
Returning to Work after Retirement

Understanding return-to-work laws

If you're a TRSL retiree who is thinking about rejoining the labor force, it's important that you thoroughly understand the state's return-to-work laws.

Failure to comply with these laws, including provisions that TRSL be notified of re-employment, could result in permanent or temporary loss of your retirement benefits.

Return-to-work laws affect retirees who are employed directly or by contract to perform job duties of a position that would be eligible for TRSL membership. Retirees (excluding disability retirees) who return to work in positions not normally eligible for TRSL membership are not subject to any re-employment restrictions.

REMEMBER:

Once you cash or deposit (includes direct deposit) your first retirement check, you are officially retired and subject to return-to-work laws.

NOTE: Retirees who return to work at a charter school participating in TRSL in a position normally eligible for TRSL membership are subject to return-to-work laws.

Return-to-work provisions

The 12-month waiting period

All retirees (excluding disability retirees) can return to work performing job duties eligible for TRSL membership after a 12-month waiting period, and be eligible to receive both full salary and full retirement benefits. The 12-month waiting period begins on the date of retirement.

Performing duties in any position normally covered by TRSL before lapse of the 12-month waiting period will result in the forfeiture of retirement benefits for the duration of re-employment or until the end of the waiting period, whichever occurs first.

Covered duties include jobs as an independent contractor and jobs that may be paid by third-party vendors (such as Kelly Services) or agencies that have contracts with local school boards. TRSL highly recommends contacting our office with your specific situation in order to avoid any confusion concerning your re-employed position.

Break in service

In order to be eligible to return to work, you must have a break in service of at

least one weekday (Monday through Friday), even if you do not intend to fulfill the 12-month waiting period.

Example: If your last day of work is a Friday, your retirement date would be a Saturday. You could return to work on Tuesday. Monday would be the one weekday break in service.

Provisions for disability retirees

A disability retiree may not return to work in the field of public or private education. Those who do so will have their disability benefits terminated.

Disability retirees may return to work outside the field of education without penalty. However, there are limits on how much disability retirees can earn.

Disability retirees are encouraged to contact TRSL before accepting any type of employment to make sure they are in compliance with all return-to-work laws.

REMEMBER:

Employers do not have authority to waive any part of the return-to-work laws under any circumstances. Employers who do not comply with applicable laws may be liable for payment of contributions owed to TRSL.

Resuming contributions to TRSL

Once you are re-employed in a TRSL-covered position, both you and your employer will make contributions to TRSL on the compensation you receive.

However, you will not earn additional service credit or benefits from these contributions. These contributions are made on an already-taxed basis.

Upon request, you will be refunded the employee portion of these contributions—without interest—after ending employment or terminating your contract.

Regaining TRSL membership

If you are re-employed in a TRSL-covered position (excluding disability retirees), you can regain membership in TRSL. You will need to:

- Return all retirement benefits paid to you plus interest;
 - Pay employee and employer contributions that would have been paid to TRSL during the period of your retirement; and
 - Remain in active service for at least six years to receive a retirement benefit recomputation.
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All TRSL forms and publications are available online.

Visit the TRSL website at www.trsl.org.

Unsure about returning to work? Contact us — we can help!

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