

*The materials below consist of regulations of the State University of New York Board of Trustees. However, it is not the Official Compilation of the Codes, Rules, and Regulations of the State of New York. Readers are advised to refer to the Official Compilation ( 8 NYCRR Part et seq )in case of questions.*

## **PART 304**

### **RE-EMPLOYMENT OF RETIRED PUBLIC EMPLOYEES**

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#### **§ 304.1 Definitions.**

Wherever used in this Part:

- (a) The term chancellor shall mean the chancellor of State University of New York.
- (b) The term college shall mean any State operated college, statutory or contract college, the Agricultural Experiment Station at Geneva, or locally sponsored two-year colleges under the program of State University other than a two-year college sponsored or administered by the board of higher education of the City of New York.
- (c) The term chief administrative officer shall mean the head of a college, whether called president, dean, provost, director or otherwise.
- (d) The term professional service shall include any position in the unclassified service pursuant to subdivision (h) or (i) of section 35 of the Civil Service Law. (e) The term retired person shall mean a retired member of a public retirement system or pension plan administered by the State of New York, or any of its political subdivisions, who is receiving a retirement allowance for other than physical disability.
- (f) The term the act shall mean the provisions of article 7 of the Retirement and Social Security Law.

#### **§ 304.2 Application.**

These regulations shall apply only to those retired persons to be employed in a position in the professional service. Any retired persons to be employed in a position not in the professional service shall be so employed in accordance with the provisions of the act.

#### **§ 304.3 Approval.**

The chief administrative officer of each college is authorized to approve the employment of a retired person in the professional service at such college, and shall report such approval of employment to the chancellor. The chancellor may require submission by a college of applications for such re-employment for his approval when he deems it in the best interest of the State University. The chancellor or designee is authorized to approve employment of a retired person in the professional service by system administration, and to approve employment of a retired person as a chief administrative officer. Approval for the employment of retired persons shall be granted only when such approval would be in accordance with the several provisions and limitations of the act.