

MEMORANDUM OF AGREEMENT

This Memorandum of Agreement (“MOA”) by and between the Broome Tioga Delaware Board of Cooperative Educational Services (“BOCES”) and the Information Technology Professional Association (“Association”) herein collectively referred to as the “Parties” sets forth the following terms and conditions of an agreement referencing a **Voluntary Retirement Incentive Plan (“Plan”)**:

Recitals:

1. The Plan outlined herein intends to reduce budget constraints thereby enabling BOCES to provide greater flexibility and responsiveness to the technology needs of school district serviced by the BOCES.
2. Eligibility for the Voluntary Retirement Incentive Plan is defined in Article 19 of the 2022 – 2026 Collective Bargaining Agreement between the Parties.

Agreement:

1. The Association through its officer(s) and/or representative(s) shall notify all ITPA members within two (2) business days of the execution of this MOA to provide members adequate planning time to decide on whether or not to take advantage of this offer.
2. An eligible employee must submit an irrevocable written letter of retirement providing a minimum of six (6) months advance notice hand-delivered to the Board Clerk dated and received between 9:00 am EST May 1, 2023, through 3:00 pm EST June 30, 2023, with an effective date of retirement no later than December 31, 2023.
3. Said letter of resignation for the purposes of retirement must contain:
 - Date you are hand-delivering your letter
 - Statement of resignation from the position for the purpose of retirement
 - Your last day of work
 - Your retirement date
 - Written signature
4. Once the letter of retirement is received by the Board Clerk, the employee’s retirement cannot be rescinded by the employee.

5. An employee electing to retire under the terms of the Voluntary Retirement Incentive Plan will receive ten thousand (\$10,000) dollars in addition to the Early Retirement Notice Incentive as specified in Article 19 of the 2022 – 2026 Collective Bargaining Agreement between the Parties.
6. The total amount expended for this additional incentive will be capped at one hundred thousand (\$100,000) dollars. A minimum of two (2) employees and a maximum of ten (10) employees are eligible to receive the Voluntary Retirement Incentive Plan.
7. If more than ten (10) employees submit their retirement notice within the eligibility window noted above, this incentive will be based on the order in which the letter of retirement was received by the Board Clerk. Those that are not eligible for the Voluntary Retirement Incentive Plan will be notified and will receive the Early Retirement Notice Incentive. In addition, for those same members that are not eligible for the Voluntary Retirement Incentive Plan and are receiving only the Early Retirement Notice Incentive, a management team member will reach out to each of these employees with the option to amend the retirement date to no later than June 30, 2024. The order of receipt for this program will be determined by the date and time stamped by the Board Clerk.
8. The Voluntary Retirement Incentive Plan is not available to employees who have already retired, or submitted paperwork to retire, as of the date of this MOA.
9. The opportunity to retire under this Voluntary Retirement Incentive Plan expires on June 30, 2023. It will not be offered pursuant to this MOA to anyone who gives notice of retirement after 3:00 pm EST June 30, 2023.
10. This MOA is based on unique circumstances and is made without any precedent setting impact and may not be cited in any future grievance, arbitration, administrative or judicial proceeding to suggest otherwise except as necessary to enforce this MOA.
11. This MOA is enforceable through the Grievance Procedure contained in the 2022 – 2026 Collective Bargaining Agreement between the Parties.

Signatures:



For the BOCES

4/6/2023

Date



For the ITPA

4/5/2023

Date



For the ITPA

4-5-23

Date