

HUMAN RESOURCES

Hiring of Retired School Employees

The district shall recruit, select and employ the best-qualified individuals as employees. The district may employ persons retired from the Teachers' Retirement System (TRS), the School Employees' Retirement System (SERS) or the Public Employees' Retirement System (PERS). A retired employee shall only be rehired pursuant to this district policy.

All retirees of TRS, SERS or PERS may work an annual threshold of eight hundred sixty-seven (867) hours per year while receiving retirement benefits. The annual threshold for TRS Plan 1 retirees is calculated per fiscal year. All other plans are calculated per calendar year. Qualified hours are determined by whether the retiree works in an eligible position as defined by the Department of Retirement Systems (DRS).

Provisions Applicable to TRS Plan 2 and Plan 3

In addition to the postretirement employment options available in [RCW 41.32.802](#) or [RCW 41.32.862](#), and only until August 1, 2020, a teacher in plan 2 or 3 who has retired under the alternate early retirement provisions of [RCW 41.32.765](#)(3)(b) or [RCW 41.32.875](#) (3)(b) may be employed with an employer for up to eight hundred sixty-seven (867) hours per calendar year without suspension of his/her benefit, provided that:

1. The retired teacher reenters employment more than one calendar month after his/her accrual date and after the effective date of this section;
2. The retired teacher is employed exclusively as either a substitute teacher defined in [RCW 41.32.010](#)(48)(a) in an instructional capacity, as opposed to other capacities identified in [RCW 41.32.010](#)(49); and
3. The employing school district compensates the district's substitute teachers at a rate that is at least eighty-five percent (85%) of the full daily amount allocated by the state to the district for substitute teacher compensation.

Plan 1 Retiree Waiting Periods

TRS Plan 1 retirees may work beyond a fiscal year threshold of eight hundred sixty-seven (867) hours while receiving retirement benefits, subject to limitations established by DRS.

TRS Plan 1 retirees, retired on or after July 22, 2007, must remain unemployed for at least thirty (30) calendar days after their effective retirement date. The annual threshold for TRS Plan 1 retirees is calculated per fiscal year.

PERS Plan 1 retirees, retired on or after August 1, 2003, must remain unemployed for at least thirty (30) calendar days after their effective retirement date to work beyond the eight hundred sixty-seven (867) hours per calendar year.

PERS Plan 1 retirees, retired before August 1, 2003, must remain unemployed for a least thirty (30) calendar days after their effective retirement date to work up to eight hundred sixty-seven (867) hours in a calendar year.

District Responsibilities

The district shall abide by the following process when considering a retiree for employment:

- A. The district's employee recruitment and selection process will include information about rehiring retirees.
- B. There shall be no prearranged employment agreement or commitment to rehire an employee after retirement. Mere inquiries about post-retirement employment do not constitute an agreement.
- C. Employment shall be limited annually to a maximum of a one-year, non-continuing contract or appointment.
- D. The district shall make contributions to the appropriate Washington state retirement system when any TRS, SERS or PERS retiree works more than eight hundred sixty-seven (867) hours per year.
- E. The district shall maintain records of the hiring process followed in seeking qualified candidates and the justifiable need that resulted in the hiring of the retiree.
- F. The board of directors shall approve the hiring of all employees.
- G. The district shall provide the retiree with the same terms and conditions of employment as other appointees or employees in comparable positions with the exception of sick-leave cash-out.
- H. The district shall report the number of hours worked by the retiree to DRS.

Retired Employee Responsibilities

The following conditions of employment shall apply to retirees that are re-employed:

- A. Retired applicants shall disclose to the district whether they are retired from a Washington state retirement system.
- B. Employees must satisfy the DRS requirement for separation and retirement from service prior to accepting a retire/rehire position with the district.
- C. Retirees are responsible for tracking service hours during post-retirement employment among multiple employers.

By October 1st of each year, Everett Public Schools must report to the office of the superintendent of public instruction:

- (a) The number of substitute teachers hired per school year;
- (b) The number of substitute teachers hired under section 5 of this act per school year;
- (c) The full daily compensation rate per substitute teacher; and
- (d) The reason for hiring the substitute teacher.

Legal References: [RCW 41.32](#)
[RCW 41.40](#)

[RCW 41.50.139](#)

[SHB1262](#)

[Senate Bill 6455](#)

DRS References: [DRS E-Mail No.: E07-012](#)

[DRS E-Mail No.: E05-007](#)

[DRS E-Mail No.: E01-007](#)

[DRS E-Mail No.: E03-004](#)
[DRS E-Mail No.: 16-007](#)

Teachers' Retirement
Washington public employees'
retirement system
Retirement status reports—
Overpayments—Employer obligations
Post-Retirement Employment Law for
TRS Plan 1 Members
TRS Plan 2 and 3—Early retirement
factor working as substitutes

New Legislation – Retirees Returning to
Work
Employer Responsibilities—Correctly
Reporting Retirees to DRS
New Retiree Rehire Reporting
Requirements
Retiree Return to Work Information
Retired teachers Who Took 2008 Early
Retirement Factors (ERFs) Can
Substitute Teach

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