



# TEXAS TECH™

## Operating Policy and Procedure

### **OP 70.02: Retirement**

**DATE:** August 20, 2024

**PURPOSE:** The purpose of this Operating Policy/Procedure (OP) is to establish procedures that implement Section 03.10, *Regents' Rules*, for retirement of employees.

**REVIEW:** This OP will be reviewed every two years after publication by the Associate Vice President for Human Resources, or at any time the *Regents' Rules* are changed, with substantive revisions forwarded to the Chief of Staff and Vice President for Administration and the Provost and Senior Vice President.

### **POLICY/PROCEDURE**

#### **1. Voluntary Retirement**

- a. Voluntary retirement of an employee will occur when the employee voluntarily ceases employment and elects to retire and receive, or is eligible to receive, benefits through a retirement provision under the jurisdiction of the Teacher Retirement System (TRS), the Optional Retirement Program (ORP), the Employees Retirement System (ERS), or any other federal or state statutory retirement program to which the university has made employer contributions. Refer to the following for additional information on retirement eligibility:
  - Teachers Retirement System of Texas Website  
[www.trs.texas.gov](http://www.trs.texas.gov)
  - Overview of TRS and ORP  
<https://www.highered.texas.gov/about/human-resources/careers/optional-retirement-program/>
  - Employees Retirement System Website  
[www.ers.texas.gov](http://www.ers.texas.gov)
- b. A TRS member who meets eligibility requirements on the last day of employment before retirement may purchase one year of service credit for 50 days or 400 hours of unused state sick leave accumulated at no more than five days per year. General eligibility requirements for purchase of this service credit are described in the *TRS Service Credit* brochure. The purchase of one year of service credit utilizing accumulated sick leave may not be used to establish eligibility for retirement. Sick leave donated to an employee may not be used to purchase a service year credit.
- c. Eligible members of TRS may transfer service credit under the Employees Retirement System of Texas (ERS) to TRS. Likewise, eligible members of ERS may transfer their TRS service credit to ERS. The transfer takes place under the rules of the system to which the

credit is transferred. Such transfer may only take place when the member retires or at the time a pre-retirement death benefit becomes payable. Members who have already retired under either system are not eligible to transfer service credit. Employees who have active membership credit in more than one Texas public statewide retirement program may be eligible to combine all service credit under the Proportionate Retirement Program to satisfy retirement eligibility requirements.

Retirement service credit is earned in one-year increments. Only one year of service may be credited in any one school year (September 1-August 31). To earn a year of membership service credit, the employee must work in a TRS-eligible position or receive paid leave from a TRS-eligible position for at least 90 working days during the school year. In the last year of employment before retirement, the employee may earn one year of service credit by working and/or receiving paid leave for each day of the full fall semester, even if that semester is less than 90 working days.

- d. Persons who are not receiving an annuity from one of the State of Texas retirement programs or who are not enrolled under the state employee retiree insurance program will not be considered a retiree of Texas Tech.

## **2. Voluntary Retirement of Faculty Members with Option for Part-Time Teaching**

See [OP 32.30, Voluntary Retirement of Faculty Members with Option for Part-Time Teaching](#).

## **3. Disability Retirement**

TRS member employees are eligible to apply for disability retirement if a mental or physical disability prevents the employee from further performance of job duties and is probably permanent.

The employee may apply for disability retirement by:

- a. Filing a written application for retirement with the TRS Board of Trustees; or
- b. Having an application filed with the Board by the employee's legal representative.

In addition to an application for retirement, an employee shall file with the Board of Trustees the results of a medical examination and any additional information about the disability that may be required by the Board.

If the medical board finds the employee is mentally or physically disabled from further performance of job duties and that the disability is probably permanent, the medical board shall certify the disability, and the employee shall be retired.

Annuity and insurance benefit eligibility will be determined by the number of service years at the time the employee is granted disability retirement.

## **4. Delayed Retirement**

A former employee who meets the retirement eligibility criteria under the Optional Retirement Program, the Teacher Retirement System, or the Employees Retirement System is eligible to retire from Texas Tech upon electing to receive a retirement annuity from the Teacher Retirement

System or the Employees Retirement System or by enrolling in the group insurance program as an ORP retiree provided:

- a. The employee has not obtained other state employment within the State of Texas that earned additional retirement credits under that retirement program; and
- b. The employee has not forfeited eligibility to retirement benefits by withdrawing contributions before being eligible to receive a retirement annuity.

## **5. Insurance Programs for Retirees**

See [OP 70.05, Eligibility for Insurance and Other Benefits](#).

## **6. Policy Information**

The information in this operating policy is intended to provide a general explanation of the plan provisions. This document is not meant to include the complete details of all benefits available. Every effort has been made to ensure the information is accurate; however, if there is ever a conflict between this document and the governing entity, the governing entity rules will prevail.

Health and other insurance benefits for members and retirees are subject to change based on available state funding. The Texas Legislature determines the level of funding for such benefits and has no continuing obligation to provide those benefits beyond each fiscal year.

## **7. Authoritative References**

Texas Government Code, Chapter [803](#), [805](#), [822](#), [823](#), [824](#), [830](#), [661.207](#)  
Texas Higher Education Coordinating Board ([www.highered.texas.gov](http://www.highered.texas.gov))

## **8. Right to Change Policy**

Texas Tech University reserves the right to interpret, change, modify, amend, or rescind this policy, in whole or in part, at any time without the consent of employees.