

~ Returning to Work after Retirement ~



Returning to Work after Retirement



We're here to help. Contact us:

**Internet:**Website: www.trsl.orgEmail: web.master@trsl.org

Your questions will be answered within 1-2 business days.

**Phone:**

Main: 225-925-6446

Toll free (outside Baton Rouge area):

1-877-ASK-TRSL (1-877-275-8775)

After normal office hours, you can leave a message for a return call the following business day.

**Mail:**

PO Box 94123, Baton Rouge, LA 70804-9123

Send overnight or certified mail to our physical address below.

**Fax:**

225-925-4779

**Visit**

8401 United Plaza Boulevard, Suite 300

Baton Rouge, LA 70809-7017

Office hours are 8 a.m. - 4:30 p.m.

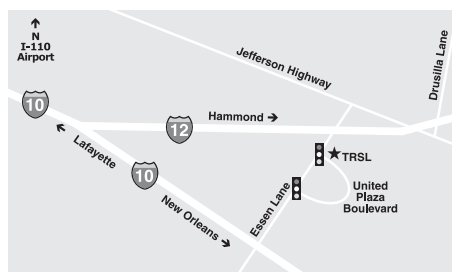
Monday-Friday (excluding holidays)

Member Access

Get secure, online access to your TRSL account information through **Member Access** on our website. Click on the Member Access link at www.trsl.org, and follow the easy instructions. If you have any problems with registration, contact the TRSL HelpDesk at support@trsl.org.

Directions to TRSL's office

TRSL is located in Baton Rouge in the Louisiana Retirement Systems Building at 8401 United Plaza Boulevard, which is just off Essen Lane between Interstates 10 and 12.



From Lafayette: Exit I-10 and turn left on Essen Lane, or exit I-12 and turn right on Essen Lane;

From New Orleans: Exit I-10 and turn right on Essen Lane;

From Hammond: Exit I-12 at Jefferson Highway/Drusilla Lane, turn left on Drusilla Lane, then right on Jefferson

Highway. Proceed to Essen Lane, and turn left. Turn at the United Plaza Boulevard traffic signal on Essen Lane at the sign that reads: "LA RETIREMENT SYSTEMS BLDG."

Contents

Understanding return-to-work laws.	5
Am I a retired teacher or a retired member?	5
Retired teacher criteria	6
Retired member criteria	7
Retired teacher provisions	8
Receipt of retirement benefit after 12-month waiting period	8
Retirement contributions	8
Break in service	8
Earnings limitation	9
Earnings limitation provisions	9
Who the earnings limitation covers	9
Retired member provisions	10
Suspension of retirement benefit	10
Retirement contributions	10
Summary: Return-to-work provisions	11
Disability retirees.	12
Employment in the field of education	12

Employer certifications 13

 Critical shortage certifications13

 Position certifications.14

Regaining active TRSL membership 14

Understanding return-to-work laws

The state's return-to-work laws have changed significantly in recent years. Please read this booklet carefully if you're thinking about returning to work in a position eligible for TRSL membership.

It's important that you understand how these laws may affect you. Failure to comply with all return-to-work laws could result in permanent or temporary loss of your retirement benefits.

Am I a retired teacher or a retired member?

TRSL service retirees who return to work in a TRSL-covered position are now categorized as either "retired teachers" or "retired members."

Payment of retirement contributions and receipt of retirement benefits are determined by the category to which the return-to-work retiree belongs.

The law provides specific criteria that determine whether a return-to-work retiree is a retired teacher or a retired member.



**We are here to help
you! Contact us at...**

225-925-6446 • 1-877-ASK-TRSL • web.master@trsl.org

Retired teacher criteria

You are considered a retired teacher if you meet any of the following criteria:

1. A retiree who has returned to work on or before June 30, 2010 (even if it was for one day several years ago); or
2. A retiree who returns to work (full- or part-time) as a K-12 “classroom teacher” in a declared critical shortage area; or
3. A retiree who returns to work as a full-time certified speech therapist, speech pathologist, or audiologist whose position of employment requires a valid Louisiana ancillary certificate approved and issued by the Louisiana Department of Education in a school district where a shortage exists in those positions; or
4. A member who retired between May 1, 2009, and June 30, 2010, **and** returns to work in a position requiring a valid Louisiana teaching or ancillary certificate; or
5. A retiree who returns to work as a substitute, preK-12 “classroom teacher;” or
6. A retiree who holds an advanced degree in speech therapy, speech pathology, or audiology; or
7. A retiree who has a valid Louisiana teaching certificate and who returns to work instructing adults in an adult education or literacy program administered through a public institution of elementary and secondary education; or
8. A retiree who returns to work as an adjunct professor in a TRSL-covered position.

What is a classroom teacher?

A classroom teacher is any employee (1) whose position of employment requires a Louisiana teaching certificate, and (2) who performs the professional activity of course instruction in classroom situations for which daily attendance figures are kept.

What is a critical shortage area?

A critical shortage area is defined as any subject area where a shortage of certified teachers exists. Before a retiree can be classified as a "retired teacher," a critical shortage area must be declared by the school superintendent and personnel director. See page 13 for more information.

What type of position requires certification?

Valid Louisiana teaching and ancillary certifications are set forth in the Board of Elementary and Secondary (BESE) Bulletin 746. (See *Chapter 3, subchapter A and C; Chapters 4 and 7; and certificate endorsements in Chapter 6.*)

Retired member criteria

Retired members are service retirees who do not meet the definition of a retired teacher as previously described.

Retired members generally include, but are not limited to, retirees returning to work as teachers in non-critical shortage areas, administrators, and secretaries.



**Get secure, online access
to your retirement account
information.**

Visit www.trsl.org and click on **MEMBER ACCESS!**

Retired teacher provisions

Receipt of retirement benefit after 12-month waiting period

Retired teachers who are re-employed in TRSL-covered positions are eligible to receive their TRSL retirement benefits after fulfilling a 12-month waiting period that starts on the date of their retirement.

If a retired teacher is re-employed in a TRSL-covered position within the first 12 months of retirement, the TRSL benefit will be suspended until he has been retired for 12 months or the end of re-employment, whichever occurs first.

Retirement contributions

Employee and employer contributions are required on compensation received as a re-employed retired teacher, even if such service is by contract or corporate contract.

What is a contract or corporate contract?

In general, individuals hired through contract are independent contractors who have their compensation reported to the IRS on a 1099 Form, not a W-2 Form used by employers to report employee wages. Individuals returning to work through corporate contract are generally performing services for a company pursuant to its contract with a TRSL employer.

Break in service

In order to be eligible to return to work, retired teachers must have a break in service of at least one weekday (Monday through Friday).

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.

Earnings limitations

Some retirees who meet the definition of retired teacher are subject to earnings limits upon re-employment with a TRSL-covered employer.

Earnings limitation provisions

The earnings limit is implemented as follows:

- The earnings limit restricts any earnings from such a position in a fiscal year to no more than 25 percent of the retiree's annual retirement benefit.
- If earnings exceed 25 percent of the retirement benefit, the retiree's benefit will be reduced by the excess amount.
- If a retiree returns to active service in more than one position that is subject to the 25 percent earnings limit in any fiscal year, the limit applies to the total earnings for all such positions in that fiscal year.

Who the earnings limitation covers

The earnings limit does not apply to all types of retired teachers. The following retired teacher categories are subject to the 25 percent earnings limitation:

- Retirees who are re-employed as substitute, preK-12 classroom teachers;
- Retirees who hold valid Louisiana teaching certificates and who instruct adults through an adult education or literacy program administered through a public institution of elementary and secondary education; and
- Retirees who are re-employed as adjunct professors in TRSL-covered positions.

Retired member provisions

Suspension of retirement benefits

Re-employed retired members will have their TRSL benefits suspended for the duration of their re-employment in a TRSL-covered position, even if employment is by contract or corporate contract. See page 8 for information on contracts and corporate contracts.

REMEMBER: DROP/ILSB account withdrawals can still be made, even if the retiree's benefit is suspended.

Retirement contributions

No employee or employer contributions are required during the period of re-employment.



**Keep your contact
information current with
Member Access.**

Visit www.trsl.org and click on **Member Access**.

Summary: Return-to-work provisions

	Criteria
Retired Teacher	Re-employed on or before June 30, 2010 (Grandfathered Group) <ul style="list-style-type: none"> • No earnings limit
	Re-employed as a part- or full-time K-12 “classroom teacher” in a critical shortage area <ul style="list-style-type: none"> • No earnings limit
	Re-employed as a full-time certified speech therapist, speech pathologist, or audiologist whose position requires a valid Louisiana ancillary certificate approved and issued by the Louisiana Department of Education in a school district where a shortage exists in those positions <ul style="list-style-type: none"> • No earnings limit
	Retirees who retired between May 1, 2009, and June 30, 2010, and are re-employed in a position requiring a valid Louisiana teaching or ancillary certificate <ul style="list-style-type: none"> • No earnings limit
	Re-employed as a substitute classroom teacher who teaches any student in preK-12 <ul style="list-style-type: none"> • Earnings limit applies
	Re-employed as an instructor whose position requires a valid Louisiana teaching certificate in an adult education or literacy program administered through a public institution of elementary or secondary education <ul style="list-style-type: none"> • Earnings limit applies
	Re-employed retiree who holds an advanced degree in speech therapy, speech pathology, or audiology <ul style="list-style-type: none"> • No earnings limit
	Re-employed as an adjunct professor <ul style="list-style-type: none"> • Earnings limit applies
Retired Member	Re-employed retirees who do not meet the definition of “retired teacher” <ul style="list-style-type: none"> • No earnings limit

Disability retirees

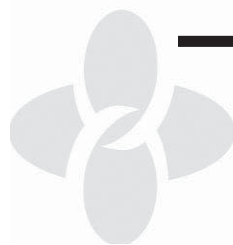
Employment in the field of education

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 while continuing to collect a disability benefit.

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 overpayment of benefits and contributions owed to TRSL.



Unsure about returning to work? We can help! Contact us at...

225-925-6446 • 1-877-ASK-TRSL • web.master@trsl.org

Employer certifications

Before hiring a retiree under certain retired teacher criteria, the employer must certify that either a shortage of certified teachers exists in the positions sought to be filled or that the unfilled position requires a valid Louisiana teaching or ancillary certificate.

Critical shortage certifications

For full-time K-12 classroom teachers:

- The employer must advertise on two separate occasions in the official journal notice that a shortage of certified teachers exists in the positions sought to be filled.
- Certified applicants who are not retirees must be hired before a certified “retired teacher” unless there are fewer than three certified applicants.
- The superintendent and personnel director must certify to the Board of Elementary and Secondary Education (BESE) and TRSL that a shortage of certified teachers exists for the subject area.

For part-time K-12 classroom teachers:

- The superintendent and personnel director must certify to BESE and TRSL that a shortage of certified teachers exists for the subject area.
- Advertising is not required.

For certified speech therapists, speech pathologists, or audiologists:

The school board must certify to BESE and TRSL that a shortage of full-time speech therapists, speech pathologists, or audiologists exists in the school district when they re-employ a TRSL “retired teacher” in any of these positions.

NOTE: Once a “retired teacher” is rehired in a critical shortage area, he or she can remain continuously employed for the duration of the declared critical shortage.

Position certifications

For members who retired between May 1, 2009, and June 30, 2010, and return to work in a position requiring a valid Louisiana teaching certificate or ancillary certificate:

Employers must certify that the position being filled is a position that requires a valid Louisiana teaching or ancillary certificate.

For retirees who hold an advanced degree in speech therapy, speech pathology, or audiology:

Employers must certify that the retiree holds an advanced degree in speech therapy, speech pathology, or audiology.

For members who return to work as instructors in an adult education or literacy program administered through a public institution of elementary or secondary education:

Employers must certify that the position requires a valid Louisiana teaching certificate.

Regaining active TRSL membership

If you are a retiree who is re-employed in a TRSL-covered position (excluding disability and DROP retirees), you can regain active membership in TRSL. You will need to do the following:

- 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.

The Teachers' Retirement System of Louisiana is an equal opportunity employer and complies with the Americans with Disabilities Act.

Last revised August 2013

This public document was published at a cost of \$2,090. Three thousand five hundred copies of this document were published by the Teachers' Retirement System of Louisiana, Post Office Box 94123, Baton Rouge, Louisiana 70804-9123, to inform TRSL members of issues they must face when preparing for retirement. Printing of this material was purchased in accordance with the provisions of Title 43 of the Louisiana Revised Statutes.



Teachers' Retirement System of Louisiana
8401 United Plaza Boulevard, Suite 300
Baton Rouge, LA 70809-7017

PO Box 94123
Baton Rouge, LA 70804-9123

Telephone: 225-925-6446
Toll free (outside Baton Rouge area):
1-877-ASK-TRSL (1-877-275-8775)
Fax: 225-925-4779

Email: web.master@trsl.org
Website: www.trsl.org