

UT Faculty Senate Benefits and Professional Development Committee, report for 2017-2018
Submitted on 4/27/18 by committee chair: Gregory B. Kaplan, Professor of Spanish, Distinguished
Professor in the Humanities.

The two major items on the agenda during the 2017-2018 academic year were 1. withdrawal of ORP funds upon retirement, and 2. paid parental leave (PPL).

Item 1: University of Memphis ORP resolution.

The committee met several times during the fall of 2017 to discuss supporting a University of Memphis Approved Motion on Ability to Withdraw Retirement Plan Funds (included below), which would impact University of Tennessee employees enrolled in the university's ORP (optional retirement plan). In order to clarify the matter, Jon Gushen (UT Human Resources) was invited to a committee meeting on 10/19/17. The committee ultimately voted (unanimously) in favor of a resolution in support of the UM resolution. This resolution was presented to the UT Faculty Senate at its November 2017 meeting, at which the full senate voted to support the UT resolution:

Resolution the University of Tennessee (UT) Faculty Senate Benefits and Professional Development Committee for November 6 Faculty Senate Executive Council Meeting

WHEREAS, on October 19, 2017, the UT Faculty Benefits and Professional Development Committee met to discuss and decide to support or not support the University of Memphis (UM) approved resolution (see below).

THEREFORE BE IT RESOLVED THAT the UT Faculty Benefits and Professional Development Committee voted 8-0 to support the resolution in question.

BE IT FURTHER RESOLVED THAT a copy of this Resolution be presented for approval/no approval at the Faculty Senate Executive Council meeting to be held on November 6, 2017. If approved by the Faculty Senate Executive Council, this Resolution will be presented for approval/no approval at the UT Faculty Senate meeting to be held on November 20, 2017.

University of Memphis Approved Motion on Ability to Withdraw Retirement Plan Funds

WHEREAS, Tennessee law restricts state retirees from full access to their ORP funds in retirement:

TCA Section 8-25-211. Upon retiring or otherwise terminating employment, an employee participating in an optional retirement program may elect to receive a cash withdrawal of up to fifty percent (50%) of such employee's accumulated account or accounts if permitted by the relevant optional retirement company, and if the employee applies for and begins receiving a lifetime distribution of the remaining portion of such employee's accumulated account or accounts. Any employee who receives a cash withdrawal pursuant to this section shall not be entitled to reestablish the withdrawn amount or any period of service represented by that amount in either the optional retirement program, the retirement system, or any other Tennessee state retirement program; and

WHEREAS, this restriction is highly unusual and is in direct conflict with the spirit of the optional retirement program that allows employees greater control over their retirement funding: Now, therefore,

BE IT RESOLVED, The University of Memphis Faculty Senate this fifth day of September, 2017, in the City of Memphis, Tennessee, respectfully requests that University President M. David Rudd and the

University of Memphis Board of Trustees engage with the State of Tennessee General Assembly to exempt higher education faculty from TCA Section 8-25-211 or repeal this section of Tennessee Code.

Item 2: Paid Parental Leave (PPL).

In meetings during the 2017-18 academic year the committee discussed options concerning the possible enactment by UT of a policy regarding PPL. Topics that were considered included the current policy regarding parental leave (UT HR0338-Family and Medical Leave), how a PPL policy might affect the tenure clock, whether Departments should have their own policies or whether there should be a university-wide policy, how such a policy might apply to faculty with dual appointments, and whether the Committee would be considering a policy for both staff and faculty and for both nine- and twelve-month employees.

The committee ultimately reached a consensus with respect to the issues of staff/faculty and nine-/twelve-month employees, namely, that, insofar as 12-month faculty/staff already possess leave time, it would be more efficacious to begin considering the implementation of a PPL policy for these employees of UT before moving on to nine-month employees. The committee also identified a policy that might serve as a model for a UT PPL policy: <https://hr.arizona.edu/employees-affiliates/leaves/paid-parental-leave>.

The continuation of the PPL discussion will be the primary issue on the Benefits and Professional Development Committee agenda for 2018-19.