

PROPOSED REVISION



5131
Page 1 of 5

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).~~

TRS Plan 1 Retirees

~~TRS Plan 1 retirees who reenter employment more than one (1) calendar month after their accrual date may be employed in a non-administrative position for up to 867 hours in a school year without suspension of their pension benefits.~~

~~Until July 1, 2025, TRS Plan 1 retirees who enter reemployment more than one (1) calendar month after their accrual date may work in a school district in a non-administrative position for up to 1,040 hours in a school year and continue to receive their pension payments.~~

TRS Plan 2 & Plan 3 Retirees

~~TRS Plan 2 and Plan 3 retirees who reenter employment more than one (1) calendar year after their accrual date may be employed in an eligible position as defined in [RCW 41.32.010](#), [RCW 41.35.010](#), or [RCW 41.40.010](#) for up to 867 hours in a calendar year without suspension of their pension benefits.~~

~~TRS Plan 2 and Plan 3 retirees who have retired under the alternate early retirement provisions of [RCW 41.32.765\(3\)\(b\)](#) or [RCW 41.32.875\(3\)\(b\)](#) and who reenter employment more than one (1) calendar month after their accrual date and after June 9, 2016, may be employed in a non-administrative capacity for up 867 hours in a calendar year without suspension of their pension benefits.~~

~~Until July 1, 2025, TRS Plan 2 and Plan 3 retirees who enter reemployment more than one (1) calendar month after their accrual date may work in a school district in a non-administrative position for up to 1,040 hours in a calendar year and continue to receive their pension payments.~~

PROPOSED REVISION

5131
Page 2 of 5

SERS Plan 2 & 3 Retirees

SERS Plan 2 and Plan 3 retirees who reenter employment more than one (1) calendar year after their accrual date may be employed in an eligible position as defined in [RCW 41.32.010](#), [RCW 41.35.010](#), or [RCW 41.40.010](#) for up to 867 hours in a calendar year without suspension of their pension benefits.

SERS Plan 2 and Plan 3 retirees who have retired under the alternate early retirement provisions of [RCW 41.35.420\(3\)\(b\)](#) and who reenter employment more than one (1) calendar month after their accrual date may be employed in a non-administrative capacity for up to 867 hours in a calendar year without suspension of their pension benefits.

Until July 1, 2025, SERS Plan 2 and Plan 3 retirees who enter reemployment more than one (1) calendar month after their accrual date, including those who have retired under the alternate early retirement provisions of [RCW 41.35.420\(3\)\(b\)](#) or [RCW 41.35.680\(3\)\(b\)](#), may work in a school district in a non-administrative position for up to 1,040 hours in a calendar year and continue to receive their pension payments.

PERS Retirees

PERS retirees who reenter employment more than one (1) calendar year after their accrual date may be employed in an eligible position as defined in [RCW 41.32.010](#), [RCW 41.35.010](#), or [RCW 41.40.010](#) for up to 867 hours in a calendar year without suspension of their pension benefits.

Until July 1, 2025, PERS retirees who enter reemployment more than 100 days after their accrual date, including those who have retired under the alternate early retirement provisions of [RCW 41.40.630\(3\)\(b\)](#) or [RCW 41.40.820\(3\)\(b\)](#), may work in a school district in a non-administrative position for up to 1,040 hours in a calendar year and continue to receive their pension payments.

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.

PROPOSED REVISION

5131

Page 3 of 5

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.

PROPOSED REVISION

5131

Page 4 of 5

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

- 1.(a)** The number of substitute teachers hired per school year;
- 2.(b)** The number of **hours worked by each substitute teacher** ~~substitute teachers hired under the expedited certification process for out-of-state teachers;~~
- 3.** **The number of substitute teachers that received benefits under the school employees' benefits board;**
- 4.(e)** The full daily compensation rate per substitute teacher; and
- 5.(d)** The reason for hiring the substitute teacher.

Cross reference: [Board Policy 5410](#) Substitute Employment

Legal references:	RCW 28A.405.900	Certain certificated employees exempt from chapter provisions
	Chapter 41.32 RCW	Teachers' retirement
	RCW 41.32.570	Postretirement employment—Reduction or suspension of pension payments
	RCW 41.32.802	Reduction of retirement allowance upon reemployment or if covered by a plan under RCW 28B.10.400—Reestablishment of membership
	RCW 41.32.862	Reduction of retirement allowance upon reemployment or if covered by a plan under RCW 28B.10.400—Reestablishment of membership
	Chapter 41.35 RCW	Washington school employees' retirement system
	RCW 41.35.060	Reduction of retirement allowance upon reemployment or if covered by a plan under RCW 28B.10.400—Reestablishment of membership
	Chapter 41.40 RCW	Washington public employees' retirement system
	RCW 41.40.037	Service by retirees—Break in employment requirement—Reduction of retirement allowance upon reemployment—Reestablishment of membership
	RCW 41.50.139	Retirement status reports—Overpayments—Employer obligations

PROPOSED REVISION

5131
Page 5 of 5

~~Return-to-work rules have changed for TRS and SERS retirees who use the 2008 Early Retirement Factor~~

~~PERS/SERS/TRS Plans 2 and 3: Thinking About Working After Retirement?~~

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