

October 12, 2017

**MEMORANDUM OF UNDERSTANDING**  
**between**  
**Multnomah County School District #1J**  
**(District) and**  
**The Portland Association of Teachers (PAT)**

Re-Employment of Retirees

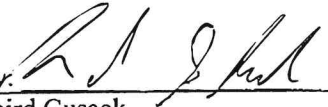
This Memorandum of Understanding shall set forth the terms and conditions of employment of PAT bargaining unit members ("Retirees") who retire under the Oregon Public Employee Retiree System ("PERS") on or after December 1, 2017, and who the District re-employs between the Retiree's PERS retirement date and June 30, 2018.

1. The Retiree:
  - a. Must have a PERS retirement date on or after December 1, 2017 and no later than June 1, 2018; and
  - b. Must have submitted a written District Resignation Form ending District employment prior to the Retiree's PERS retirement date (*Note: Under PERS rules, the PERS retirement date is the first date of the month after an employee ends District employment. For example, if you end employment on the last contract date before Winter break, your PERS retirement date would be January 1. If you end employment on January 1, your PERS retirement date would be February 1.*); and
  - c. Must declare in writing his/her request to begin a new employment relationship with the District as a retiree in the Retiree's prior position through the end of the work year or June 30, 2018; whichever first occurs. This written notice must be submitted to the District as part of the District Resignation form no later than thirty (30) calendar days before the PERS retirement date or in the case of a December 1 retirement date, no later than November 6.
2. The District will report all unused earned sick leave to PERS, except as stated in 4.B.iii of this MOU.
3. A Retiree will be re-employed by the District in the position that the Retiree held on the Retiree's date of resignation only if all of the following conditions are met:
  - a. The individual elects to retire between December 1, 2017 and prior to June 30, 2018; and
  - b. No internal transfer options are identified; and
  - c. There is no one on layoff status qualified for the position.
4. Any period of re-employment between December 1, 2017 and June 30, 2018 is considered a new employment relationship between the Retiree and the District as outlined below:
  - a. A re-employed Retiree is expected to demonstrate reliable and regular attendance at work and meet all expectations of the assignment.


b. Pay and benefits for re-employed Retirees are set forth below:

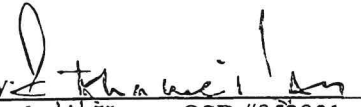
- i. Insurance coverage under the District's plan for active employee insurance coverage shall continue through July 31, 2018, if permitted by the terms of such insurance plan.
  - ii. Retiree will be paid at his/her pre-retirement rate of pay, less the 6% PERS pickup.
  - iii. Retiree will retain one (1) day of sick leave for each month worked, beginning with the first month after his/her retirement date, and ending with the month in which the work is completed or June 30, 2018, (whichever comes first), but will not be eligible for any other District paid leaves.
  - iv. Retiree will not have access to professional growth or professional improvement funds.
  - v. The PAT/PPS collective bargaining agreement contains other pay or insurance provisions that apply. A Retiree performing duties such as coaching or advisor work following his/her retirement date is paid pursuant to the District/PAT collective bargaining agreement and time spent performing such extra work counts as hours for the purpose of the PERS maximum hours calculation.
  - vi. For the purpose of clarifying the language under the PAT/PPS collective bargaining agreement regarding the Early Retirement Incentive Stipend ("ERI"), a Retiree will begin to receive the ERI upon retirement, which means "separation from service" under Internal Revenue Code Section 409A. The ERI is intended to comply with the requirements of Code Section 409A, and will be interpreted in a manner consistent with that intent.
5. The employment relationship between the District and the Retiree will end on the last day of the work year in June 2018. In no event will the Retiree's re-employment extend beyond June 30, 2018.
6. A promise of re-employment as a Retiree after the end of the 2017/2018 school year is neither stated nor implied.

FOR THE DISTRICT

By:  10-12-17  
Laird Cusack Date  
Sr. Director Employee and Labor Relations

FOR PAT

By:  10-16-2017  
John Berkey Date  
PAT UniServ

By:  10-12-17  
Stephanie Harper OSB #952901 Date  
Senior Legal Counsel