

AGENDA ITEM NO. 6.10 – BOARD OBJECTIVES AND POLICY

SURS ANNUITANT RETURN TO WORK AND EMPLOYMENT POLICY

Policy 932 – New – First Reading

This new college policy is recommended in order to address state legislation regarding employment restrictions of State Universities Retirement System (“SURS”) Annuitants.

932 SURS ANNUITANT RETURN TO WORK AND EMPLOYMENT POLICY

Pursuant to 40 ILCS 5/15-139.5, the College may be required to pay to SURS (“State University Retirement System”) an amount equal to the annual annuity of an SURS Annuitant who is a College employee, when the Annuitant’s salary exceeds certain threshold amounts. To avoid the possibility that the College could incur this SURS penalty by limiting the employment of SURS Annuitants and ensuring that Annuitants and employees keep the College informed of their SURS status and of any change in their SURS status.

Definitions

The following definitions apply to terms in this Policy:

- “SURS” refers to the Illinois State Universities Retirement System.
- An “SURS Annuitant” is any individual receiving any retirement annuity from SURS.
- An “Affected Annuitant” is a SURS annuitant (1) whose annual earnings in any SURS academic year beginning September 1, 2013, from the College or any other SURS-covered employer, either individually or collectively, exceed 40% of the SURS Annuitant’s pre-retirement highest annual earnings and (2) whose annualized retirement annuity is equal to, or greater than, \$10,000.
- An “SURS Academic Year” begins on September 1 and ends on August 31.

Conditions

To avoid excessive penalties caused by the hiring of retirees or affected Annuitants, the following hiring conditions shall be enforced:

- A. Effective February 25, 2015, the College of Lake County will not hire, employ, or continue to employ any person who has retired from the College of Lake County or any SURS employer, except in the limited circumstances set out below.

AGENDA ITEM 6.10 – BOARD OBJECTIVES AND POLICY (Continued)

- B. Full-time College of Lake County employees who retire from the College as a full-time employee (including Professor Emeritus) may be considered for post-retirement employment in limited instructional, librarian or counseling capacities, so long as their post-retirement SURS earnings will not cause them to become “Affected Annuitants.”
- C. SURS Annuitants who have not retired from the College as a full-time employee and who are currently employed as active part-time adjunct faculty as of February 25, 2015, may be considered for continued employment in instructional, librarian or counseling capacities so long as their post-retirement SURS earnings will not cause them to become “Affected Annuitants.” After February 25, 2015, the College will not hire or employ any new or additional SURS Annuitants other than those Annuitants described in B. above.
- D. Employment of any SURS Annuitant is subject to the following conditions:
1. The Annuitant must not earn more than 80% of the individual and employer SURS academic year maximum earning limits;
 2. The Annuitant must regularly, and as often as the College may request, promptly provide all certifications, documentation, and necessary releases, regarding the Annuitant’s SURS earnings and employment;
 3. The Annuitant must not be employed in any capacity by any other SURS employer and swear and attest to that fact in writing affirmed by a Notary Public. The Annuitant must advise the Director of Human Resources in writing before becoming employed by any other SURS employer.
- E. Every new applicant must complete a “Statement of SURS Annuity Status” form and immediately advise the College if the applicant or employee:
- a. Is a SURS Annuitant;

AGENDA ITEM 6.10 – BOARD OBJECTIVES AND POLICY (Continued)

- b. Has applied for retirement under SURS;
 - c. Becomes a SURS Annuitant; or
 - d. Becomes a SURS-Affected Annuitant.
- F. SURS Annuitants, SURS-Affected Annuitants, applicants and employees will be advised in writing that pursuant to Public Act 97-0968, falsification of the information contained in SURS Annuity Status forms is considered a Class A misdemeanor and will result in discipline up to and including termination of employment. Also, to the extent permitted by law, the College may impose a financial penalty, including, but not limited to, recoupment of fees and penalties charged to the College by SURS.
- G. Where needed to address compelling instructional or operational needs, as determined by the President or designee, the College may allow exceptions to these return-to-work limitations for SURS Annuitants who are not, and will not become, “Affected Annuitants.” Such exceptions must be approved in writing by the Provost and the Vice President of Administrative Affairs.
- H. The Vice President of Administrative Affairs or designee will develop procedures to implement the terms of this policy.