

Working After Retirement – Other Retiree States Work Limits

CalPERS. retirees can return to work without losing benefits as long as they are temporary. The limited circumstances are normal retirement age and bona fide separation and it also depends on whether the position is appointed, etc.

Colorado. A one-month waiting period is required before a retiree is allowed to work for a Colorado PERA-affiliated employer. The benefit is reduced 5% per day or partial day that the retiree works during the effective month of retirement. After the initial month of retirement, a retiree is allowed to work up to 110 days or 720 hours.

Florida. ERS retirees who return to work can only work 1,040 hours during any calendar year, if that limit is exceeded the retiree's benefit will be suspended. Retirees must wait one month before returning to work; two months for early retirement.

Idaho. If a retiree works for a PERSI employer 20 hours or more per week for more than 13 weeks in 5 consecutive months or longer, then they return to being an active member and their monthly pension benefits stop. Employee and employer contributions are due from the time retiree went to work, and their retirement benefit must be repaid with interest. The employee can earn more service credits. If an employee retires early they cannot return to the same employer for a minimum of 90 days, there also cannot be any promise of reemployment.

Illinois If reemployment with the State in a nonpermanent position will last less than 75 working days, the member will continue to receive pension payments and will make no contributions to SERS, but must contribute to Social Security. Reemployment to a permanent position, or a position for longer than 75 working days, requires contributions to SERS and Social Security, and ceasing benefits.

A teacher may return to work in a certified subject shortage area without impairing his/her retirement status. Otherwise, a teacher may not return to a TRS position within the same school year they retired. A retired teacher may work for 120 paid work days, or 600 paid work hours, and still receive their annuity. If a teacher exceeds these limitations then they will return to active service.

IMRF (municipal employers) has an hourly standard for participation (either 600 hours or 1,000 hours), i.e., to participate in IMRF you must be hired into a position in which you are expected to work 600 hours. Some employers have set a 1,000-hour standard. Typically, a retiree can immediately return to work if he works in a position requiring less hours than used by him to earn a pension. If he works more than the standard, the pension stops, and he is re-enrolled in IMRF and supplements the original pension. There is an exception to the rule: if the member retired under the IMRF early retirement incentive program, they may not work for any IMRF employer in any capacity whatsoever.

Massachusetts. Retirees from SERS who return to work cannot work for more than 960 hours per calendar year, and total earnings per calendar year cannot exceed the difference between the retirement allowance and the current salary of the position. If either of these limits are broken,

then the employee must either quit the job or waive their monthly annuity.

<http://www.mass.gov/Ctre/docs/retirement/retguide.pdf> page 20

Maine. Public employees must wait till the first day of the month following their effective retirement date to return to work. If the retiree works more than 90 days in one year, then their benefit will be suspended. http://www.maineopers.org/PDFs/handbooks/State_Booklet.pdf page 20 – 21. Teachers who retire must wait till the first day of the month following their effective retirement date to return to work. Teachers who return to work can keep receiving their benefit unless they work more than 90 days in a year.

Michigan. For MERS of Michigan, rules effective 1/1/11 require a 30-day break between retirement and rehiring at the same employer, and completion by the employee and employer of an affidavit affirming that the return to work was not pre-arranged. Retirees returning to work may work up to 720 hours annually; those who violate the rules will have their benefit suspended. Employers are required to report monthly to the MERS the salary and hours worked by retirees.

Missouri. A retiree from MOSERS (state) returns to work for a position covered by MOSERS, then they will stop receiving benefits. <https://www.mosers.org/en/Retirees/Reemployment.aspx>

Retirees from PEERS (teachers) must be separated from work for 60 days to be considered retired. If the retiree returns to work full time then their benefits are suspended and they begin contributing again. PEERS retirees can keep their benefits if they work part time, meaning they do not exceed 550 hours each school year. <http://www.psr-peers.org/PEERS/2009-2010PEERSHandbook/ServiceRetirement.pdf> page 60 - 61.

Mississippi. If a PERS retiree is less than 65 years old, then upon returning to work they will have \$1 reduced from their benefit for every \$1 they earn in excess of 960 hours. If the retiree is 65 to 70 ½ years old they are then limited to either the 960 hour limitation or an earning limitation which is equal to their highest average compensation. If the retiree is over the age of 70 ½ then there are no limitations.

Retirees must be separated from employment for at least 31 days before they can return to work. If the retiree returns to permanent employment then to continue receiving benefits they can only work 20 hours or less a week if employed 20 weeks or more months per year. If a retiree exceeds these limits then they will have their benefits suspended.

Oregon. Retired public employees may continue to receive benefits as long as their hours do not total 1,040 in a calendar year. If retirees exceed this limit their benefits will be suspended. Public employees who return to work will stop receiving benefits. If the retiree works for 3 or more service credit years they are eligible for a new retirement, or a second retirement. Retired members may return to work without losing their benefits if there is an employment emergency, a shortage of appropriate certified teachers or other personnel, or if the position is an extracurricular position.

Rhode Island. employee retirees are prohibited from working for any state agency or department. Retired public employees may work for a Rhode Island municipality, but only for 75 full days (3 hours +) or 150 half days (less than 3 hours) per year.

South Dakota. Retired public employees may work in a public school to substitute or coach , but only for 90 full days or 180 half days per school year. Retirees may return to temporary employment of up to 120 days within a 12 month period, with salary limitations, after a 60 day waiting period without loss of retirement benefit. If a waiver is approved, a retiree who returns to work before 60 days is limited to half time work. In some circumstances, a retiree may work an additional 90 days within the 12 month period as a substitute teacher. If the retiree returns to work full-time or exceeds the 120 day limit will have their benefits suspended. Teachers who have been retired for at least one year may receive a one year appointment as a K-12 teacher in a hard to fill subject without loss of retirement benefit. Certain approvals must be obtained.

Vermont. Retirees from the VSRS can only return to work as contract or temporary workers and continue receiving benefits. If a retiree returns to work as a classified or exempt employee, their benefits will be suspended.

Washington. Generally, public employees and teachers must wait 30 days before returning to work. If not, their monthly pension payment is reduced proportionally based upon the hours worked in the month. If the public employee or teacher do wait the 30 days, then they can typically return to work in a regular position for at least 867 hours in a year before their pension payment is suspended.

West Virginia. Teachers who return to work may continue receiving their annuity as long as they do not work more than 140 days during the school year and is not considered a permanent or regular employee. The retiree will receive a reduced benefit if they exceed 140 days.