

**Early Retirement & Voluntary Resignation
Plan
(ERVVP)**

A Voluntary Separation Plan

April 2017

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CONCORDIA UNIVERSITY - PORTLAND EARLY RETIREMENT & VOLUNTARY RESIGNATION PLAN (ERVRP)

A. INTRODUCTION

Concordia University - Portland is confronted with serious fiscal constraints and is undertaking organizational reviews to optimize the efficiency of administrative and academic support units. One response to these challenges is the adoption of the Early Retirement & Voluntary Resignation Plan (ERVRP) for qualified Faculty and Staff employees. Voluntary separations under ERVRP are intended to achieve specific institutional objectives: 1) reduction in salary/wage and benefit costs and 2) redirecting positions to focus on higher priorities. Voluntary separations under the ERVRP may also assist in avoiding or minimizing future involuntary terminations due to reductions in personnel.

The ERVRP is not intended to be an entitlement. A fundamental requirement of the ERVRP is that approved applications must achieve one of the institutional objectives described above. Not every application to participate in the ERVRP will be approved.

This document shall serve as the official plan document governing the terms of the ERVRP.

B. GENERAL DESCRIPTION

The ERVRP is a one-time opportunity for eligible employees to apply for voluntary separation and resign or enter retirement at an earlier date than might otherwise have been planned. ERVRP participants will be required to sign a Separation Agreement that contains a release of all employment rights and claims. Following voluntary separation from Concordia University - Portland, ERVRP participants will receive the benefits provided by this plan, including an income replacement payment, as described in this document.

Participation in the ERVRP is completely voluntary. Applicants may revoke their application at any time up to seven days after submitting the applications. Eligible employees who decline to participate or who revoke an application to participate will not be treated any differently than any other similarly situated employee.

Applications for the ERVRP will be accepted for a limited period of time, starting April 12, 2017, and ending midnight May 1, 2017.

Separations under the ERVRP are to be effective June 30, 2017, except as allowed by circumstances described later in this document.

Additional information, including the ERVRP application form, a Separation Agreement, and Frequently Asked Questions can be obtained at the following website: <http://hr.cu-portland.edu/2017+Wiki+Placeholder>.

C.ELIGIBILITY

Faculty and staff employees of Concordia University - Portland are eligible to apply for the ERVRP if, as of April 11, 2017:

1. The employee is a full-time or part-time regular employee
 - Full-time regular employee is defined as a faculty or staff employee who works an average of 30 hours or more on a regular basis and is eligible for all University benefits
 - Part-time regular employee is defined as a faculty or staff employee who works 21-29 hours per week on a regular basis, without an assignment end date, and is eligible for retirement and disability benefits
2. The employee was hired before April 11, 2016
3. In the event than an employee is carrying an overload or secondary position—s/he is willing to resign from all Concordia-held positions
 - The ERVRP participate may, however, re-apply through the regular hiring process as an adjunct, if an adjunct position is available

Service at another entity, whether or not it is affiliated with Concordia University - Portland does not count in satisfying the above eligibility criteria.

An employee who satisfies all of the above eligibility requirements may apply for the ERVRP even if he or she has already given notice of his or her intention to retire or otherwise terminate employment, except as noted in section D for ineligible employees.

D.INELIGIBILITY

Notwithstanding the above, the following employees and individuals are not eligible to apply for or to participate in the ERVRP:

- Employees who are using PTO or vacation accruals to bridge to an already-specified separation date arranged prior to April 11, 2017;
- Employees who have already signed a formal separation agreement with Concordia University – Portland;
- Employees who have been given notice prior to April 11, 2017 of their involuntary termination from Concordia University – Portland;
- Other individuals who are not eligible include, but are not limited to: temporary employees, adjuncts, graduate assistants, visiting scholars, student workers, and dissertation members/chairs.

E.SEPARATION DATE

To participate in the ERVRP, an eligible employee who has applied for and received final approval to participate in the ERVRP must sign a Separation Agreement that releases

Concordia University - Portland from all employment rights and claims, and must agree to separate from Concordia University - Portland on one of the following dates:

1. **June 30, 2017** is the intended separation date for most ERVRP participants.
2. **August 30, 2017**, is an alternative separation date that program heads may designate when it is clearly in the best interests of Concordia University - Portland.

Examples of circumstances in which this alternative separation date could apply: (i) if there are multiple ERVRP participants from the same department, the department head may determine that one or more employees need to delay separation to allow for the transition of restructured services; or (ii) if the employee is scheduled to teach a summer class, the program head may determine that the employee needs to delay separation to teach that class.

3. **December 31, 2017** is an alternative separation date for faculty employees only that program heads may designate when it is clearly in the best interests of Concordia University - Portland; but which requires majority approval by the President's cabinet.

Examples of circumstances in which this alternative separation date could be considered: the department head determines that a faculty employee is needed to teach a class already scheduled for the fall semester or s/he is needed to finish academic or research work with graduate students.

August 30, 2017 and December 31, 2017 separation dates are determined by department heads with majority approval by the President's cabinet, based on the above provisions. Alternative separation dates shall not be made based on employee preference.

The above three separation dates are the only separation dates available under the ERVRP. Under no circumstances will an ERVRP separation date be extended beyond December 31, 2017.

Regardless of separation date, the ERVRP application must be submitted by midnight May 1, 2017.

F. SEPARATION BENEFITS

ERVRP participants will receive the following benefits:

1. **Income Replacement Payment** – ERVRP participants will be paid the following amount in a single lump sum, less any applicable benefit deductions and all deductions for local, state and federal taxes legally required to be withheld, no later than the last business day of the month following their date of separation from Concordia University - Portland.

Date of Employment	Income Replacement
<ul style="list-style-type: none"> • Full-time, regular, continuous employment between April 11, 2012 and April 11, 2017 (employees hired after April 11, 2016 are ineligible) 	<ul style="list-style-type: none"> • One (1) week of gross, base salary or 40 hours paid at the primary job’s regular hourly rate
<ul style="list-style-type: none"> • Full-time, regular, continuous employment between April 11, 2007 and April 10, 2012 	<ul style="list-style-type: none"> • Three (3) weeks’ of gross, base salary or 120 hours paid at the primary jobs regular hourly rate
<ul style="list-style-type: none"> • Full-time, regular, continuous employment before April 10, 2007 	<ul style="list-style-type: none"> • Six (6) weeks’ of gross, base salary or 240 hours paid at the primary jobs regular hourly rate

Base salary/wages does not include overtime, overload pay, stipends, summer pay, call-back pay, shift differentials, or any other non-base salary or wages.

2. **Resources and Support** – ERVRP participants will have the opportunity to participate in and/or receive the following support:

- Resume Writing/Interview Tips Workshop
- Unemployment Workshop
- Employee Assistance Program (EAP) counseling
- Retirement benefit counseling
- Ministerial counseling

G.PAYMENT FOR UNUSED PAID TIME-OFF (PTO) (staff employees only)

ERVRP participants will receive a lump sum payment for accrued but unused PTO benefits as of their separation date, in accordance with normal University policies (and the same as any other separating employee). This section only applies to PTO eligible staff employees. A single lump sum of 65% of the PTO balance on the last day of employment, less all deductions for local, state and federal taxes legally required to be withheld, will be paid no later than the last business day of the following the date of separation from Concordia University – Portland. Participants will not be permitted to use unused PTO in order to extend their separation date. [Note: Faculty members do not receive payout for accrued, but unused vacation or sick leave.]

More information about the payment of unused PTO is located at <http://hr.cu-portland.edu/2017+Wiki+Placeholder>

H. ERVRP APPLICATION PROCEDURE

Eligible employees shall be provided a copy of this Plan on or before April 12, 2017.

The application period for the ERVRP begins on April 12, 2017 and ends on May 1, 2017. Applications submitted later than midnight on May 1, 2017, will not be considered.

To apply for the ERVRP, an eligible employee must complete and submit an on-line application located at <http://hr.cu-portland.edu/2017+Wiki+Placeholder>. When the application form is submitted, the applicant is indicating a desire to voluntarily separate from Concordia University - Portland in exchange for ERVRP separation benefits and other considerations described herein.

Applicants may revoke their application at any time up to seven (7) days after submitting their application on-line. To revoke or withdraw an ERVRP application, the applicant may complete the on-line withdrawal at <http://hr.cu-portland.edu/2017+Wiki+Placeholder> or send a notice of revocation by certified mail to the University Human Resources office.

As indicated above, separations under the ERVRP will be effective June 30, 2017, except as otherwise provided under Section E of the Plan.

Concordia University - Portland intends for ERVRP separations to achieve specific institutional objectives: 1) reduction in salary/wage and benefit costs or 2) redirecting positions to focus on higher priorities. Voluntary separations under the ERVRP are also to avoid or minimize future involuntary terminations due to reductions in personnel. As such, Concordia University - Portland would like to allow as many eligible employees to participate in the ERVRP as possible. However, Concordia University - Portland reserves the right to deny participation to eligible employees if it is determined that an application does not meet the above institutional objectives. ERVRP applications will be reviewed based on various criteria, including but not limited to the following:

- If the employee's separation and the unit's subsequent actions will meet institutional objectives; and
- The position's funding source.

Following a review period of May 1, 2017 to May 15, 2017, applicants will be notified whether or not their application has been approved. If approved, applicants will be provided a Separation Agreement to sign.

Concordia University - Portland cannot guarantee that every application to participate in the ERVRP will be approved.

I. REQUIRED APPROVALS

University Human Resources will first review the ERVRP application to confirm the employee's eligibility to participate.

Final approval of the ERVRP application is required by a majority of the President's cabinet, as designated above.

Participation in the ERVRP is not a right. The University may reject an ERVRP application if, in its sole and absolute discretion, it is deemed not to be in the best interest of the University.

J. SUBSEQUENT EMPLOYMENT

An ERVRP participant may apply for an available adjunct opening after separation through the regular hiring process.

An ERVRP participant cannot be reemployed by the University in any full-time faculty or full-time or part-time staff position for one (1) year following his or her separation date (361 days).

K. RECOVERY OF ERVRP PAYMENTS MADE BY MISTAKE

ERVRP payments, or portions thereof, made by mistake of fact or paid contrary to the terms of the ERVRP plan, shall be returned to the University by the separated employee.

L. REPRESENTATIONS CONTRARY TO THE ERVRP

No employee, director, executive, or agent of the University has the authority to alter, vary or modify the terms of the ERVRP, except by means of an authorized written amendment to the ERVRP on file with the Vice President for Human Resources. No verbal or written representations contrary to the terms of the ERVRP and any amendments shall be binding upon Concordia University - Portland.

M. AMENDMENT AND TERMINATION

The University reserves the right to amend or terminate the ERVRP at any time. Notwithstanding the foregoing, no amendment of ERVRP may reduce ERVRP payments or other considerations once an ERVRP Separation Agreement is fully executed.

N. NONDISCRIMINATION STATEMENT

Concordia University - Portland will not engage in discrimination against any person because of age, color, disability, ethnicity, gender, gender identity, genetic information, marital status, national origin, race, sexual orientation, or veteran status, and will comply with all federal and state nondiscrimination, equal employment, and affirmative action laws and regulations.