

## 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.

Until August 1, 2020, the district may employ teachers in TRS Plan 2 or 3 who have retired under the alternate early retirement provisions of RCW 41.32.765(3)(b) or RCW 41.32.875(3)(b). Such employment is subject to the following conditions: 1) One calendar month must have elapsed since the retiree's accrual date; 2) the retiree must be employed exclusively as either a substitute teacher as defined in RCW 41.32.010(48)(a) or in an instructional capacity (as opposed to an administrative or supervisory capacity); and 3) the district must compensate its substitute teachers at a rate that is at least 85% of the full daily amount allocated by the state to the district for substitute teacher compensation.

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 RCW 41.32.010(48) (a) or by the Department of Retirement Systems (DRS).

### **TRS 1 and PERS 1 Retirees (hired after July 22, 2007)**

Beyond the eight hundred sixty-seven hours (867) per work year, eligible retirees hired from Plan I of TRS or PERS may work up to a total of one thousand five hundred hours (1,500) per year while receiving retirement benefits, subject to limitations established by DRS.

### **District Responsibilities**

The district will 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 shall 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 will 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 will 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.

Cross References: Board Policy 5610  
Board Policy 5612  
Board Policy 5050

Substitute Employment  
Temporary Administrators  
Contracts

Legal References: RCW 41.32  
RCW 41.40

Teachers' retirement  
Washington public employees' retirement  
system

Management Resources:

*Policy News*, July 2016  
*Policy News*, August 2011  
*Policy News*, June 2007

Revisions to Retire/Rehire Law

Adoption Date:

Revised Dates: 09.16