



ARIZONA STATE UNIVERSITY

February 5, 2013

To: All Deans and Vice Presidents

Re: Return-to-Work Optional Retirement Plan Retirees

The Arizona Board of Regents Optional Retirement Plan (ORP) states that a participant must be terminated from all positions within the Arizona University System (ABOR, ASU, NAU and UA) to be eligible to retire or withdraw benefits under the plan (except as defined under a phased retirement arrangement).

As stated in the section 2.20 (c) of the ORP plan document, "the determination of whether a Participant has terminated employment with all Employers shall be based on all the facts and circumstances in connection with such termination (e.g., the existence of a written or oral arrangement providing for the Employee's reemployment at some date in the future will be evidence that termination of employment has not occurred, etc.) Such a determination shall be made by the Board (or its delegate) in its sole and absolute discretion, which shall be binding on the affected Participant. In no event shall a Participant be consider as having terminated employment if, as such date of termination, the Participant has entered into an expressed or implied contract (whether written or oral) for reemployment of the Participant with any Employer at some future date."

To ensure compliance with the above provision and to protect the tax-deferred status of the ORP Plan, our practice is that faculty members or academic professionals who retire under the ORP Plan will not be offered reemployment until they have been separated from employment for the following full semester.* Staff members or administrators who retire under the ORP Plan will not be offered reemployment until they have been separated from employment for a minimum of 90 days.

Please share this information with your faculty and staff.

A handwritten signature in black ink, appearing to read 'Barry Ritchie'.

Barry Ritchie
Vice Provost
Provost's Office

A handwritten signature in black ink, appearing to read 'Kevin Salcido'.

Kevin Salcido
Associate Vice President/Chief HR Officer
Office of Human Resources

* A full semester is defined as Jan 1 – May 15 or May 15 – Aug 16 or Aug 16 – Dec 31.