

## 4.0 RETIREMENT, UNIVERSITY POLICIES FOR *EMERITUS* FACULTY, AND SEPARATION

*NOTE: In many cases, policies governing the Joan and Sanford I. Weill Medical College and Graduate School of Medical Sciences of Cornell University differ from policies governing Cornell's Ithaca campus. Faculty at the Medical College and Graduate School of Medical Sciences should consult with the Office of the Provost for Medical Affairs for the relevant policies.*

### 4.1 RETIREMENT

Retirement policies and benefits for the academic employees of the university's endowed and contract units are not identical. Furthermore, benefit programs offered in retirement do differ in many ways from those offered to regular full time employees. Questions related to the benefit program should be addressed to Benefit Services.

Faculty and academic staff should consider attending one of the Pre-Retirement Planning Seminars offered by Benefit Services in the spring and fall of each year. The seminar is a series of meetings anchored by a full day of planning advice delivered by registered financial planners from an independent company with no products to sell. Ernst & Young, LLP, one of the largest accounting and personal financial planning firms in the U.S., currently holds the contract for the Pre-Retirement Planning Seminar and supports the program with software and phone consultations for program participants. The program is free to benefits-eligible faculty and staff who are at least age 50 and have at least 10 years of service. Spouses and partners are encouraged to attend. Please contact Benefit Services for more information and for the current dates the seminar series will be offered.

#### **Retirement Policy**

See the Office of Human Resources website at <http://www.ohr.cornell.edu/benefits/programs/retire.html> and the Provost's Policy Statement on the Transition of Faculty to Emeritus Status at <http://www.emeritus.cornell.edu/benefits/DMRTransitionToEmeritus.pdf>.

#### **Phased Retirement Program**

The university's phased retirement program permits eligible professors and associate professors with full-time appointments in the endowed and contract colleges at Ithaca to reduce their teaching, research, and administrative duties prior to retirement by allowing a gradual transition of a specified duration of time. Separate policies exist for employees in the endowed and contract units, and a copy of either policy may be obtained from the Cornell Association of Professors *Emeriti* (CAPE) office or their website at [http://www.emeritus.cornell.edu/benefits/benefits\\_home.html](http://www.emeritus.cornell.edu/benefits/benefits_home.html).

## **Retirement Benefits**

The following statements are brief descriptions of the benefit programs generally offered to eligible academics upon retirement. Some variation in coverage may occur depending on the circumstances of the academic employee. Please address any questions about benefits in retirement to Benefit Services.

### *Cornell Children's Tuition Scholarship*

Benefits are available to children of retired academic employees if the retiree is over fifty-five years of age and has ten years of full-time service with the university prior to retirement.

### *Health Coverage*

Cornell University currently provides continuing health care coverage for academics that retire after age 55 with at least ten years of service. If you are not covered under the endowed health plan on your date of retirement, you must sign up within 60 days of your retirement date. If you decide not to continue your health insurance at any time and cancel your retiree coverage, you will not be able to re-enroll at a later date. In addition, academics may be eligible for a lifetime monthly credit, called sick leave credit, which is applied toward their health plan contributions. Detailed information is provided at retirement by the Office of Human Resources, Benefit Services.

### *Life Insurance in Retirement*

Life insurance is available to contract college and endowed faculty and staff who are at least age 55 and have at least ten years of service with the university, provided you meet the requirements described below. This coverage is provided as part of your basic life insurance.

#### *Basic Life Insurance*

##### *\$3,000 Retiree Life Benefit*

If you were younger than age 50 on January 1, 1980, or if your coverage through the Group Life Insurance Plan began after January 1, 1980, and you have had at least ten years of service, you will receive a \$3,000 life insurance policy, currently provided at no cost.

For contract college employees, the \$3,000 amount will be reduced by the amount of any death benefits payable under the Survivors' Benefit Program of the State of New York Department of Civil Service, the New York State Employees' Retirement System, and the Federal Civil Service Retirement System.

Employees who retire from the university with a \$3,000 benefit have the option to convert the difference between their Basic Life Insurance amount and \$3,000.

### *Decreasing Retiree Life Benefit*

If on January 1, 1980, you were age 50 or older, employed at Cornell, and continued to work here until your retirement, you will receive decreasing life insurance coverage after retirement. The amount of your life insurance coverage for the first year after your retirement date will be equal to your budgeted annual salary, rounded to the next highest thousand. On each January 1, coinciding with or immediately following the next four anniversaries of your retirement date, your insurance amount will be reduced by 20 percent of the original amount of retirement coverage, until it reaches 20 percent of the initial amount, or \$3,000, whichever is greater. It is at this time (January 1) that you may convert the amount that you are losing through the 20 percent reduction. You have 31 days to do this without medical underwriting.

For example, if your salary at retirement is \$30,000, your coverage will be reduced by \$6,000 per year as follows:

#### Retirement Year Life Insurance Coverage

- 1 \$30,000
- 2 \$24,000
- 3 \$18,000
- 4 \$12,000
- 5 and after \$6,000

Employees who retire from the university with a Decreasing Life Benefit do not have the conversion option for the Basic Life Insurance during the first year of retirement. Under this benefit, employees have coverage in the amount of full salary or the first year of their retirement (basic life insurance coverage is half of the annual salary amount).

Employees interested in information about converting their Basic Life Insurance should contact CIGNA HealthCare at (800) 423-1282.

### *Group Universal Life (GUL) Insurance Plan*

As a retiree, you may continue the full amount of your Group Universal Life Insurance coverage. This coverage may be maintained either by continuing to pay premiums directly to CIGNA Group Insurance or by having your premiums paid out of the Cash Accumulation Fund, if your balance is adequate. The cash value that is not being used to fund your insurance coverage can be withdrawn to supplement your retirement income. You may also want to consider using the money in your Cash Accumulation Fund to “pre-fund” or prepay your retirement life insurance. When you retire, you can use all or some of the money in the fund to purchase a specified amount of paid-up insurance. By purchasing paid-up insurance, you will not need to make any additional payments to keep the policy in force.

For more information regarding your options at retirement with your Group Universal Life Insurance plan, please call CIGNA Group Insurance at (800) 231-1193.

### *Medicare*

As noted above, academic employees retiring with ten years or more of service and age 55 or more, may continue their health care plans into retirement. Once retirees reach age 65, they become eligible for Medicare and the federal program becomes their primary health insurer with their Cornell plans paying secondary to Medicare. Thus, it is very important for persons to apply for Medicare on a timely basis. Local Social Security offices will take the application or the website can be accessed at [www.ssa.gov](http://www.ssa.gov).

Individuals retiring beyond age 65 must be covered under the Cornell health care plans as active employees until they do retire. The employee has the option to sign up for Medicare Part A at age 65. There is no premium for this coverage, but it will be secondary to the Cornell health plans and will usually not be used. Three months before retirement, the employee should get in touch with the Social Security Administration (see contact information in the previous paragraph) for details on Medicare eligibility and eligibility of covered dependent(s). Once retired beyond age 65, the employee will need to be registered with and covered under Medicare Parts A & B, as this coverage will become the primary health insurance.

### *Social Security*

Academic employees should contact Social Security regarding benefits at least three months before the anticipated date of retirement, or turning the Social Security full retirement age. Under Social Security, employees may retire as early as age 62, but with reduced benefits. Full benefits are available at age 65 through age 67, depending on birth year. New rules allow Social Security retirement benefits to be paid out at the Social Security full retirement age without a penalty for other earnings.

### *Dental Insurance*

Academic employees covered under the state health insurance plan (NYSHIP) may continue their dental insurance into retirement. Academic employees covered under the endowed dental insurance plan may continue their coverage for 18 months only.

Academic employees covered under the endowed dental plan administered by First Ameritas, are not eligible to continue coverage upon retirement. The plan is available to active employees only.

Please contact Benefit Services for more information.

### *Personal Accident Insurance*

This insurance plan is available to retirees and their spouses who are under the age of 70.

## 4.2 UNIVERSITY POLICIES FOR *EMERITUS* FACULTY

Cornell University provides many benefits to its retirees. Most of these benefits are described in separate booklets for the university's endowed and contract colleges. The booklets are published by the Benefit Services division of the Office of Human Resources and cover such topics as health insurance, Cornell Children's Tuition Scholarships, and tax-deferred annuities. Faculty who have retired or are considering retirement are urged to consult University Benefit Services for further information.

For policies relative to *emeritus* faculty status and affiliation with the university, please refer to <http://www.emeritus.cornell.edu/about/perks.pdf>.

### **Cornell Association of Professors *Emeriti* (CAPE)**

CAPE was established in 1982 to create social and professional cohesion among retired faculty and to facilitate the use of their skills and knowledge in the service of the university.

The CAPE Office, located at 431 Day Hall, serves as a hub for CAPE's many activities, and provides access to information assembled by the Benefits Office. It continues to develop the ties between retired faculty and the Cornell community through its newsletter, *Connecting*, a lecture series, computer workshops, the CAPE roundtable, and (in cooperation with the Cornell Retirees Association) by providing and encouraging service opportunities both at Cornell and in the local community.

Persons are eligible for membership on the basis of their inclusion in any one of the following three categories:

- Those who have been awarded the title of professor *emeritus* by presidential action.
- Those retired from the professional staff at Cornell who performed an academic function (e.g. taught or researched, were librarians or extension associates, academic counselors or advisors).
- Those from the nonacademic staff of the administration or extension who have been granted *emeritus* status by the Cornell University Board of Trustees (e.g. director of the budget, *emeritus*; director of admissions, *emeritus*; university counsel, *emeritus*; and so forth).

Further information on CAPE can be found on their website at <http://www.emeritus.cornell.edu/>.

## 4.3 SEPARATION

### **Dismissal or Suspension**

University bylaws (Article XVI(7)) provide that "all appointments to the staff of instruction and research which are funded from nonuniversity sources (e.g. federal or state appropriations, research or other service contracts or grants) shall be subject to

modification or termination in the event that such funding shall cease to be available to the university for such purposes.”

Article XVI, Section 10, of the bylaws states:

“The Board shall have the right to dismiss and terminate the appointment of any member of the staff of instruction and research for failure to perform the duties required of the position which he holds or for such personal misfeasance or nonfeasance as shall make him unfit to participate in the relationship of teacher and student. Such dismissal shall be effected through such procedures as the Board may adopt. Such procedures shall provide for reasonable notice and an opportunity to be heard.”

The Board of Trustees and the University Faculty adopted a dismissal procedure for faculty members in 1951. Subsequently, the University Faculty Senate and the Board of Trustees adopted the following dismissal/suspension procedure in 2007.

The university reserves the right to dismiss and discontinue, or to suspend, the appointment of any member of its faculties, on reasonable notice and after giving such member an opportunity to be heard, for misconduct or failure to perform the duties required of the position he or she holds.

In the case of a university professor, professor, associate professor, or assistant professor the following procedure shall be adopted to govern dismissal or suspension for the period of one semester or more:

A. When complaint from any source is made against a university professor, a professor, an associate professor, or an assistant professor which might lead to his or her dismissal or to suspension for the period of one semester or more, the dean of his or her college, or in the case of a university professor the dean of the University Faculty, shall inform the faculty member of the complaint against him or her, investigate the case, and if the faculty member is willing, consult with him or her regarding it. The dean shall thereafter report to the provost the results of the investigation together with his or her recommendations. The provost shall cause the faculty member to be furnished with a written and detailed statement of the charges against him or her and the suggested disciplinary action if, after receiving the dean’s report and making such independent investigation as may seem appropriate to the provost, it is the opinion of the provost that further proceedings are warranted.

B. If the faculty member desires a hearing, he or she shall so request in writing to the provost within thirty days of the receipt of the written charges against him or her, and he or she shall then be entitled to a hearing before a board appointed by the provost and consisting of five members of the University Faculty, of whom two shall be selected by the faculty member, two by the provost and the fifth by the other four.

C. At such hearing the faculty member shall be entitled to be accompanied by an advisor or counsel of his or her own choice, to present witnesses in his or her own behalf and to confront and question the witnesses against him or her. If the faculty member so requests before or at the opening of the hearing, he or she shall after its conclusion, be furnished, without cost to him or her, a full report of the proceedings before the board, including the testimony taken, the evidence received, and the board’s findings and recommendations. The board shall submit to the president a report of its findings and recommendations. If suspension is recommended, the president’s decision shall be final; and if dismissal is recommended, this report shall be appended by the president to any recommendations he or she may make to the Board of Trustees in regard to the case.

D. If dismissal is recommended, the faculty member shall be free to resign at any time within thirty days of receipt of the written charges against him or her; but if he or she has neither requested a hearing nor resigned within such thirty days, the Board of Trustees

shall be free to dismiss him or her without further notice or hearing. If suspension is recommended and the faculty member fails to request a hearing within the thirty-day period described in paragraph B above, the suspension shall be implemented as recommended.

E. In the case of suspension of less than one semester, or suspensions of any length of faculty other than university professor, professor, associate professor or assistant professor, a dean's determination to suspend a faculty member shall be subject to existing grievance procedures. In cases where the Faculty Committee on Academic Freedom and the Professional Status of the Faculty is the final step in the grievance procedure, the Faculty Committee will submit a report of its findings and recommendations to the president. If suspension is recommended, the president's decision shall be final.

For purposes of this dismissal and suspension procedure, the following definitions shall pertain:

"Provost" refers to the provost or the provost for medical affairs, as appropriate. However, in the event the provost for medical affairs serves simultaneously as the dean of the college in which the case arises, the president shall receive and review the dean's report and make the appropriate judgment about further proceedings.

"Suspend" or "suspension" means a temporary abrogation of the faculty member's rights or responsibilities that effectively prevents the faculty member from carrying out the responsibilities of his or her position or a temporary partial or temporary full reduction of a faculty member's salary, whether or not it is named as a suspension. A non-disciplinary reduction of salary such as a non-temporary reduction of salary that may be implemented at the time of an annual salary review, or a non-disciplinary reassignment of duties at an appropriate time in the academic calendar shall not be considered a suspension. The period of a suspension shall be no less than two weeks and no more than two semesters. Except for an emergency suspension, the imposition of any suspension shall be deferred pending the conclusion of the internal review process.

"Emergency suspension" refers to the suspension by the president or his designee with full salary pending the ultimate determination of the faculty member's case where the faculty member is charged with misconduct and his or her continuance threatens imminent, serious harm to the member, to others, or to property. The scope and duration of the emergency suspension shall be tailored as narrowly as possible to the nature of the harm posed, so that the faculty member's rights and privileges are not summarily abrogated more broadly than is reasonably necessary to protect persons or property pending completion of the suspension procedures.

"Faculty" refers to full-time faculty members as described in the University Bylaws.

## **Resignation**

Resignation by an academic employee, whether tenured or on a term appointment, is normally effective at the end of an academic term or on June 30 or December 31 for those on 12-month appointments. To allow the academic unit to prepare for the loss of the staff member, the employee should notify the department chairperson or the director of the unit of the intended resignation as early as possible. Because academic policy prohibits pay for accrued vacation after the termination date of a resigned appointment (except when electing formal retirement), discussions with the chair or director should include any proposed use of vacation accrual. A minimum of a month's notice of resignation is required from the academic employee.

In some cases, when a valued member of the faculty is to leave the university, arrangements are made for a leave of absence rather than a resignation, in the hope that the person will return to Cornell. Such arrangements for up to one year require the approval of the department chair or director and the dean or vice provost. For those with joint appointments or other concurrent appointments, the approvals must be obtained from all of the relevant units and executives. To extend leave beyond one year requires approval of the provost through the Office of Workforce Policy and Labor Relations. The leave should not, in any event, exceed more than one year from the date a tenured Cornell professor assumes a tenured appointment at another institution. In this situation, the department cannot recruit a permanent replacement, and a vacant formal position (including appropriate tenure status) with its budgetary commitment, must be reserved in case the person does return.

Those considering resignation or retirement for medical reasons should consult the online policy "Leaves for Professors and Academic Staff" ([http://www.dfa.cornell.edu/dfa/cms/treasurer/policyoffice/policies/volumes/humanresources/upload/vol6\\_2\\_1.pdf](http://www.dfa.cornell.edu/dfa/cms/treasurer/policyoffice/policies/volumes/humanresources/upload/vol6_2_1.pdf)) for information about short-term medical leave and federal entitlements under the Family and Medical Leave Act, as well as consulting Benefit Services in the university's Office of Human Resources regarding such options as long-term disability and its interface with retirement and social security benefits. Tenured professors may wish to consult with the Cornell Association of Professors *Emeriti* Office (CAPE) regarding the availability of phased retirement.