

WESTERN CAROLINA UNIVERSITY
THE UNIVERSITY OF NORTH CAROLINA
PHASED RETIREMENT PROGRAM

APPLICATION PROCEDURES

Time Periods

Western Carolina University (WCU) announced the Phased Retirement Program on Wednesday, March 4, 1998. The Program will be available for application for a period of three years and Eligible Faculty Members or faculty members who become eligible may elect annually to seek to enroll in the Program during the enrollment life of the Program, with active participation to commence with the fall semester next following acceptance by the institution for participation.

Group meetings are held for all persons eligible to elect into the Program. Persons who plan to elect to participate in the Program should meet with the officials appointed or designated by their institution to answer questions about the Program.

An application to enter the Program must be made at least six (6) months but not more than eleven (11) months before the effective date of an Eligible Faculty Member's requested participation in the Phased Retirement Program, to begin at the start of the next academic year.

As required by the Age Discrimination in Employment Act (ADEA), the faculty member will have at least forty-five (45) days to return the Agreement and the Release. Persons electing to participate in the Program also have the right under the ADEA to revoke the Agreement and the Release anytime within seven (7) days of the date they are signed. An election to participate in the Program does not become final until after that date. Following the procedures in this document, completed applications for fall semester, 2016, must be given to electing faculty members no later than December 1, 2015 and must be returned to the department head/supervisor by January 15, 2016.

Procedures

1. Eligible faculty should approach their department head to begin negotiating their half-time schedule for the phased retirement period. Duties will be based upon the Schedule of Potential Services which appears in the section below on Work Plans.
2. Upon contact of the department head by the Eligible Faculty Member, the department head will notify the dean of such contact, along with the proposed duties for the faculty member. This notification of the dean must be done before the agreement about the half-time schedule is finalized.
3. If he or she has not already done so, the Eligible Faculty Member should make an appointment with the retirement and benefits counselor in WCU's Office of Human Resources to discuss, specific details related to retirement.
4. When negotiation is finished, the electing faculty member will be provided a completed Application and Reemployment Agreement and a completed Release to consider and sign. The Agreement will contain the detailed work plan based upon the schedule of potential services. In order to

comply with the requirements and deadlines of this policy, electing faculty members must be given the completed Agreement and Release documents no later than November 13, 2015.

The requirements for a valid release are set out in detail by the ADEA. Therefore, it is mandatory that each department head follow the steps outlined below:

Processing of Agreement and Release

- a. The Eligible Faculty Member may obtain from Academic Affairs an Agreement and Release Package which contains:
 - 1) The initial letter to faculty
 - 2) The Program Summary
 - 3) The Agreement, complete with negotiated job duties
 - 4) The Release, with Job Title and Age List Chart attached

It is essential to the validity of the Agreement and the Release that all of this information has been provided to the electing faculty member when he or she is offered the completed Release for execution.

- b. The electing faculty member has at least forty-five (45) days from the time he or she receives the Agreement and Release Package to execute the Agreement and the Release. The faculty member should be encouraged to use the full 45 days and to consult an attorney. Under no circumstances should the faculty member be requested or pressured to return the package in a shorter period.
 - c. The electing faculty member may sign the Agreement and the Release before the end of the 45-day period if he or she so-desires. Again, the faculty member is encouraged to utilize the full 45-day period.
 - d. Once the electing faculty member signs the Agreement and the Release, he or she has seven (7) days to revoke them. Consequently, a faculty member's Agreement may not be binding until almost two months after he or she receives the Agreement and the Release to execute.
5. Faculty electing to participate in the Program have the right to revoke the Agreement and the Release anytime within seven (7) days of the date they are signed. Revocation shall be in a writing personally signed by the faculty member and shall be delivered in person or by United States mail to the department head or other to whom the application was submitted. If the Agreement and the Release are revoked, the Agreement is void and the faculty member returns to his or her tenured position.
 6. Both fully-signed documents are to be sent to the Office of the Provost with copies retained by the faculty member and the department head (as part of the faculty member's Agreement and Release Package). The Office of the Provost will send a copy of the faculty member's signed documents to the WCU Office of Human Resources.
 7. The department head will process the required WCU termination and appointment forms to remove the faculty member from permanent employment and to initiate the half-time employment. Faculty members eligible for retirement may elect to begin receiving the benefits they have accrued under their retirement program, but they are not required under this program to do so. Enrolling Eligible

Faculty Members may elect to begin receiving the benefits they have accrued under either the N.C. Teachers' and State Employees' Retirement System ("TSERS") or the UNC Optional Retirement Program (the "ORP"), but they are not required to do so. However, so long as an Eligible Faculty Member does not receive a monthly retirement benefit, he or she will not receive university paid State Health Plan benefits. ^[1]

At WCU, the following people are prepared to answer questions concerning retirement and benefits issues:

Matt Brown
Senior Human Resources Consultant
330 HFR Administration Building
227-3139

Administrative or policy questions are to be directed to the following:

Greg Hodges
Director of Academic Resources and Business Operations, Office of the Provost
560 HFR Administration Building
227-3389

WCU seeks to ensure that the information provided faculty members is accurate and consistent. Faculty and administrative personnel not designated to provide Program information should not respond to questions about the operation of the Program, but should direct faculty members to Human Resources, Academic Affairs, or their department head. WCU will conduct Program orientations in order to answer general questions.

The decision to elect the Program is personal and one on which each faculty member must make his or her own decision. WCU will not advise a faculty member to accept or refuse to participate in the Program.

Participation Limits or Caps

General Participation Cap

WCU has set no general caps on participation at the department, college or institution level. If the university decides to establish caps on participation the limits will be included in the Phased Retirement documents distributed to campus in early September.

Participation Limit Based upon Preservation of Academic Quality

In the fall of every year, each department will determine whether it needs to limit participation in the Phased Retirement Program. Each department head, after discussion with department faculty, will then consult with the dean of the college and the Provost about limitations on the number of eligible faculty who can participate in the Program based upon preservation of academic quality. In addition, institutional and program accreditation and licensing standards must be maintained for accredited or licensed programs or those seeking accreditation or license.

Any decision on limitations will be based upon a possible resulting shortage of full-time faculty in the department, the required number of faculty necessary for the department to operate, student/faculty ratios, or other such criteria. A decision based upon these factors may not be based in any way upon age or the expected retirement of specific faculty members. Such a

decision must be documented in writing and signed by the college dean in September of each year before Eligible Faculty Members make their intentions known to participate in the Program.

Participation Limit Based on Financial Exigency

Financial exigencies for purposes of the Program will be defined and determined as needed by the Chancellor or his designees. The Provost may limit departmental or college participation in the Program because of financial exigencies.

Selection when Participation Is Limited

If a department, college, or the institution finds it necessary to set limits based upon financial exigency or compromise of academic quality, more applications for the Program may be received than there are spaces available. If this is the case, participants will be selected based upon institutional seniority, defined as the number of years served in a tenure-track position at Western Carolina University. In cases of a tie, the person with more tenured years at the highest rank will receive priority. Conflicts will be resolved by the college dean and the Provost.

Work Plans

Schedule of Potential Services

The WCU schedule of potential services is:

- teaching
- service activities
- student advising
- writing of grants
- clinical and internship supervision
- for librarians, equivalent professional library activities.

Individual Work Plans

A typical work plan will call for services to be rendered over the two regular-term semesters of the academic year. No work plan may include duties incident to summer school curricula.

Faculty members in the Program will work half time for half-time compensation. Each department head is responsible for developing an individual work plan with faculty who wish to participate in the Program. These agreements are made between each department head and the Eligible Faculty Member, with approval by the dean of the college. In Hunter Library, the University Librarian will perform the role of the department head, with approval by the Provost.

Once the department head and faculty member complete arrangements about the individual work plan, the agreement to participate in the Program must be stated in writing in a formal Agreement and be co-signed by the faculty member, the head of the employing department, dean of the college, and the Provost.

In cases where the Institution and the Eligible Faculty Member cannot agree on a work plan, the Eligible Faculty Member will not be allowed to participate in the Program until such agreement is reached. Once an Agreement is finalized, the parties by mutual agreement may terminate the Agreement at any time.

Job Title and Age List Chart

The job title and age list chart given to each Eligible Faculty Member as part of the Agreement and Release Package is based upon current institutional information. However, if any error or omission is detected, it should be promptly reported to the appropriate academic department or

college, who should notify the Office of Human Resources. Faculty are individually responsible for providing age and service data needed to determine their Program eligibility.

¹ If a faculty member does not elect to receive a monthly retirement benefit from TSERS or ORP, upon entering phased retirement he/she may continue participation in the State Health Plan as a permanent halftime employee on a fully contributory basis. In that case, the faculty member would not be eligible to receive the University contribution.