

~~March 12, April 21, 2020~~

MEMORANDUM OF UNDERSTANDING
BETWEEN THE PALOMAR COMMUNITY COLLEGE DISTRICT
AND THE PALOMAR FACULTY FEDERATION

This Memorandum of Understanding (“MOU”) is entered by and between the PALOMAR COMMUNITY COLLEGE DISTRICT (“District”) and the PALOMAR FACULTY FEDERATION (“PFF”), collectively “the parties” and is in relation to Article 16- Benefits and Appendix J.

1. District and PFF entered into a Collective Bargaining Agreement (“CBA”) for the period of Fiscal Year 2019 through Fiscal Year 2022.
2. Dr. Lori Waite, DRC Faculty, previously had nearly fourteen years of service with District as a faculty member (Counselor/Placement Specialist), left the District for approximately seven years and came back to the District on July 1, 2013 as a first year probationary faculty member (Assistant Professor/DRC Counselor). Her total years of service to the District as a full-time faculty member as of March 2020 is 20 years 7 months. Before she accepted the job of Assistant Professor, District advised Waite that her benefits eligibility would not be bridged as they required continuous employment with District. After returning to work with District, in February 2020, Waite requested that District change its position and provide her with retirement health benefits.
3. District has a long standing practice of providing retirement health benefits only to those employees who have qualifying continuous years of service with District.
4. District and PFF agree that retirement health benefits require qualifying continuous years of service with District.
5. Appendix J of the CBA between the District and PFF defines retiree benefits as below:
 - A. Group I: Full-time employees hired prior to March 1, 1994 working at least ten (10) months within a year who retire at age 55 or above (STRS participants) and who have been continuously employed at Palomar College for twenty (20) or more years will receive the same fully employer-paid lifetime health benefits as provided to active employees and eligible dependents in effect on the date the employee retires for the life of the retiree. These benefits will be fully employer-paid.
 - B. Group II: Full-time employees working at least 10 months within a year:
 - a) Hired prior to March 1, 1994, who retire at age 55 or above (STRS participants) and have been continuously employed at Palomar College for ten (10) years, but less than twenty (20) years; or
 - b) Hired on or after March 1, 1994, who retire at age 55 or above (STRS participants) and who have been continuously employed at Palomar College for ten (10) years or more, will receive the same fully employer-paid health benefits as provided to active employees and eligible dependents in effect on the date the employee retires until the retiree has reached the age of 65. These benefits will be fully employer-paid.

6. District and PFF agree to make one exception to the retirement health benefits practice and agree that District will provide Waite with Group II benefits (as provided in Appendix J of the CBA) due to her years of service to the District, even though she does not have the continuous employment with District for Group II benefits. District and PFF also agree that the exception of providing Waite with Group II Benefits is not precedent setting.

7. **The parties have agreed to address language in the next successor contract that will provide the Board discretion to make future decisions for extenuating circumstances or exceptions relative to this type of matter to prevent any concerns regarding precedent setting practices.**

8. Except as modified by this Agreement, the CBA remains in full force and effect according to its terms.

Dated: Apr 21, 2020

Lisa Norman

Lisa M. Norman, Ed.D., J.D.
District Chief Negotiator

Dated: Apr 21, 2020

Jennifer Fererro

Jennifer Fererro (Apr 21, 2020)

Jenny Fererro
Lead Negotiator, PFF

Dated: Apr 21, 2020

Teresa Laughlin

Teresa Laughlin (Apr 21, 2020)

Teresa Laughlin
Co-President, PFF












PCCD PFF- MOU Waite benefits (4-21-20)

Final Audit Report

2020-04-21

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