

# WORKING IN RETIREMENT



Once

you are a retired member of the Teachers Retirement System of Georgia (TRS), you may be re-employed in a TRS covered position on either a full- or part-time basis, under certain terms and conditions, and continue to receive your TRS pension.

In order to ensure a TRS retiree working in a TRS covered position is in compliance with Georgia Law, TRS must approve the employment prior to the retiree starting the job. It is your responsibility to inform the employer that you are a TRS retiree, and it is the employer's responsibility to report your employment to TRS. If you do return to work, you must have a break-in-service of at least one month (if the retirement date is July 1, you can begin working no earlier than August 1).

TRS will review all retiree employment on a monthly basis, just as active member employment is reviewed. The Department of Audits and the Department of Labor perform detailed audits of employment records searching for TRS retirees. Any discrepancies will be investigated and, if necessary, benefit payments may be terminated and/or funds collected for benefits wrongly paid.

## FULL-TIME EMPLOYMENT

### Temporary Employment

You can be employed in any temporary position on a full-time basis for three months in a fiscal year and continue receiving monthly benefit payments. The full-time position must be paid at the normal contracted compensation. Once the temporary position ends, you may begin part-time status subject to 49% of the normal pay and time for the position.

### Full-Time Employment (Department of Education only)

If you retired under a normal service retirement you may return to work full-time as a superintendent, principal, pre-K through grade 12 classroom teacher (whose sole responsibility is academic instruction in the classroom), media specialist, counselor, or improvement specialist (allowed only with a regional educational service agency) and continue receiving full retirement benefits, provided you have been retired for at least 12 months. The school system employing you must pay all employee and employer contributions to TRS and you are not eligible to accrue any additional retirement benefits or receive any further creditable service as a result of re-employment. Superintendents and principals **may not** return to the same positions in the same systems or schools.



### Optional Retirement Plan (Board of Regents only)

If you did not retire from a position under the Board of Regents, you are eligible to work full-time in an Optional Retirement Plan (ORP) eligible position without jeopardizing your TRS benefit payments. You must elect ORP within 60 days of employment.

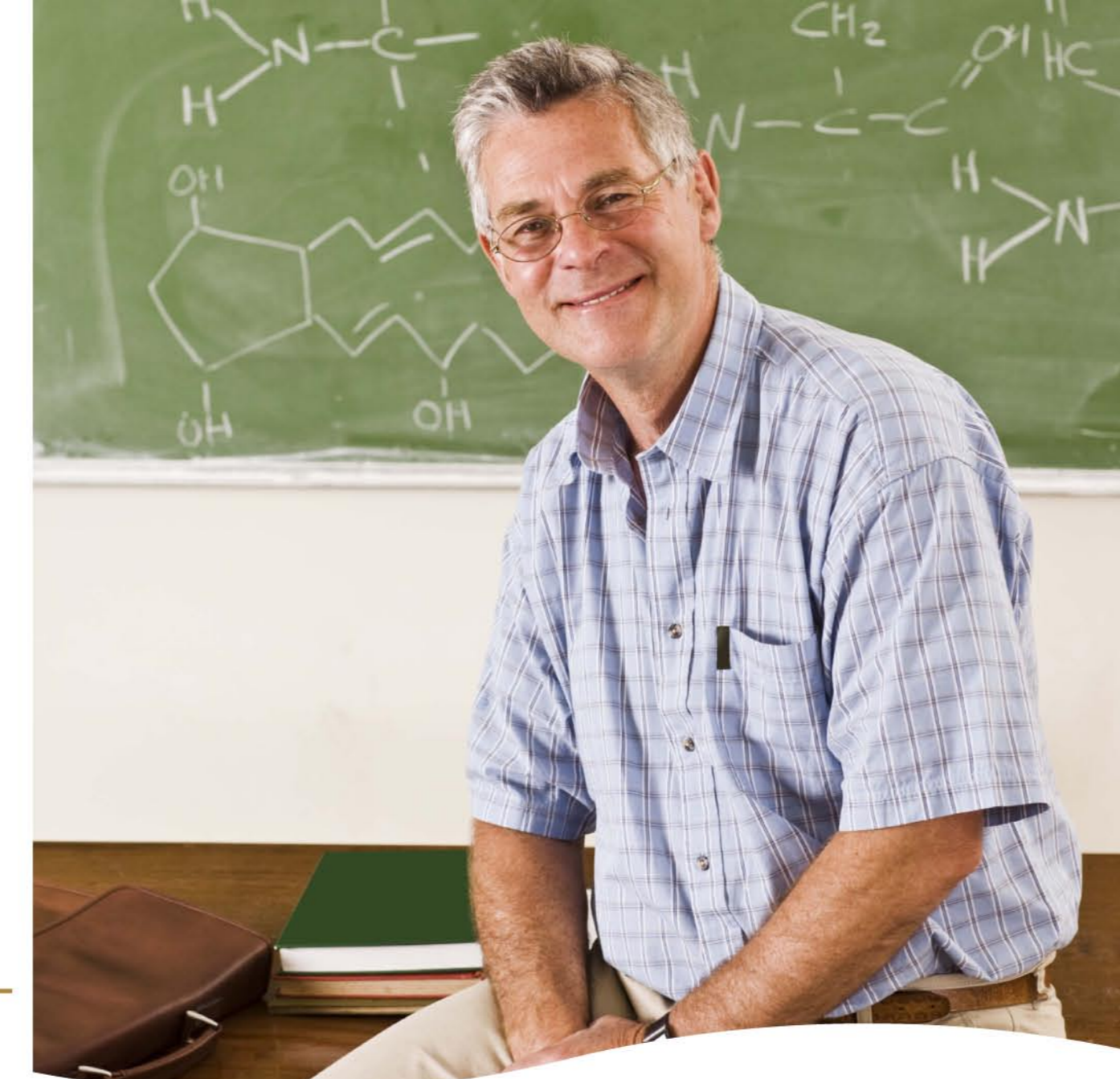
### Adjunct Professors

(Board of Regents and Technical College System of Georgia only) Because adjunct professors are not eligible for benefits, you may be employed as an adjunct professor in a full-time capacity.

### ERS/PSERS Employment

(Technical College System of Georgia only) If you did not retire from a position under the Technical College System of Georgia, you are eligible to work full-time with a technical institution without jeopardizing your benefit payments. You must elect Employees Retirement System (ERS) or Public Schools Employees Retirement System (PSERS) within 30 days of employment.

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## PART-TIME EMPLOYMENT

### Hourly

The maximum hours that you can work during each month of the fiscal year is published on our website. This calculation will be based on the total business days for each month, less the generally observed holidays. This should accommodate all payroll cycles used by TRS employers.

### Salaried

You can only receive forty-nine percent (49%) of the normal contracted compensation for the position being held. The employment cannot exceed forty-nine percent (49%) of the full-time hours of the position.

## CONTRACTUAL EMPLOYMENT

### Independent Contractor

If you are engaged in an independent contracting relationship with a TRS covered employer, your compensation is limited to one-half of the average annual compensation used to calculate your retirement benefit or the final compensation at the time of your retirement, whichever is greater. A copy of the contract must be submitted to TRS prior to the effective date of the contract.



## CONTRACTUAL EMPLOYMENT CONTINUED

### Employed by an Entity doing Business with a TRS Covered Employer

If you are an independent contractor working for an entity (e.g. partnership, corporation, etc.) doing business with a TRS covered employer, your compensation may be limited to one-half of the average annual compensation used to calculate your retirement benefit or the final compensation at the time of your retirement, whichever is greater. Documentation of your duties and responsibilities with the entity and your relationship with the TRS covered employer must be submitted to TRS prior to employment.

## OTHER ALLOWABLE EMPLOYMENT

### Para Professional (Department of Education only)

You can be employed as a paraprofessional in a less than full-time capacity. The full-time status for this position is determined by the employer.

### Substitute Teaching (Department of Education only)

You can be employed as a substitute classroom teacher at the daily rate of pay as determined by the employer. There is no limit to the amount of time you can work during the year as a substitute classroom teacher.

## DISABILITY RETIREES

Disability retirees can work after retirement with certain salary restrictions. All employment (private or public) for a disability retiree must be reported to TRS. The salary earned in the current employment plus the monthly TRS benefit cannot exceed the current rate of salary for the position held at the time of retirement. The status of a disability retiree may be reviewed at any time.

## WORKING IN RETIREMENT TABLE

Retiree Returning to Work Full-Time to:	Retired with TRS Pension from:				
	Board of Regents	Technical College System of Georgia	State Agency	Department of Education (local BOE, Charter School, and RESA)	Library
Board of Regents	NOT allowed, including switch to ORP.	Allowed under ORP. Must elect ORP within 60 days of employment.	Allowed under ORP. Must elect ORP within 60 days of employment.	Allowed under ORP. Must elect ORP within 60 days of employment.	Allowed under ORP. Must elect ORP within 60 days of employment.
Technical College System of Georgia	Allowed under ERS. Must elect ERS or PSERS within 30 days of employment.	NOT allowed, including switch to ERS.	Allowed under ERS. Must elect ERS or PSERS within 30 days of employment.	Allowed under ERS. Must elect ERS or PSERS within 30 days of employment.	Allowed under ERS. Must elect ERS or PSERS within 30 days of employment.
State Agency	Allowed.	Allowed.	NOT allowed, unless new position in retirement is with a different agency in a different position.	Allowed.	Allowed.
Department of Education (local BOE, Charter School, and RESA)	Allowed under PSERS. Must elect PSERS within 30 days of employment OR eligible under Georgia Law.*	Allowed under PSERS. Must elect PSERS within 30 days of employment OR eligible under Georgia Law.*	Allowed under PSERS. Must elect PSERS within 30 days of employment OR eligible under Georgia Law.*	NOT allowed, unless new position in retirement is different from position prior to retirement. Position must be covered under PSERS and election must be made within 30 days of employment OR eligible under Georgia Law.*	Position must be covered under PSERS and election must be made within 30 days of employment OR eligible under Georgia Law.*
Library	NOT allowed.	NOT allowed.	NOT allowed.	NOT allowed.	NOT allowed.

\* Georgia Law allows retirees who retired under a normal service retirement to return to work and continue receiving full retirement benefits, provided they have been retired for a minimum of 12 months. Local school systems may employ a retiree as a full-time classroom teacher, principal, superintendent, media specialist, or counselor. Georgia Law defines a classroom teacher as a certified teacher (pre-K through grade 12), employed by the public school system with the sole responsibility of academic instruction in a classroom. A principal cannot return to work in the same position in the same school from which he or she retired. A superintendent cannot return to work in the same position in the same school system from which he or she retired. Extracurricular employment (i.e., coaching, athletic director, band director) in addition to classroom teaching will not be eligible. Regional Education Service Agencies may employ a retiree as an improvement specialist.

A school system employing a retiree must pay all employee and employer contributions to TRS as if the retiree was an active member of TRS. The retiree will not be eligible to accrue any additional employment benefits or receive any further creditable service as a result of re-employment.

Note: The return to work provisions will automatically be repealed on June 30, 2016.

## NO PRE-EXISTING AGREEMENT

§ 47-3-101 of Georgia law requires employers to certify to the TRS Board of Trustees the date on which the employee's employment is or will be severed and that no agreement exists to allow the employee to return to service. This includes service as an independent contractor. Any return to employment or rendering of any paid service, including service for an independent contractor, for any employer during the calendar month of the effective date of retirement shall render the severance invalid and nullify the application for retirement.



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