

Annuitantgate

What did HR know and When did they didn't know it.

After careful investigation by your union we now know why the College was fined approximately \$160,000 by SURS. The annuitants fired should not be blamed.

In August of 2013 HR sent existing SURS annuitants a letter carefully outlining the new "Biss law" (40 ILCS 5/15-139.5) and how that interfaced with the existing SURS return to work rules. In particular he carefully pointed out that there are now two independent limits of what an annuitant can make in an academic year, the old one and the new Biss one. For most annuitants the new limit is lower than the old one, but this is not true for everyone. If an annuitant goes over the old then the annuitant is responsible and his/her annuity may be lowered. But if an annuitant goes over the old one then the College has to pay the entire annual annuity for that annuitant if the annuitant is rehired in a subsequent year. Moreover, if the College does not inform SURS that the annuitant has been rehired in a timely manner the payment amount is doubled.

HR sent out an accurate spread sheet showing both limits for each annuitant working at Oakton, this went to all administrators and Supervisors. In October 213, new HR director Mum Martens also sent each annuitant and each Administrator or Supervisors a reminder about the new Biss Limits, again demonstrating that **HR knew what the Biss law said and how to properly administer it.**

However in January 2014 HR sent out an updated list. Unfortunately, apparently due to a simple clerical error, **the earning limitation listed for each annuitant was the old limit, not the new, usually lower, Biss limit.** Apparently this updated list was the one used, instead of the correct old list. Nobody, HR, supervisors or administrators realized that this list was in error. As a result annuitants were told by their supervisors that they were not exceeding their limits. Moreover HR did not know that annuitants had exceed the limit so they were rehired this year, triggering the fine and, since they didn't know, they did not report this to SURS so the fine was doubled.

The three annuitants involved were fired as of January 1, 2015 of whom two had correct numbers in August but faulty numbers in January 2014, the third was not on the earlier list. It should be noted that 2 of the three had small annuities and small fines.

Rather than fire the administrators responsible the College decided to fire all annuitants who did not go over effective July 1, 2015. They further, disingenuously, claimed the "Biss law was to hard to understand or administer" justifying their action. In fact, all the College needs to do is to reissue the list with the correct numbers that they already knew in August 2014. The college claims they are "saving the taxpayers from future fines" when in fact **they are simply trying to cover up that they, the administration, was at fault, not the faculty.**