



## PSC-CUNY WELFARE FUND

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### TRAVIA LEAVE EXPLAINED

There are many questions about Travia Leave. Who is eligible? When does one file? How many days am I entitled to? This article addresses these questions – and more.

Travia is not an acronym. Rather it is the name of an individual – Anthony Travia who was former Speaker of the NYS Assembly and the author of this bill Law 3107 of the NYS Education Law. It defines those public employees who are members of a retirement system “...shall upon application be granted a retirement leave with full pay consisting of one half of their accumulated unused sick leave up to a maximum of one semester.”

The maximum number of sick days a full time employee can accumulate is 160 days. The maximum amount of retirement leave you can have is 80 days which for retirement leave purposes equals one semester. If you have fewer than 160 days of sick leave, you are still entitled to Travia; and it will equal one-half of your bank. However, it will no longer be equivalent to a semester. Rather, each day is counted. If you have 150 days of sick leave you will get 75 days of retirement leave. This is approximately 3.75 months of retirement leave.

As a result of an arbitration won by the PSC, all fulltime members of the instructional staff who are at least 55 years of age with at least 5 years of pensionable, credited service at CUNY are eligible to get Travia Leave. Forms are available at your human resources office. You have to fill out your portion and then have it signed by your supervisor or the chairperson of your department. The supervisor does not approve Travia, after all, Travia is a right, not a privilege, but signs off that they are aware that you will be taking your retirement leave. We recommend that you give sufficient notice to both your supervisor and human resources of your intention to take Travia. A good rule of thumb is if you intend to take a fall Travia, you go to HR by spring break. If you intend to take a spring Travia, you should go to HR by Thanksgiving.

Some people want to know if there is an optimal time to take Travia, fall or spring. Non teaching instructional staff, i.e. HEOs or CLTs are required to use their vacation first followed immediately and seamlessly by their Travia leave. They do not earn sick and/or annual leave during this period. So, for our non teaching instructional staff, there is no real difference. Teaching faculty only receives vacation pay if they take a spring Travia; and then they receive compensation through August 31. Faculty taking a fall Travia do not receive annual compensation and their leave ends at the beginning of the spring semester.

Employees who are eligible for social security are allowed to collect while on their Travia leave. Travia leave represents retirement leave that was not earned in the year they are on such leave. Therefore, it does not count for earnings limitations. If you believe you are entitled to social security, you should make an appointment to see a social security representative.

You will also notice that your Travia checks look the same as when you were employed. The same pension and tax deferred annuity deductions, taxes, social security and Medicare taxes union dues, vote cope all are being deducted. Yet, you may wonder why if you are collecting social security do you also have deductions being made for social security. Federal law requires that all “earned” income have social security and Medicare deductions from an employment check. It may mean that your own social security payments will increase in the following calendar year because you made additional payments to social security. Again, this should be checked with your social security representative.

Employees on Travia leave are allowed to work while at CUNY. As a result of a settlement agreement with the university, employees can teach or perform non teaching functions to the limits of one course or 75 hours of non teaching functions subject to the approval of CUNY. Outside of CUNY, it is the union’s position that there are no limits to an individual’s employment.

One of the most interesting aspects of Travia is the “right to return.” Again, the law states “A retirement leave of absence shall be cancelled when a member on such leave files an application for reinstatement to active service.” However, the law also states that such a member forfeits their right to future retirement leaves. In other words, you get only one Travia leave in your career. When you exercise your right to return, you will have used all your sick leave as well. You begin to reaccumulate sick leave, but if you become ill, and you do not have enough sick leave in your bank to cover your absences, it is at the discretion of the college as to whether they will advance you sick leave.