

Summary of Survey Results

2015 Survey of Potential Postretirement Employment Restrictions Modifications Results

	A. Human resource critical need positions	B. Three years of limited service	C. Low-income restriction	D. Limited six-month separation	E. Appointee Exception	F. Only a 60-day separation	G. Rural and poverty areas exception	H. \$15,000 earnings limit	I. 60-day separation only for Police, Firefighters, and School Teachers	J. Employer paid contribution rate for a reemployed retiree
Average	5.2	7.0	5.5	5.0	8.3	2.8	4.4	5.2	3.1	6.6
City (6)	5.8	6.6	5.1	4.4	8.5	2.4	4.3	3.8	3.9	7.4
County (1)	2.0	7.0	9.0	3.0	10.0	6.0	1.0	8.0	4.0	5.0
School (14)	4.3	6.5	5.5	5.2	6.4	3.4	3.5	4.7	3.9	5.7
Firefighter (1)	1.0	9.0	8.0	7.0	10.0	2.0	6.0	3.0	5.0	4.0
Police (28)	5.8	7.3	5.3	5.0	8.6	2.6	5.0	5.8	2.4	6.8

 First Priority

 Second Priority

 Third Priority

Survey Results

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City 1	1	9	8	7	10	2	6	3	5	4
City 2	8	7	4	3	9	1	6	5	2	10
City 3	5	3	2	2	10	1	3	4	6	7
City 4	9	8	7	5	6	1	3	4	2	10
City 5	5.4	6.3	5	2.9	6.9	4.1	4.9	3.3	3.6	5
City 6 (Rural)	6.5	6	4.5	6.5	9.25	5	3	3.25	5	8.25
County 1	2	7	9	3	10	6	1	8	4	5
Firefighter 1	1	9	8	7	10	2	6	3	5	4
School 1	2	7	5	3	9	8	1	4	6	10
School 2	8	6	7	4	9	1	3	5	2	
School 3	9	6	7	8	5	4	10	3	1	
School 4	4	4	2	2	3	2	1	2	1	2
School 5	10	5	4	3		6	1	2	9	8
School 6	3	2		4		1				
School 7	3	7	6	4		1	2	8	9	
School 8	3	6	9	10		2	7	4	1	5
School 9	3	4	6	9	10	7	1	2	5	8
School 10	3						1	4	1	2
School 11	2	7	8	6		9	4	5	1	3
School 12	1	10	1	5	1	1	2	10	5	10
School 13	2	10		5		1	3	7	8	6
School 14	7	10	6	4	8	1	9	5	2	3
Police 1	7	6	5	4	10	3	8	9	2	1
Police 2	1	9	2	8	10	5	7	6	3	4
Police 3	7	8	9	4	5	1	6	10	2	3
Police 4	5	7	6	3	9	2	4	8	1	10
Police 5	9	5	7	6	8	3	4	2	1	10

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Police 6	5	9	8	3	10	2	4	7	1	6
Police 7	1	7	8	9	10	3	4	5	2	6
Police 8	5	8	4	3	10	2	7	6	1	9
Police 9	5	9	6	3	8	4	2	7	1	10
Police 10	8	7	4	2	9	3	5	6	1	10
Police 11	3								1	2
Police 12	7	8	6	4	9	1	5	2	3	10
Police 13 (12)	6	7	3	5	9	2	4	8	1	10
Police 14				3		1			2	
Police 15	5	9	7	8	10	3	4	6	2	1
Police 16	4					1			2	3
Police 17	8	5	1	6	10	2	7	4	3	9
Police 18	5	7	2	8	9	1	10	3	4	6
Police 19						1				
Police 20	9	3	4	1	10	6	5	2	7	8
Police 21	5	6	7	3	10	1	4	8	2	9
Police 22 (4)	8.25	4.75	5.75	5.75	8	3.75	3	6.5	2.75	8
Police 23	3	8	4	5	2	6	1	7	9	10
Police 24	11	10	9	8	6	1	4	3	2	5
Police 25 (28)	10	5	6	3	9	1	3	7	2	8
Police 26	5	9	4	3	10	1	6	7	2	8
Police 27	5	10	6	9	11	8	7	4	3	2
Police 28	3	9	4	8	5	2	7	6	1	10

The "2015 Survey of Potential Postretirement Employment Modifications Results" was created by the Retirement Working Group and distributed to interested parties via email. The survey was sent on August 25, 2015, and responses were due by September 14, 2015. The committee staff received 49 completed surveys.

Written Responses to the 2015 Survey

Comments included in emails

Email 1

"For many people who have started their careers in public service and are nearing the end, they have garnered great experience and expertise in these areas. To have the retirement system as it is now, and was previously with the separation requirement, is suicide to the state who is so desperately trying to get people to join law enforcement in particular. The skills that the men and women have gathered over the years are now essentially invalidated because they have to be out the job, and many other jobs which pay into URS, for a year. Many of these people will move along to lesser-paying jobs and all of that combined experience will be lost or move elsewhere. As far as the new system goes, which I am in, it also does a disservice to those who want to genuinely become public servants. The retirement system is a staunch turnoff for many people who could contribute greatly. It is my opinion that the retirement system needs to be drastically changed in order to protect a job and career which many find to be fulfilling. It is my hopes that the state will not turn its back on all of those that have served it over the years."
Detective Chelsea North

Email 2

"The main problem we have is not with trying to rehire retired cops. Our problem is that the current 25 year Public Safety Retirement plan is driving away cops we currently have and is failing to attract new, qualified people. I have recently lost 2 officers due completely to the 25 year retirement. And, I have gone through two hiring processes and had to kill both lists because we could not find any of our applicants that could pass a background. Is the legislature looking at changing the 25 year retirement? What is addressed in this survey does nothing to help with hiring new people and retaining them!"
Chief Carl G. Merino

Email 3

"Just for my 2 cents... I agree with Chief Merino as I've had the same issue. Recruitment and retention are as important as each other. We just tested for an open position and had 7 viable applicants, compared to 28 a few years ago. I interviewed the top 5 and 3 had what I would consider significant criminal histories. We've talked before about not lowering standards, but it seems these candidates are getting into POST and expecting jobs after they graduate. I believe better qualified people are not interested in law enforcement due to the last big retirement change, and of course all the negative representation in the media adds to that. Hopefully this survey kicks off positive change on all aspects."
Kevin Turner

Email 4

*"I hope we can see some changes. The current rules makes it very difficult to use retired officers in our schools.
J – 10 Why should the entity be penalized. A "retiree" will not get hired under this.
K - Provide retirees with some health benefits so they do not have to work when they have earned their retirement."*
Chief J. Scott Finlayson

Email 5

"I was affected by the current law, by 6 months, otherwise I would have been one of the lucky officers to get two retirements (that was my goal).

If I decide to leave, I would like to have options of where I want to go, and knowing how many vacancies agencies are experiencing, there needs to be some improvements to the rule."

Lt Glenn Smith

Email 6

"There was however, one other issues that was significantly important to our group and that is the issue of the Tier 2 system paying an amortization rate back to the Tier 1 system to address solvency/full funding issues. There has been some concern expressed about this subsidy of the Tier 1 system and a feeling that it does hamper local government's ability to recruit new talent when a portion of their retirement allowance goes into another system.

We would respectfully request that we look into that issue as well."

Lincoln Shurtz

Email 7

"I am advising that my personal opinion is that the enactment of option F, a system wide reduction to 60 day separation from service (assuming this means you keep your retirement payments coming after 60 days and reentry to the job with a different employer), should be the prime focus of our modification efforts. All the other options are discriminatory against various groups of workers or are just silly. The law enforcement community is being hit very hard by the unfortunate modifications to our retirement system. Our recruitment numbers are dropping like never before and it is very difficult to bring new employees into the organization because tenured employees have limited job options. Agencies that thrive on hiring retired officers are being unduly singled out. Getting the break in service reduced to 60 days will go a long way toward increasing the morale of our workforce and the attractiveness of the job. This statement represents my opinion alone and not that of my employer."

Lt. Scott Buchanan

Email 8

"I listed my top 3, the rested listed there all tied for 10. Detective Joel Knapp"

"Ben, attached is the survey from 28 police officers and dispatchers from Salt Lake City Police. Can you confirm, if there are changes for Police and Fire, that those changes would also be in effect for dispatchers, since they were added to the public safety retirement system this year? Many have requested the 60 separation would allow people to return to their current place of employment. They do not understand, if you are allowed to return to work in the system, what difference would it make if you work for your current agency or another agency."

Michael Millard, President, Salt Lake Police Association

Comments in Surveys**Comment 1**

"Interestingly, all survey replies except for B, C & D had a range of at least seven responses. For example, A received a 1 and a 10. I read that discrepancy in responses to mean that our members have a wide range of postretirement concerns and are not united behind any responses

beyond D, H & I. Several cities were adamant in their feedback that employees should not be able to retire and then go back to work at the agency from which they retired.

We also had multiple cities who declined to respond to the survey and explained that they did not want to see any changes to the status quo. They added that we have not yet had enough time since the reform went into effect to consider changes. People also expressed concern about additional complications to the overall retirement system.

One city argued that if a prospective employer agency and a prospective employee who is retired strike a deal for new employment and the retired employee receives no further service credit, then URS should not be involved or concerned. The city suggested that the current system prevents the benefit of hiring an experienced professional to provide a short-term benefit to an agency that is seeking experience to train young employees.

There was a wider discrepancy between the final tallies for the rural respondents than the urban respondents. Not surprisingly, the rural respondents were much more interested in more flexibility based on rural/poverty areas and income levels than the urban respondents were. Rural respondents, unlike the urban respondents, were uninterested in the limited 60-day separation (D). Rural respondents communicated to us that post-retirement benefit policy currently hampers their ability to recruit experienced peace officers to rural Utah.

ULCT seeks to maintain current obligations to existing retirees and employees of the State Retirement System, maintain the integrity of the overall System, and create parity in the System. Many cities are concerned about recruiting quality talent to local government employment, particularly in public safety occupations. Cities are also concerned about retaining quality employees. As we discuss potential changes to the Utah Retirement System, we need to discuss the potential changes in the context of recruitment of new (both rookie and experienced) employees and of retention of both experienced and new employees.

We also need to consider retirement benefits within the larger conversation of total benefit packages for public employees, including health care offerings, cost of living adjustments, 401K contributions, and wages. We also must recognize the differences between recruiting and retaining public employees in urban areas and rural areas.

ULCT is committed to work with the legislature and other stakeholders to find consensus on postretirement issues."

Cameron Diehl ULCT

Comment 2

"-I don't think any of these amendments will help hiring problems among police departments. The retirement years (25) coupled with such a low payout, will continue to hinder police recruitment and retention. These amendments may help with the loss if experienced officers to the civilian sector.

-I believe that allowing experienced, enthusiastic public service workers to remain in their chosen fields, with a limited time (preferably no time) separation will benefit the employee, the agencies, and most importantly, the citizens of Utah. We need experienced teachers, law enforcement officers, and other vital public service workers to stay in their chosen fields."

-Have those who are working in the same system make the decision for this group.

-Police officers NEED to be allowed to retire and at least make up the 50 percent of their wage or more in the field in which they have experience without waiting or going without insurance or changing professions.

-We need to get back the option to retire at 20 and get a new job with a different agency and still collect pension.

-If you retire and go to another agency there should be no sit out period.

-Change it back to 20 years and/or 50%."

Lyle Davis

Comment 3

A. Human resource critical need positions – *This would be not only time consuming, but may result in poor hiring choices. What if we have two candidates that we score poorly, do we have to share the scoring and our rationale? This seems untenable.*

B. Three years of limited service –*The age limit requirement will prevent us from accessing many of our early retirees, especially our classified employees*

C. Low-income restriction – *If retirees only work hourly, why do we need to limit their earnings?*

D. Limited six-month separation –*Does this include school district to school district?*

E. Appointee exception – *Not applicable*

F. Only a 60-day separation –*This is essentially the same as letter I.*

G. Rural and poverty areas exception – *b.(Does this include all school employees or just teachers? We have large concentrations of low income students in schools not designated as Title 1. What percentage qualifies as a large concentration of low income students?*

H. \$15,000 earnings limit – *Again, I am not sure why there is a limit.*

I. 60-day separation only for Police, Firefighters, and School teachers – *Does this apply to all school employees or just teachers? If it applies only to teachers, F is my first choice.*

J. Employer paid contribution rate for a reemployed retiree –*This one requires us to pay full retirement rates to URS and neither GSD nor the employee benefits from the contributions."*

Comment 4

"What is the point of the waiting period? If a person retires from one entity they should not have to wait any amount of time to be hired by another. They should not get any further retirement benefits if the new job is part of the URS. The entity that hires them should still be required to pay into the retirement system as if the employee was not retired. This should help keep the URS whole. Thanks."

Comment 5

"In comparison to the last 25 years of my career, Police Departments across the state are now experiencing the lowest numbers of recruits, and the lowest level of qualified recruits for police officer vacancies. There are many social and economic issues involved; one is the Utah Retirement System.

Public policy allowing retired individuals back into the work force will help compensate for the lack of new applicants. When separation from public employment for a year upon retirement took effect, rural and poverty areas in Utah were, initially, negatively impacted the most.

Recruitment and retention of public servants became extremely difficult. That impact has now grown to effect the large, and non-poverty areas of the state as well. It is bad policy to prevent an entire class of competent and experienced individuals from being considered for employment vacancies under current circumstances.

Policy adjustment is needed to attract new applicants for police service. Consider the impact URS has on the potential beginning of a career. Potential applicants consider immediate and long term benefits and short comings of public service in relation to other career opportunities. Many potential applicants do not consider URS as competitive with neighboring states' retirement systems in years of service required for, and percentage of salary paid upon, retirement, or with careers in private industry. Due to the lack of applicants, police departments in Utah have increased their hiring of officers from other departments to historical levels. This is not a long term solution. Public policy changes in URS returning to the historical 20 years of service, and the percentage of salary paid to 50%, are needed to attract people to begin, and remain in, law enforcement service as a career.

When a public servant has earned and activates their retirement in URS, current policy treats them as though they have limited value, and are trying to act inappropriately by returning to public service. With applicant numbers for vacancies less than half their historical levels it is self-defeating to prohibit an entire category of qualified and experienced people from consideration. Public policy eliminating the separation time, locking the number of service credits at the level where retirement is activated, and require the employer to contribute to URS based on the rate of pay as though URS credits were being earned, will improve the circumstances previously noted.

Public policy should recognize a retirement has been earned after decades of public service. Restrictions on earnings and employment opportunities, because retirement was activated should be eliminated. Doing so will help address the immediate need to fill unprecedented vacancies currently faced in law enforcement throughout Utah with competent people, and attract recruits to Utah law enforcement long term."

Comment 6

"I have never heard an explanation of how the one year separation (or a 60 day separation) after retirement benefits the state. It seems to only punish retirees for wanting to work in another public field or for another public entity in the same field.

The Utah Legislature should restore the ability for public servants to retire and then work in another governmental agency in the state while receiving contributions to a 2nd retirement. Public servants, especially law enforcement, fire service and teachers, are generally underpaid and have a difficult time saving for retirement. Police officers from large departments have invaluable experience that used to become available when he/she retired and brought the skills to a smaller agency. The current law has greatly inhibited the ability of smaller agencies to recruit these skilled officers. The current law also pushes public servants with their extensive skills and experience into the private sector or out of state. Essentially the Utah Legislature has said that if you retire from public service in Utah you are no longer of value to the State. Recruitment of high quality police officers is very difficult with low salaries and a poor pension plan. Recruiting potential applicants used to be easier when we could tell them that they will be putting their lives on the line to protect others, they will be working nights, weekends, and holidays, and the salary is lower than what they could make in the private sector, but they can retire at 20 years with 50% of their salary. It is difficult to make the argument that 35% of salary after 25 years is worth putting their lives on the line to protect others, working nights, weekends,

and holidays, at a salary that is lower than what they could make in the private sector. It has become much more difficult to entice high quality people into public service. Why should an employer pay a contribution to the state when the employee gets no benefit. Again, this severely inhibits our ability to recruit highly qualified and experienced candidates who have retired from another agency. Makes no sense. Surely a way can be found for a retiree to pay into the system after retirement."

Comment 7

*"I would recommend that all Public Safety URS people be moved back to the original retirement's system. We are not attracting or keeping qualified people for Law Enforcement positions. No incentive to endure the years of service and scrutiny for minimal pay and retirement benefits. Maybe start with a gradual process of 25 yrs/50% or 35 yrs/70%. This needs to be fixed soon so that trust and quality of service are not compromised. Lawsuits will no doubt continue to increase until we get competent individuals competing for LE positions."
Chief Kevin D. Warren*

Comment 8

*"As a School District Police Department we need to hire retired peace officers to serve as SROs in our schools. The current restrictions makes staff difficult. It is especially hard to work with retirees who can only earn \$15,000. That makes it so I have to hire two for every one that I need. That means double the cost for equipping them and training them."
Chief Randy Johnson
Granite School District PD*

Comment 9

"Only 5 credible options" are f, k, g, a, and l.

Comment 10

*"-Please do not penalize the employer if a post-retiree returns to work in the district
-Please allow the district to have the autonomy to hire post-retirees without penalizing the district or the employee."*

Comment 11

*" 1 **K. 0-day separation for Public Safety-** Eliminate the one-year separation so agencies can fill critical vacancies. Employees must be reemployed by a different agency, receive no additional retirement benefits or service credit. The employer would still be required to contribute the full URS contribution which would go towards paying down the unfunded mandate. (The URS cost to the employer would be the same whether they re-employ someone to fill the position or hire a new employee)"*

2015 Survey of Potential Postretirement Employment Restriction Modifications¹

Please rank the options below from 1 to 10 with 1 being your top priority for the Retirement Working Group to consider.

- _____ A. **Human resource critical need positions** – Allow a retiree to return to work with a URS-covered employer before completing a one-year separation if the qualifications of the retiree are critically needed to fill a position within another agency. A strict human resources screening process and criteria and process would have to be established to determine when a “human resource critical need position” exists.
- _____ B. **Three years of limited service** – After three years of a retiree’s limited service of making less than \$15,000 per year, consider those three years as completing the one-year separation requirement if the retiree has reached age 62.
- _____ C. **Low-income restriction** – Eliminate the alternative limited service earning cap of the “lesser of one-half of the retiree’s final average salary” or \$15,000, since it penalizes lower-income retirees.
- _____ D. **Limited six-month separation** – Reduce the one-year separation requirement to six months if the retiree returns to work for a different level of government or a different branch of government (e.g., state to local government).
- _____ E. **Appointee exception** – Reduce the one-year separation requirement to 60 days if the retiree returns to work in a governor-appointed position that requires consent of the Senate (e.g., state department head).
- _____ F. **Only a 60-day separation** – Require only a 60-day separation if the retiree receives no retirement benefits or service credit and is reemployed by a different agency (2015 General Session H.B 77).
- _____ G. **Rural and poverty areas exception** – Reduce the one-year separation requirement to 60 days if the retiree returns to work:
 - a. for a different agency that is in a:
 - i. county of the third, fourth, fifth, or sixth class; or
 - ii. a town or a city of the fifth class; or
 - b. with an assignment to work in a school with large concentrations of low-income students (Title 1 school).
- _____ H. **\$15,000 earnings limit** – Increase the \$15,000 earnings limit. This could be done with or without other restrictions including when the retiree reaches age 62 or if the retiree has five or more years of service credit beyond the minimum years to be eligible i.e. 25 years of service credit for Tier I public safety/firefighter or 35 years for other public employees.
- _____ I. **60-day separation only for Police, Firefighters, and School teachers** – Require only a 60-day separation only for police, firefighters, and school teachers, if the retiree receives no retirement benefits or service credit and is reemployed by a different agency.

- _____ J. **Employer paid contribution rate for a reemployed retiree** – Require the employer to pay the full contribution rate for a reemployed retiree who has not completed the one-year separation; the contribution would go to the URS System and not to benefit the retiree.

In the space below, please provide any other options you would recommend and add any clarifying comments you would like the Retirement Working Group to consider.

¹ *The first five options provided below were prepared for a discussion in 2013 at the request of the Retirement and Independent Entities Committee (none were adopted). The remaining options were added based on testimony received by the Retirement Working Group in 2015 or discussions with URS.*