



POST-RETIREMENT EMPLOYMENT POLICY

No. SAAP 7-12

Authority: Wisconsin Statute § 40.23 (1) (a) (1) **Date:** September 2020 (reviewed)
Wisconsin Statute §40.26 (5) December 2014 (reviewed)
Wisconsin Administrative Code ETF § 10.08 (2) (c) July 23, 2013 (revised)
UWSA OP GEN10 December 20, 2011 (original)

Initiator: Vice Chancellor for Finance & Administrative Affairs

Responsible Party: Human Resources

This policy establishes the parameters for hiring individuals who retired from the University of Wisconsin-Milwaukee (UWM) and are continuing their annuity during the period of reemployment (referred to below as “Rehired UWM Annuitants”). Employment of Rehired UWM Annuitants must comply with all requirements of state law, including rules pertaining to proper separation of employment (ETF 10.08, Wisconsin Administrative Code).

[Note: ETF Chapter 10, Wisconsin Administrative Code requires that anyone retiring before July 2, 2013 must remain terminated from all WRS eligible employment for 30 days; anyone retired on or after July 2, 2013 must remain terminated from all WRS eligible employment for 75 days.]

The restrictions in this policy for Rehired UWM Annuitants do not apply to

- retirees who elect to stop their annuity and return to participation in the Wisconsin Retirement System (WRS) during the period of reemployment, or
- any retiree who competes for an advertised position (University Staff, Faculty/Academic Staff, or limited appointments) with the university and is hired into such a position through a competitive recruitment process, regardless of whether an annuity is continued.
- any retiree that terminates on or after July 2, 2013 who then returns to WRS eligible employment in a position requiring at least two-thirds of full-time.

[Note: “Two-thirds of full time” is defined as 880 hours per year for a Faculty/Academic Staff appointment; that is 42% on an annual basis appointment or a 56% on an academic basis appointment. It is also defined as 1200 hours per year or 58% for a University Staff appointment. Successive or repeated short periods of appointment may not be used to defeat the two-thirds of full time limitation. Any annuitant employed for two-thirds of full time in a year will have his/her annuity automatically terminated.]

A. General Guidelines for Hiring UWM Annuitants

1. The employment of Rehired UWM Annuitants is intended to address **short-term** needs of the university and is not to be used as a substitute for hiring on-going employees through the normal recruitment processes. Consequently, the appointment period for a Rehired UWM Annuitant generally cannot exceed one year.
2. The employment of a Rehired UWM Annuitant in which the appointment is supported by State funds is permitted only in specific circumstances. The Vice Chancellor of the division or designee must approve all appointments, in advance. Under certain conditions, prior approval by Provost or designee is also required (see item 2 under Procedures). Most of these circumstances are listed below.
 - a. The individual is needed on an interim basis while recruiting for a permanent employee or while decisions about the necessity of, or financial support for, the position are completed.
 - b. The individual's expertise and experience are needed for a specific project or teaching needs.
 - c. The individual is needed to teach classes when it is not possible to hire a faculty member.
 - d. Emeriti can be hired to fill teaching, research and other roles when other resources are not available, or the hire is due to the unique aspects of the specific role.
 - e. The individual is hired as an LTE or project employee for specific events or projects.
 - f. Other exceptional circumstances exist and can be documented.
3. Rehired UWM Annuitants may be employed in Faculty/Academic Staff positions similar to those from which they retired without open recruitment. Prior approval must be obtained using the Waiver of Open Recruitment Request form. Continuation beyond one year, regardless of the percent of appointment, requires the approval of the Provost or designee in advance. It is not the intention of this policy to prohibit rehired UWM annuitants from teaching a course in subsequent semesters or academic years when the conditions of section A.2.b or c are met.
4. UWM recruitment policies and procedures must be followed when hiring a retired university employee into a position substantially different than the position from which they retired.
5. University Staff permanent positions require annuitants to be hired through a competitive civil service process.
6. Compensation for Rehired UWM Annuitants will be commensurate with the duties and responsibilities for the position and determined per established practices at UWM. Compensation will not automatically default to the salary rate of the individual at the time of retirement.

Questions about this policy should be directed to the Department of Human Resources.

B. Procedures for Hiring Retired UW-Milwaukee Employees

1. Application of Policy to Rehired Annuitants Employed on December 21, 2011 (Policy Effective Date)

a. University Staff Permanent Employees

The policy does not apply to a retired UWM employee who was hired into a classified permanent position.

b. University Staff Project and Academic staff (including retired faculty hired into Professor Emeritus titles)

The policy does not apply to current rehired annuitants until they reach the ends of their current appointments. The policy, and procedures below, will apply for reappointment beyond the current end date.

c. University Staff LTEs

Since LTEs do not have appointment end dates, the appointment end date for current LTEs is deemed to be no later than one year from the effective date of the policy: December 21, 2011. The policy, and procedures below, will apply to reappointment beyond the end date.

d. Limited appointees

Limited appointees, who serve at the pleasure of the appointing authority, do not generally have an end date. If a current limited appointee who is a reemployed annuitant has an end date, the policy will apply to reappointment beyond the end date. If there is no end date, the end date is deemed to be no later than one year from the effective date of the policy: December 21, 2011. The policy, and procedures below, will apply to reappointment beyond the end date.

2. Approval Procedures for Hiring and Reappointing Retired UWM Employees

a. Initial Hire of Retired UWM Employees

Hiring a retired UWM employee requires prior approval of the Vice Chancellor of the division or designee. The hire must meet one of the circumstances in Section A.2 of the policy. Each Vice Chancellor shall determine the approval process for his/her division and also has the responsibility to maintain records of approvals. If the appointment level is 50% or higher, or the initial appointment is for a period longer six months, prior approval of the Provost or designee must be obtained using the Waiver of Open Recruitment Request form.

b. Hiring into a position with similar responsibilities to the position from which the individual retired

Competitive recruitment is not required unless the position is University Staff permanent. Individuals may be appointed as an LTE, Project, Limited or academic staff depending on the responsibilities of the position. For Limited and academic staff positions, the basis for the waiver of recruitment is "Rehired Annuitant."

- c. Hiring into a position with substantially different responsibilities than the position from which the individual retired

Competitive recruitment is required unless the nature of the position meets one of the following existing criteria for not recruiting.

- LTE position
 - Project University Staff position
 - Academic Staff or Limited position which meets one of the existing criteria for a waiver of open recruitment e.g., 50 percent time or less, six months or fewer, replacing person on a leave of absence, etc.
- d. Individuals on all appointments except LTE must be given appointment letters specifying the end dates of the appointment. Although Limited appointments do not generally include an end date, the appointment letter must include an expected end date not later than one year after appointment. The end date must be entered into “expected job end date” in HRS. The letter shall include the following, in addition to the standard limited appointment language: “Although, as a limited appointee you will serve at the discretion of [*name of supervisor*], this appointment will not extend beyond xx/xx/xx [*a date not to exceed one year from start of the appointment*].”
 - e. The policy does not apply to an individual who elects to stop his or her annuity and return to active participation in the WRS.
 - f. The policy does not apply to a retired UWM employee who is hired into a University Staff permanent position through a competitive civil service process whether or not he or she has elected to stop his or her annuity.
 - g. The policy does not apply to any retiree that terminates on or after July 2, 2013 and returns to WRS eligible employment in a position requiring at least two-thirds of full-time.

3. **Reappointment Beyond One Year or an Initial Appointment Exceeding One Year**

- a. Reappointing an individual for a second or subsequent year requires the approval of the Provost or designee.
- b. Process for Requesting Provost Approval
 - *Academic Staff and Limited Appointees.* Requests for the reappointment or initial appointment exceeding one year must be made on the “Request for Waiver of Open Recruitment” form. The completed form must be sent to the Department of Human Resources sufficiently in advance of the appointment/reappointment date.
 - *University Staff Project and LTE.* A memo will be sent to the assigned HR contact requesting approval of the reappointment or initial appointment exceeding one year. The request shall include the justification for the request. After review, HR will route the request for approval by Provost or designee.