

As background for the Senate Council discussion of the ability of Phased Retirees to serve as Faculty or Staff Trustee, and/or in the University or Staff Senate, Jon Gent and Jennifer Bird-Pollan have gathered the following information. See also AR 3:2, attached below.

Faculty Employees:

- Senate Rule 1.2.2 limits participation in the Senate to “full-time faculty employees”, and goes on to state “For the purposes of college-level election of eligible faculty employees as representatives of the respective college faculty body, AR 3:2 is here interpreted to allow voting by, but not election of, faculty employees on phased retirement.”
- Senate Rule 1.5.2 limits eligibility for service as Faculty Trustee to “regular, full-time faculty employees.” The SREC interpretation of this rule states “For the purposes of election of Faculty Trustees, AR 3:2 is here interpreted to allow voting by, but not election of, faculty employees on phased retirement.”

Staff Employees:

- Staff Senate is open to regular full-time staff members, where “full-time” is defined as full-time equivalency of 0.75 or greater
- The Staff Trustee position is only open to a regular full-time staff member, where “full-time” is defined as full-time equivalency of 1.0. It is also necessary that the candidate has one-year of continuous employment at UK, and the candidate may not have any relative working at UK.

Phased Retirees Serving on Senate or as Trustee – A Survey

Under current University of Kentucky guidelines, employees (including both faculty and staff employees) who are on phased-retirement are ineligible to run for seats on the Senate or as Trustee. In addition, any employee serving on the Senate or as Trustee is required to give up his or her seat upon entering phased retirement. The University Senate Council requested that President Capilouto consider changing this rule, and President Capilouto asked for wider input from faculty and staff regarding their views of the role of phased retiree employees in these positions. The goal of this survey is to solicit that feedback.

1. Employees on phased retirement should be permitted to run for Senate.
 - a. Strongly Disagree
 - b. Disagree
 - c. Neither Agree nor Disagree
 - d. Agree
 - e. Strongly Agree

2. Employees on phased retirement should be permitted to run for Trustee.
 - a. Strongly Disagree
 - b. Disagree
 - c. Neither Agree nor Disagree
 - d. Agree
 - e. Strongly Agree

3. Employees who enter phased retirement while serving on the Senate should be permitted to finish their terms.
 - a. Strongly Disagree
 - b. Disagree
 - c. Neither Agree nor Disagree
 - d. Agree
 - e. Strongly Agree

4. Employees who enter phased retirement while serving as Trustee should be permitted to finish their terms.
 - a. Strongly Disagree
 - b. Disagree
 - c. Neither Agree nor Disagree
 - d. Agree
 - e. Strongly Agree

5. What potential advantages do you see to maintaining the current rule or to changing the rule to permit phased retiree employees to serve?

6. Is there anything else you'd like to share regarding this issue?

7. Are you a faculty member or a staff member?

8. How long have you worked at UK?

9. Do you expect to enter phased retirement within the next five years?



UNIVERSITY OF
KENTUCKY
Regulations

Administrative Regulation 3:2

Responsible Offices: Provost / Executive Vice
President for Finance and Administration / Vice
President for Human Resources

Date Effective: 5/3/2016

Supersedes Version: 10/16/2007

Phased Retirement Policy and Program (Approved by the Board of Trustees)

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I. Introduction - Policy

The Phased Retirement Program (“program”) is designed to provide an opportunity for eligible full-time faculty and staff employees to make an orderly transition to retirement through part-time service. It is entirely voluntary and is implemented by written agreement between the employee and the University. The program does not create an absolute right of employees to phased retirement. A decision to request phased retirement rests entirely with the individual employee and shall be granted only when in the best interests of the University. The program is ongoing, but may be eliminated at any time by the University.

II. Entities Affected

This regulation applies to all employees of the University who are eligible for the program in accordance with Section III of this regulation.

III. Eligibility

- A. The program is available to all full-time faculty and staff employees who have completed fifteen (15) years of full-time service (in accordance with AR 3:1) at the University of Kentucky and who are age sixty (60) or older by the commencement of their phased retirement. Eligibility means the person has completed fifteen (15) years of full-time service in accordance with AR 3:1 at the University and is age sixty (60) or older by the commencement of their phased retirement. Human Resources confirmation of eligibility is not an approval of the Phased Retirement proposal or agreement.

- B. Individuals who have already taken regular retirement are not eligible for phased retirement under this program.

IV. Procedures - Requests for Phased Retirement

A. Faculty Requests

1. The faculty employee is responsible for confirming eligibility for participation by contacting Human Resources.
2. After obtaining verification of eligibility, a faculty employee shall submit a written request to the educational unit administrator outlining the proposed terms and using the [Phased Retirement Agreement form](#). The request shall be submitted at least six (6) months before the date upon which the phased retirement would become effective unless the affected educational unit administrator and the dean agree to accept a later submission.
3. The educational unit administrator shall review the request and, if necessary, meet with the faculty employee to discuss whether any terms of the proposal should be modified to ensure that the phased retirement is in the best interests of the University. The educational unit administrator shall make a recommendation to the dean. The dean shall review the request and recommendation of the educational unit administrator and make a recommendation to the Provost. The Provost shall have final approval authority.
4. Once all the terms and conditions of the proposed phased retirement are agreed upon, the final Agreement shall be documented using the Phased Retirement Agreement form. The Agreement is deemed “executed” once all necessary parties have signed the Phased Retirement Agreement form.

B. Staff Requests

1. The staff employee is responsible for confirming eligibility for participation by contacting Human Resources.
2. After obtaining verification of the eligibility, a staff employee shall submit a written request for phased retirement to the supervisor of the administrative unit to which the employee is assigned using the [Phased Retirement Agreement form](#). The request shall be submitted at least three (3) months before the date upon which the phased retirement would become effective unless the affected supervisor and appropriate senior administrator agree to accept a later submission.
3. The supervisor shall review the request and, if necessary, meet with the staff employee to discuss whether any terms of the proposal should be modified to ensure that the phased retirement is in the best interests of the University. The supervisor shall make a recommendation to the appropriate senior administrator. The senior administrator shall review the request and recommendation of the supervisor and make a recommendation to the appropriate vice president, executive vice president, Provost, or President. The executive vice president, Provost, or President shall have final approval authority.
4. Once all the terms and conditions of the proposed phased retirement are agreed upon, the final Agreement shall be documented using the Phased Retirement Agreement form. The Agreement is deemed “executed” once all necessary parties have signed the Phased Retirement Agreement form.

V. Terms and Conditions

- A. Phased retirement involves a reduction of employment from full-time to part-time, but normally not less than 50 percent full-time equivalency (FTE) and not greater than 80 percent FTE. The employee’s

workload and schedule during phased retirement shall be determined by agreement between the employee and unit administrator as determined by the Phased Retirement Agreement. For example, phased retirement may consist of reduced course load, fewer hours per day, or fewer days per week.

- B. The salary of an employee on phased retirement shall be reduced proportional to the reduction in FTE. Employees participating in the program shall not be eligible for promotion or salary increases during the period of their phased retirement.
- C. Phased retirement shall not exceed three (3) years in duration. A Phased Retirement Agreement may be year-to-year (renewable annually) or for a multi-year term (i.e. 2-years or 3-years), but shall not exceed three (3) years total.
- D. Employees who are approved for participation in the program shall agree in writing to accept full retirement from the University no later than the end of the phased retirement period as determined by the Phased Retirement Agreement. The agreement to enter into phased retirement and to retire at the end of the reduced employment period is irrevocable once the Phased Retirement Agreement is executed; however, the percentage of FTE reduction or work schedule during the phased retirement period may be amended by mutual agreement of the employee and unit administrator, subject to approval of the dean and the Provost or appropriate executive vice president.
- E. Nothing in this regulation shall preclude employees from electing regular retirement from the University at any point in time during the phased retirement period (even though such employees may have executed an agreement requiring retirement at some point in the future). Nothing in this regulation shall preclude a post-retirement appointment of an individual following phased retirement and regular retirement.
- F. Faculty employees participating in the program shall have the same academic freedoms as other faculty and shall be held to the same professional standards as full-time faculty employees.
- G. Faculty and staff employees participating in the program are subject to all University regulations and policies and have access to all grievance and appeal procedures available to other employees.

VI. Retirement and Other Employee Benefits

A. Retirement Contributions

The University and employee contributions to University retirement plans shall be based upon the employee's actual (i.e. reduced) salary during the period of reduced employment. Employees participating in the program may access their retirement plan funds after the start date of their phased retirement.

B. Disability Benefits

The calculation of disability benefits for an employee on a phased retirement appointment shall be based on the equivalent of the employee's full-time salary prior to entering the program.

C. Life Insurance and Accidental Death & Dismemberment (AD&D)

The calculation of policy coverage for basic or optional life insurance and basic AD&D coverage shall be based on the equivalent of the employee's full-time salary prior to entering the program.

D. Vacation and Other Leave

The vacation and other leave for an employee on phased retirement shall be reduced proportional to the reduction in FTE.

E. Sabbatical Leave

Faculty employees participating in the program are ineligible for sabbatical leave.

E. Other Benefits

In all other respects, employees participating in the program are entitled to the employee benefits normally offered to regular full-time employees. Employee privileges, such as parking and reduced-cost athletic tickets, shall be made available to employees participating in the program as if they were regular full-time employees. Requests for travel expenses and support services for employees in the program shall be considered and evaluated under normal processes. An employee's use and occupancy of office or lab space shall not be adversely affected during the phased retirement period.

For more information about Phased Retirement, please review the [FAQ](#).

References and Related Materials

KRS 164.220, Appointment, salaries and retirement benefits of university personnel

GR II, Governance of the University (Board of Trustees)

AR 3:1, University of Kentucky Retirement Plans

Revision History

4/30/1996, 3/4/1997, 12/10/2002, 6/12/2007, 10/16/2007, 5/3/2016

For questions, contact: [Office of Legal Counsel](#)