

ROCHESTER INSTITUTE OF TECHNOLOGY

Review Process for Denial of Retiree Status

The following process is to be followed in the event an employee who is eligible for retirement is terminated for cause. This process is to be used to determine if retiree status, and the accompanying benefits, should be denied.

- Employee terminated for cause
- Employee is eligible for retirement
- Human Resources Services Manager (HRSM) completes *Termination for Cause Summary* document and gives to Assistant Vice-President for Human Resources (AVP-HR)
- AVP-HR reviews facts and convenes an advisement committee comprised of:
 - Associate Director, Human Resources for Employment, Employee Relations, Professional Development
 - HRSM
 - Senior Benefits Specialist
 - Chair, Academic Senate
 - Chair, Staff Council
 - Department Head for Employee's Department
 - Advocate of former employee's choice (must be another RIT employee)
- The employee can submit documentation to support not denying benefits
- The committee discussions are confidential
- AVP-HR review facts of case and receives input and recommendations from advisement committee
- AVP-HR makes determination
- Determination letter is sent to former employee
- If retiree status is denied, the former employee has the right to appeal under the Employee Retirement Income Security Act of 1974 (ERISA)
- The Plan Administrator, Associate Director, Human Resources for Benefits and Compensation reviews all ERISA claim appeals and will make a determination
- The ERISA claim procedure is set forth by ERISA
- A confidential central file of all determinations is kept in the AVP-HR office, with all details so future determinations can be made on a consistent basis