

HIRING OF RETIRED SCHOOL EMPLOYEES

The district will 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.

TRS Plan 1 Retirees

TRS Plan 1 retirees who reenter employment more than one 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 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.

[If your district is a second-class district as defined in RCW 28A.300.065, you can include this language in addition to what's above: Until July 1, 2025, TRS Plan 1 retirees who retired before January 1, 2022, may be employed as a superintendent or an in-school administrator for up to 1,040 hours in a school year and continue to receive pension payments.]

TRS Plan 2 & Plan 3 Retirees

TRS Plan 2 and Plan 3 retirees who reenter employment more than one calendar month after their accrual date may be employed in an eligible position as defined in RCW 41.32.010, 41.35.010, or 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 41.32.875(3)(b) and who reenter employment more than one calendar month after their accrual date and after June 9, 2016, 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, TRS Plan 2 and Plan 3 retirees who enter reemployment more than one 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.

[If your district is a second-class district as defined in RCW 28A.300.065, you can include this language in addition to what's above: Until July 1, 2025, TRS Plan 2 and Plan 3 retirees who retired before January 1, 2022, may be employed as a superintendent or an in-school administrator for up to 1,040 hours in a calendar year and continue to receive pension payments.]

SERS Plan 2 & 3 Retirees

SERS Plan 2 and Plan 3 retirees who reenter employment more than one calendar month after their accrual date may be employed in an eligible position as defined in RCW 41.32.010, 41.35.010, or 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 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 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 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 calendar month after their accrual date may be employed in an eligible position as defined in RCW 41.32.010, 41.35.010, or 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 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.

District Responsibilities

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

- A. The board of directors will approve a process for recruitment and selection of employees, including those vacancies for which a retiree applicant may be considered.
- B. Applicant(s) will be evaluated and considered equally, selecting the candidate who best meets the needs of the district.
- C. There will be no prearranged employment agreement or commitment to rehire an employee after retirement. Mere inquiries about post-retirement employment do not constitute an agreement.
- D. Employment will be limited to a maximum of a one-year, non-continuing contract or appointment.
- E. Subject to any applicable bargaining agreements, vacancies filled by retirees will be annually reviewed by the board to determine whether the retiree will be rehired for another year of employment.
- F. The district will 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.
- G. 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 plan.
 - 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 subject to the same collective bargaining membership as other one-year temporary employees.
 - D. Retirees are responsible for tracking service hours during post-retirement employment among multiple employers.
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Cross References:

Board Policy 5610	Substitute Employment
Board Policy 5612	Temporary Administrators
Board Policy 5050	Contracts

Legal References:

RCW 28A.405.900	Certain certificated employees exempt from chapter provisions
RCW 41.32	Teachers' retirement
RCW 41.32.570	Post-retirement employment—Reduction or suspension of pension payments
RCW 41.32.802	Reduction of retirement allowance upon reemployment or if covered by plan under RCW 28B.10.400— Reestablishment of membership
RCW 41.32.862	Reduction of retirement allowance upon reemployment or if covered by 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 plan under RCW 28B.10.400— Reestablishment of membership
RCW 41.40	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

Management Resources:

2023 – April Issue	
2022 - June Issue	
2016 – July Issue	
2011 – August Issue	
<i>Policy News</i> , June 2007	Revisions to Retire/Rehire Law

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