

**Side Letter  
between  
APSCUF and PASSHE**

**Faculty Enhanced Sick Leave Payout Program**

The Pennsylvania State System of Higher Education (“State System”) and the Association of Pennsylvania State College and University Faculties (“APSCUF”) agree to provide another Faculty Enhanced Sick Leave Program (“the Program”), to encourage faculty retirements to be submitted this academic year and into the next academic year.

**A. Program**

1. Current eligible faculty members may participate in the Program in accordance with the provisions in Sections B and C only if the eligible faculty member provides notice of retirement between the January 12, 2021 and March 15, 2021 with an effective date on or before June 30, 2021 to receive a sick leave payout pursuant to Section D.1. or notice of retirement between March 16, 2021 and September 30, 2021 with an effective date between July 1, 2021 and June 30, 2022 to receive a sick leave payout pursuant to Section D.2.

For currently eligible faculty who are currently working in a position funded by an external grant and the grant activity will continue through summer 2021, those eligible faculty that submit a retirement between January 12, 2021 and March 15, 2021 may retire on or before August 13, 2021 under the Program and receive a sick leave payout pursuant to Section D.1.

2. The parties agree to inform all faculty about the Program after the APSCUF legislative assembly has either voted to approve this side letter or to send it for ratification to the APSCUF membership.
3. The State System will notify State APSCUF no later than March 29, 2021 and October 14, 2021 of all retirements received under this Program.

**B. Eligibility**

1. Participation in the Program is limited to regular full-time faculty members and tenured regular part-time faculty members employed as of the start of the spring 2021 semester. Eligibility is subject to verification prior to acceptance of participation in the Program.
2. Participation in the Program requires that the faculty member qualifies for majority-paid retiree health care at the time of retirement, as defined in the table below, as follows.
  - a. Meeting the required years of service on or before March 15, 2021.

- b. Meeting the required age on or before the effective date of retirement.

| <b>Current Hire Date</b>                  | <b>Retirement Age</b>                       | <b>Years of Service</b> | <b>Type of Service</b>            |
|---|---|-------------------------|-----------------------------------|
| <b>Prior to Fall Semester 1997</b>        | 60  | 10                      | Credited Service                  |
|   | Any Age                                     | 25                      |                                   |
|   | Any Age with Approved Disability Retirement | 5                       |                                   |
| <b>Fall Semester 1997 - June 30, 2004</b> | 60  | 15                      | Commonwealth/State System Service |
|   | Any Age                                     | 25                      |                                   |
|   | Any Age with Approved Disability Retirement | 5                       |                                   |
| <b>On/After July 1, 2004</b>              | 60  | 20                      | Commonwealth/State System Service |
|   | Any Age                                     | 25                      |                                   |
|   | Any Age with Approved Disability Retirement | 5                       |                                   |

**C. Individual Faculty Member Provisions**

1. An eligible faculty member must submit a letter of retirement to the President of the University between January 12, 2021 and March 15, 2021 to receive a payout under Section D.1. or between March 16, 2021 and September 30, 2021 to receive a payout under Section D.2.
2. The eligible faculty member must indicate in their retirement letter a retirement date on or before June 30 2021 or on or before June 30, 2022.

Eligible faculty currently working on an external grant as noted in A.1. must indicate a retirement date on or before August 13, 2021.

- Any faculty member currently on an approved phased retirement arrangement may accelerate their arrangement, if necessary, to participate in the Program by sending a letter to the President of the University between January 12, 2021 and March 15, 2021 of their intention to accelerate their retirement to retire on or before June 30, 2021, or by sending a letter to the President between March 16, 2021 and September 30, 2021 of their intention to accelerate their retirement to retire between July 1, 2021 and June 30, 2022.

Eligible faculty currently working on an external grant as noted in A.1. must indicate a retirement date on or before August 13, 2021.

- All retirements submitted between January 12, 2021 and September 30, 2021 and accepted, are **irrevocable** and the payouts will be conducted in accordance with this side letter.
- Faculty members shall not be paid for partial days of accumulated sick leave.

**D. Enhanced Sick Leave Provisions**

- The sick leave payouts noted in Article 17, Section E.2. will be adjusted based upon the table below for retirements submitted between January 12, 2021 and March 15, 2021 with an effective date of retirement on or before June 30, 2021, or an effective date of retirement on or before August 13, 2021 if the faculty member is currently working on an external grant.

| Days Accumulated | Current Days Paid | Total Days Paid                             |  |
|------------------|-------------------|---|--|
|                  |                   | Less than 25 years of service (2.25 factor) | 25 or more years of service (2.5 factor) |
| 10 to 74 days    | 10                | Up to 22*                                   | Up to 25*                                |
| 75 to 149 days   | 20                | 45  | 50                                       |
| 150 to 224 days  | 30                | 67  | 75                                       |
| 225 to 299 days  | 40                | 90  | 100                                      |
| 300 and over     | 50                | 112   | 125                                      |

\* A faculty member may not get paid out for more sick days than they have accumulated.

E.g., If the eligible faculty member with more than 25 years of service has 20 sick days accumulated, they will be paid 20 days of accumulated sick leave upon retirement.

2. The sick leave payouts noted in Article 17, Section E.2. will be adjusted based upon the table below for retirements submitted between March 16, 2021 and September 30, 2021 with an effective date of retirement between July 1, 2021 and June 30, 2022.

| Days Accumulated | Current Days Paid | Total Days Paid                            |   |
|------------------|-------------------|--|---|
|                  |                   | Less than 25 years of service (1.5 factor) | 25 or more years of service (1.75 factor) |
| 10 to 74 days    | 10                | Up to 15**                                 | Up to 17**                                |
| 75 to 149 days   | 20                | 30   | 35  |
| 150 to 224 days  | 30                | 45   | 52  |
| 225 to 299 days  | 40                | 60   | 70  |
| 300 and over     | 50                | 75   | 87  |

\*\* A faculty member may not get paid out for more sick days than they have accumulated.

E.g., If the eligible faculty member with more than 25 years of service has 10 sick days accumulated, they will be paid 10 days of accumulated sick leave upon retirement.

**E. Impact on 25% FTE Limit of Temporary and Regular Part-Time Faculty in Article 11, Section F of the Collective Bargaining Agreement**

If the retirement of Regular Faculty under this side letter causes any University to exceed the twenty-five (25) percent FTE limit on employment of Temporary and Regular Part-Time Faculty set forth in Article 11, Section F of the Collective Bargaining Agreement, then the University shall be relieved of the obligation to come into compliance with that Section for the 2021-2022 and 2022-2023 academic years only. The obligation to comply with the twenty-five (25) percent FTE limit will resume for the 2023-2024 academic year.

**AGREED on February 5, 2021:**

**STATE SYSTEM**

  
 Daniel Greenstein, Chancellor

**APSCUF**

  
 Jamie S. Martin, President