

Emery County School District



Policy: GEF—Post Retirement Employment

Date Adopted: 12 March 2003
Current Review / Revision: 7 December 2016

The educational opportunities of the students in the Emery County School District are of utmost concern to the Board of Education. In considering the best interests of students, the Board of Education may consider post-retirement employment of retired former District employees. No employee may have any specific expectation of reemployment by the District at the time of retirement. Retired employees of the District may return to employment only according to the applicable rules of the Utah Retirement System (URS).

Retired Employees Rehired Within One Year of Retirement

Generally, a District retiree who is reemployed by the District within one year of the date of retirement, will have his or her retirement allowance canceled by URS and be reinstated as an active member with URS, effective the first day of the month following the date of reemployment.

In this situation, if the employee retires again within a two-year period, the original retirement allowance will resume. If the employee retires again after working for a two-year (or longer) period, then his or her original allowance will resume, and the retiree will receive an additional allowance based on the formula in effect at the date of the subsequent retirement for the service credit accrued between the first and subsequent retirement dates. The original and additional allowances will be combined.

Alternatively, a former District employee may be rehired within one year of retirement without having his/her retirement allowance canceled under one of the following two programs:

1) Restricted Reemployment

- a) The retiree is reemployed after 60 days from his/her retirement date and prior to 1 year from his/her retirement;
- b) The retiree does not earn, in any subsequent calendar year of reemployment, an amount in excess of the lesser of \$15,000, or one-half of the retiree's final average salary upon which the retiree's retirement allowance is based; and,
- c) The retiree does not receive any District benefits including medical insurance, dental insurance, paid leave, or any other insurance, except for workers' compensation as provided under the Workers' Compensation Act and withholding's required by federal or state law for Social Security, Medicare, and unemployment insurance.

2) Phased Retirement Employment (<120 days following retirement)

- a) The retiree is re-employed within 120 days from his/her retirement date and meets current eligibility requirements for phased retirement as established by URS;

- b) The District and retiree agree that a Phased Retirement Employment will be beneficial to both parties and will fill a specific need for the District;
- c) The retiree is re-employed on a half-time basis and also receives 50% of her/his monthly retirement allowance;
- d) With the exception of retirement-related benefits, the benefits eligibility of the retiree is considered equal to other same-classification half-time employees for the duration of Phased Retirement Employment; and,
- e) The retiree must sign a written employment agreement for phased retirement with the District.

Retired Employees Rehired After One Year of Retirement

A retired former District employee who is re-employed by the District more than one year from the date of the employee's retirement may elect to:

- 1) Earn additional service credit and cancel the retiree's monthly retirement allowance; or
- 2) Continue to receive the monthly retirement allowance and forfeit any retirement related contribution from the District.
- 3) Those rehired after one year of retirement may participate in District insurance programs under the same terms as other full or part-time employees, may be granted leave and absence benefits extended to other employees, and may accumulate sick leave during their post-retirement employment years and surrender it for payment at the time of final retirement according to the same conditions and rate provided under existing sick leave payout policies.
- 4) In this situation, if the retiree elects to earn additional service credit and retires again within a two-year period, the original retirement allowance will resume. If the employee retires again after working for a two-year (or longer) period, then his or her original allowance will resume, and the retiree will receive an additional allowance based on the formula in effect at the date of the subsequent retirement for the service credit accrued between the first and subsequent retirement dates. The original and additional allowances will be combined.

Other

Those rehired after retiring will be considered on provisional status for a period of three years of continuous post-retirement employment.

The District affirms that retirees do not have a right to be rehired. Any consideration of rehire will be made as needed for the benefit of students.