



**Resolution 23–05**

**To Pursue Legislative Changes that Remove the Irrevocability  
of Optional Retirement Plan Enrollment**

*Sponsored by the Faculty Senate Benefits Committee*

Whereas the Optional Retirement Plan (ORP) was established July 1, 1990 as an alternative to the defined benefit plan under the Teachers' Retirement System of Louisiana (TRSL) in order to provide maximum portability of retirement savings, and

Whereas, according to Louisiana Administrative Code 58 §1507 G "Any person electing to participate in the ORP shall always be ineligible for membership in the regular retirement plan of the TRSL even if he is employed in a position covered by the TRSL, as prescribed by R.S. 11:928," and

Whereas LA RS 11:925 states that "Academic and administrative employees of public institutions of higher education...may make an irrevocable election to participate in the optional retirement plan" and states in other parts that the decision to enroll in ORP is irrevocable, and

Whereas state employees in Louisiana are excluded from participating in Social Security because the state of Louisiana did not opt-in to the Section 218 Agreement with the Social Security Administration, and

Whereas employees who enroll in ORP are members of TRSL and receive a TRSL retirement benefit and are thus subject to federal regulations under the Windfall Elimination Provision, which reduces earned Social Security benefits, and

Whereas employees who enroll in ORP do so with limited information of their career opportunities at Louisiana higher education institution, and

Whereas employees who enroll in ORP but who seek a secure retirement benefit through a pension are compelled to seek employment outside of Louisiana or in the private sector, and

Whereas elimination of the irrevocability clause in LA RS 11:925 and the concomitant clause in Louisiana Administrative Code 58 §1507 G will help to retain highly qualified employees in the state of Louisiana,

Therefore, be it

**RESOLVED**, that the LSU Faculty Senate and the LSU Staff Senate jointly call on the Louisiana Legislature to eliminate the irrevocability clause from LA RS 11:925 and permit employees with a one-time opportunity to enroll in the defined benefit plan after enrolling in the ORP, and

**RESOLVED**, that the LSU Faculty Senate and the LSU Staff Senate jointly call on LSU leadership to work with Faculty Senate and Staff Senate leadership to pursue such changes in legislation in a timely manner, and

RESOLVED, that the Senate leadership encourage their peer leaders at other higher education institutions and campuses to join them in pursuing this legislative change.