



Post Retirement Employment

Employer Advisory Committee

May 7, 2014

Post Retirement Employment

A CalSTRS retiree can continue to receive their full retirement benefit, with no earnings limitations, if they take a job outside of the California public school system.

Example: Mrs. Jones is a CalSTRS retiree and goes to work for Department of Fish and Game (PERS covered). This would have no impact on her benefit.

Post retirement limitations on certificated employment

§ 24214

- (a) A member retired for service under this part may perform retired member activities, but the member shall not make contributions to the retirement fund or accrue service credit based on compensation earned from that service.

Post retirement limitations on certificated employment

§ 22164.5

- (a) “Retired member activities” means one or more activities identified in subdivision (a) or (b) of Section 22119.5 or subdivision (a) or (b) of Section 26113

Limitations to classified employment

§ 45134

(c) No person shall be employed in school employment while he or she is receiving a retirement allowance under any retirement system by reason of prior school employment, except that a person may be hired....

Exceptions

2) As an aide in one of the following circumstances:

(A) An aide is needed in a class with a high pupil-teacher ratio.

(B) An aide is needed to provide one-on-one instruction in remedial classes or for underprivileged students. A person working as an aide pursuant to this subdivision shall not receive service credits for purposes of the State Teachers' Retirement System.

Right of Election

22508. (a) A member who becomes employed by the same or a different school district or community college district, or a county superintendent, or who becomes employed by the state in a position described in subdivision (b), to perform service that requires membership in a different public retirement system, and who is not excluded from membership in that public retirement system, may elect to have that service subject to coverage by the Defined Benefit Program of this plan and excluded from coverage by the other public retirement system.

Example

Mrs. Jones is a retired CalPERS member. After retirement she decides she'd like to work as a teacher and takes a full time position with xyz USD.

Since she's working full time she would mandatorily qualify as a CalSTRS member.

Example continued

Mrs. Jones then takes a promotion to director of HR, a CalPERS covered position.

Mrs. Jones would not get an election form as she is already retired from CalPERS and therefore the service does not “require membership in that public retirement system”.

What we've covered

- Postretirement employment in certificated positions
- Earnings limitations
- Exceptions
- Postretirement employment in classified positions

Questions?



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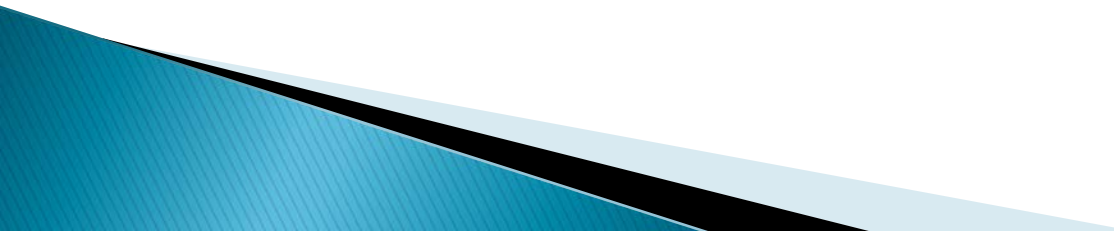
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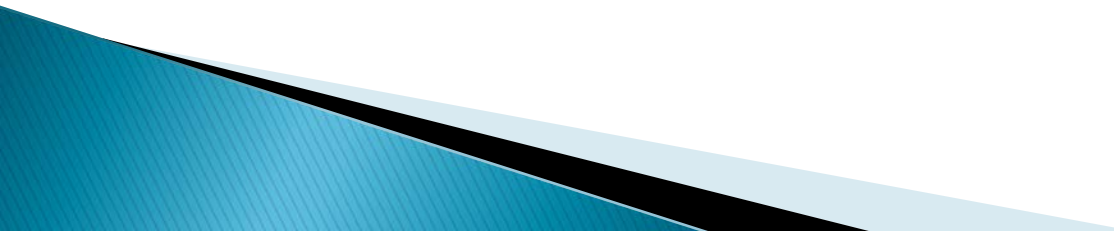
CalPERS

Post Retirement Employment (Hiring of Retirees)
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CalPERS

- ▶ Postretirement Employment
 - ▶ A CalPERS retiree may work in private industry or for an employer that does not contract with CalPERS for retirement benefits and continue to collect your CalPERS retirement allowance.
 - ▶ Some restrictions will apply depending upon whether you are retired for service, disability or industrial disability.
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CalPERS

- ▶ A CalPERS retiree who works for a CalPERS employer through a third-party employer, including your own business entity, will be subject to the retirement law restrictions for retired annuitant employment if the terms of the employment constitute an employer-employee relationship.
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CalPERS

- ▶ A retiree can work for a CalPERS employer without reinstatement
 - as a temporary “retired annuitant” employee with certain restrictions or
 - if the position is specifically exempt from restrictions by retirement law.

CalPERS

- ▶ 180-Day Wait Period:
 - You cannot be employed by a CalPERS employer for a period of 180 days after your retirement date without reinstating from retirement, except under certain conditions. The 180-day waiting period starts from the date of retirement.