

16.10 Continuation of Benefits Upon Retirement

- 16.10.1 Each retired employee hired before July 1, 1997 who qualifies under this section, and his or her eligible dependents including a qualified domestic partners, shall receive medical insurance benefits) prescription drug benefits, vision care benefits, and dental benefits as provided in this section.

A qualified employee is one: who is age fifty-five (55) or older, who has retired from service 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 as a permanent or probationary employee with a normal work week of at least twenty (20) hours for ten (10) or more years immediately preceding his or her retirement; or

- 16.10.1.1 who has received a disability retirement from the State Teachers Retirement System or the Public Employees Retirement System and who has rendered service to the District as a permanent or probationary employee with a normal work week of at least twenty (20) hours for ten (10) or more years immediately preceding his or her retirement; and
- 16.10.1.2 who was hired before July 1, 1997 and has rendered service to the District as a permanent or probationary employee with a normal work-week of at least twenty (20) hours for twenty (20) or more years immediately preceding her or his resignation. If the employee qualifies under this subsection benefits shall be provided to the employee and her/his spouse only. Under this section a qualified employee retains this right as long as he/she remains an employee of the District regardless of which unit the employee is in at the time of separation.

No absence from the service of the District under a leave of absence shall constitute a break in the continuity of service required by this section. Nor shall any absence from service for thirty nine (39) months or less because of layoff constitute a break in the continuity of service required by this section. However, time spent on a leave of absence or in layoff status shall not count towards the service requirement prescribed by this section.

- 16.10.2 The benefits provided to eligible dependents pursuant to section 16.10.1 shall cease upon the death of the retired classified employee. However, a surviving spouse may continue to receive benefits under this section by reimbursing the District quarterly, in advance, for the full premium for all the benefits provided.
- 16.10.3 If employees are given any options regarding health benefit plans (for example, the choice between Kaiser Foundation Health Plan, the District Combined Coverage Medical Plan (PPO +) or the District Network Only Plan (PPO) the

benefits provided under this section shall be in accordance with the plan or plans under which the retired employee was receiving benefits at the time of retirement unless changed during a scheduled open enrollment period. This section shall not be construed as prohibiting any change in benefits or benefit plans as specified in Section 16.10.7.

Each retired employee and every eligible dependent shall upon obtaining eligibility for Medicare, receive benefits under section 16.10.4 in a manner that augments the benefits that the employee or dependent could receive from Medicare even though the retired employee or his or her eligible dependents fail to claim rights to Medicare benefits. It shall be the sole responsibility of the retired employee or his or her eligible dependents to apply for and satisfy the requirements of Medicare; provided, however, that the District shall reimburse the retired employee and his or her eligible dependents for the cost of Standard Medicare Part B premium if adequate proof of payment is submitted to the Office of Human Resources at least 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 employees or their eligible dependents whose social security status does not qualify them for Medicare benefits.

- 16.10.4 If a retired employee or his or her eligible dependents, receive benefits under any other health benefits plan, the benefits provided under the District plan 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 section.
- 16.10.5 To obtain the benefits provided under this section an employee shall file an application for the benefits with the Office of Human Resources and shall complete all necessary enrollment forms prior to the last date of his or her employment with the District.
- 16.10.6 The benefits provided under this section shall remain subject to modification, revision, or termination by any future agreement negotiated between the Board and the exclusive representative for CSEA.
- 16.10.7 Employees hired after July 1, 1997 shall not be eligible for District paid medical benefits upon retirement or after completing 20 years of service. Unit members employed after July 1, 1997, shall receive a medical insurance benefits bridge program to cover the cost of health insurance benefits in the period of time between retirement and eligibility for Medicare coverage. Once eligible for Medicare coverage, the District's obligation for Medicare and/or medical insurance benefits contributions shall cease.

16.10.7.1 A qualified individual is one:

- 16.10.7.1.1 who was hired between July 1, 1997, and July 1, 2010;
and

16.10.7.1.2 who is age 55 or older.

16.10.7.1.3 who has rendered service to the District as a probationary or permanent employee with a normal work week of at least twenty (20) hours of per week for fifteen (15) or more years of immediately preceding his/her retirement or resignation from the District; and

16.10.7.2 Insurance Benefits

16.10.7.2.1 The District shall pay an amount equal to the salary schedule percentage in effect as of June 30, 2010, currently 2.8% of Range 73 Step G of the unit's salary schedule, for the retiree. This payment will be applied toward the cost of continuing health insurance benefits as described in Article 16.2 after retirement from the District until the date at which the retiree is eligible for Medicare coverage.

16.10.7.2.2 If the member has a spouse or domestic partner at the time of retirement or resignation and if the member's spouse or domestic partner does not possess his/her own health insurance coverage, the employee may include his/her spouse or domestic partner in continuing health insurance benefits until the date at which the employee is eligible for Medicare coverage, at which time the eligibility of the spouse/domestic partner shall cease.

16.10.7.2.3 The District shall pay an additional amount equal to the same salary schedule percentage in effect as of June 30, 2010, currently 2.8% of Range 73 Step G of the unit's salary schedule, for the cost of continuing health insurance benefits for the retiree's spouse/domestic partner until the date at which the retiree is eligible for Medicare coverage.

16.10.7.2.4 The District payment for the cost of continuing health insurance benefits for the retiree's spouse/domestic partner and the eligibility of the spouse/domestic partner for insurance coverage shall cease upon the death of the retiree or loss of status as a spouse/domestic partner.

16.10.8 Employees hired after July 1, 2010, shall not be eligible for District paid medical benefits upon retirement or after completing 20 years of service. Unit members employed after July 1, 2010, shall receive a medical benefits bridge

program to cover the cost of medical benefits in the period of time between retirement and eligibility for Medicare coverage. Once eligible for Medicare coverage, the District's obligation for Medicare and/or medical benefits contributions shall cease, immediately preceding his/her retirement or resignation from the District; and

16.10.8.1 Insurance Benefits

16.10.8.1.1 The District shall pay an amount equal to the salary schedule percentage in effect as of June 30, 2010, currently 2.8% of Range 73 Step G of the unit's salary schedule, for the retiree. This payment will be applied toward the cost of continuing health insurance benefits as described in Article 16.2 after retirement from the District until the date at which the retiree is eligible for Medicare coverage.

16.10.8.1.2 If the member has a spouse or domestic partner at the time of retirement or resignation and if the member's spouse or domestic partner does not possess his/her own health insurance coverage, the employee may include his/her spouse or domestic partner in continuing health insurance benefits until the date at which the employee is eligible for Medicare coverage, at which time the eligibility of the spouse/domestic partner shall cease.

16.10.8.1.3 The District shall pay an additional amount equal to the same salary schedule percentage in effect as of June 30, 2010, currently 2.8% of Range 73 Step G of the unit's salary schedule, for the cost of continuing health insurance benefits for the retiree's spouse/domestic partner until the date at which the retiree is eligible for Medicare coverage.

16.10.8.1.4 The District payment for the cost of continuing health insurance benefits for the retiree's spouse/domestic partner and the eligibility of the spouse/domestic partner for insurance coverage shall cease upon the death of the retiree or loss of status as a spouse/domestic partner.

The parties acknowledge that for Medicare-eligible retirees and their Medicare-eligible dependent(s), the CalPERS Choice and CalPERS Select plans offer identical benefits, except for retirees who live outside of California in which the select plan is not available. In accord with CalPERS regulations, the entire CalPERS retiree monthly premium less the minimum District contribution to CalPERS (i.e., \$1 for 2012) is deducted from the retiree's monthly retirement warrant (e.g. STRS or PERS pension check), and the District shall

reimburse the retiree the difference between the monthly warrant deduction and the subscriber's required monthly contribution. In the event a required retiree monthly contribution exceeds the monthly retirement warrant, the retiree shall have the responsibility for paying the District directly for the required retiree monthly contribution in accord with the Plan Compliance timelines and procedures.

16.10.9 **Denial of Benefits**

Notwithstanding any other provision of this article, an individual eligible to receive health insurance benefits under this article may be denied such benefits if it is established that the individual engaged in felonious criminal activity involving District property or students or persons employed by the District and said activity occurred on District premises.

16.10.10 **Negotiations**

16.10.10.1 The health insurance benefits provided under this article shall remain in effect until December 31, 2013, and will not be subject to modification, revision, or termination by any future agreement negotiated between the District and the exclusive representative, except by mutual agreement.

16.10.10.2 The District and CSEA will open negotiations regarding health insurance benefits for 2013-14, including plan design and the amount of contributions, on July 1, 2012.