

Article 23
PAID BENEFITS FOR RETIRED EMPLOYEES

- 23.1 Each retired faculty employee hired before July 1, 1997 who qualifies under the terms of this article, and his or her eligible dependents, including domestic partners, shall receive health and hospital benefits, prescription drug benefits, vision care benefits, and dental benefits as provided in this article and described in Article 22.
- 23.2 A qualified employee is one:
- 23.2.1 Who will be age 55 or older before the beginning of the next academic year, who has retired from the State Teachers Retirement System or the Public Employees Retirement System (or who has applied for and is eligible to receive a service retirement from either of said retirement systems), and who has rendered service to the District at least half-time as a contract or regular faculty employee for ten or more years immediately preceding his or her retirement; or
 - 23.2.2 Who has resigned from the District and is receiving a disability allowance from the State Teachers Retirement System or the Public Employees Retirement System, and who has rendered service to the District at least half-time as a contract or regular faculty for ten or more years immediately preceding his or her resignation; and
 - 23.2.3 Who has provided evidence that he/she has applied for Social Security and evidence that Social Security has responded, indicating whether he or she is eligible for Social Security payments and, therefore, for Medicare coverage.

No absence from the service of the District under a leave of absence and no period of reduced service under Article 18 shall be deemed as a break in the continuity of service required by this section. Time spent on any professional development leave under Article 17 shall be deemed to be full-time service for the purpose of this section.

- 23.3 The benefits provided to eligible dependents and domestic partners under this article shall cease at the end of the calendar month following the death of the retired faculty employee (or, if the death occurs after the twelfth working day of the month, at the end of the following calendar month). However, a surviving spouse or domestic partner may continue to receive benefits under this article by reimbursing the District quarterly, in advance, for the full premium or its equivalent for all of the benefits provided.
- 23.4 If faculty employees are given any options regarding health benefits plans (for example, the Kaiser Foundation Health Plan, the District Self-Insured Network-Only Medical Plan (PPO) and the District Self-Insured Combined Coverage Medical Plan (PPO+)), the benefits provided under this section shall be in accordance with the plan or plans under which the retired faculty employee was receiving benefits at the time of retirement, and he or she shall not be allowed to change plans after retirement except during open enrollment periods. This section shall not be construed as prohibiting any change in benefits or benefit plans as specified in Section 23.8.
- 23.5 Each retired faculty employee and every eligible dependent and domestic partner shall, upon becoming qualified for Medicare, receive benefits under this article only in a manner that augments the benefits that the employee or dependent could receive from Medicare even though the retired faculty employee or his or her eligible dependents fail to claim rights to Medicare benefits. It shall be the sole responsibility of the retired faculty employee and his or her eligible dependents to apply for and satisfy the requirements of Medicare; however, the Board shall reimburse the retired faculty

employee and his or her eligible dependents for the cost of Medicare Part B if adequate proof of payment is submitted to the Office of Human Resources once each calendar year and at any time that the amount of the premium is changed by Medicare. This section shall not apply to retired faculty employees or their eligible dependents whose social security status does not qualify them for Medicare benefits unless the retired faculty employee becomes qualified for Medicare through STRS or other agency.

- 23.6 If a retired faculty employee, or his or her eligible dependents or domestic partner, receive benefits under any other health benefits plan, the benefits provided under the other plan shall be primary and the benefits provided under this article shall be reduced to the difference between the benefits provided or paid or payable by the other plan and the maximum benefits provided under this article.
- 23.7 To obtain the benefits provided under this article, a faculty employee shall file an application for the benefits with the Office of Human Resources and shall complete all necessary enrollment forms before the last date of his or her employment with the District.
- 23.8 The benefits provided under this article shall remain subject to alteration or termination by any future agreement negotiated between the Board and the exclusive representative for faculty employees.
- 23.9.1 Either the Board or FA may reopen negotiations on this article at any time by delivering a written request to reopen to the other party.

Note: The parties agree to re-open Article 23 in 2008 to address the District reimbursement of Medicare Part B in concert with the parties' discussion of medical saving options for faculty hired after July 1, 1997.