval and Notes**

Revised Board Approval: 28 June 2018  
Revised President's Council Approval: 23 April 2018  
Revised Board Approval: 26 March 2015  
Revised Board Approval: 28 February 2013  
Revised Board Approval: 28 October 2010  
Revised Board Approval: 3 December 2009  
Revised Board Approval: 26 October 2006  
Revised Board Approval: 26 August 2004  
Board Approval: 27 May 2004