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TITLE: Post Retirement Employment  
NUMBER: 4200  
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The intent of the Whatcom Community College hiring process is to recruit and select the most highly qualified candidates for employment. The purpose of the State's retire/rehire legislation (Substitute House Bill 1262) is to attract retirees (of both the Teachers' Retirement System (TRS) and the Public Employees' Retirement System (PERS)) back into the workforce when the College needs a qualified employee to fill a position.

Whatcom Community College may rehire retired employees in accordance with Washington statutes and regulations and applicable collective bargaining agreements. Employees are solely responsible for maintaining their retired status and legal right to collect a pension and any associated benefits.

The College's hiring process has a direct impact on how many hours can be worked by retirees before their pension is suspended. Plan 1 pensions are suspended after working 867 hours unless the following criteria are met. Following these processes will allow eligible Plan 1 retirees to work up to 1,500 hours before their pension is suspended.

- The College has a *written policy* relating to hiring retirees;
- The retiree is hired through an established process for the position with the approval of the Trustees or other decision making authority;
- The need to hire a retiree is documented: the process used and the decisions made during that process, retaining that documentation and making it available in the event of an audit.

### **Conditions of Employment:**

1. Terms of employment for retirees under the Washington State retirement system will be limited to one year, non-continuing or temporary renewable contracts/assignments.
2. Retirees who are re-employed under this policy will be granted the same entitlements and employment conditions and benefits of any other employee in a comparable position and employment status, subject to state law, College policy, and applicable collective bargaining agreements.

## **PROCEDURES**

### **Hiring Process**

The position(s) will be posted for all internal and external candidates in accordance with normal recruiting procedures and in full compliance with the provisions of collective bargaining agreements where applicable.

Qualification requirements will reflect those necessary for successful performance.

Candidates who are retired under the Washington State retirement system will be evaluated and considered with other external candidates.

College officials will not consider candidates who are retired under the Washington State retirement system, nor provide such applicants with any indications of employment, until the applicable break in service (see below) period has expired. However, applicants may inquire and apply for posted vacancies during this period.



### **Break In Service**

In addition to the College's hiring process, retirees are required to have a specific break in service in order to work up to the 1,500 hours and still receive their pension. Normally, the effective retirement date is the first of the month following the month the employee stopped work. **“Separation from service” specifies that a retiree cannot have a verbal or written agreement to resume employment with the same employer following termination.** Mere expressions or inquiries about post-retirement employment by an employer or employee do not constitute a commitment. Details by system are listed below:

- TRS Plan 1 members who retire on or after July 22, 2007 must remain unemployed for at least 45 calendar days after their effective retirement date
- TRS Plan 1 members who retired prior to July 22, 2007, can continue to work up to 1,500 hours per fiscal year (July 1 – June 30) without affecting the benefit, provided the retiree waited at least 30 calendar days from their retirement effective date before returning to work.
- PERS Plan 1 members who retire on or after August 1, 2003 must remain unemployed for at least 90 calendar days after their effective retirement date
- PERS Plan 1 members who retired prior to August 1, 2003, can continue to work up to 1,500 hours per calendar year without affecting the benefit, provided the retiree waited at least calendar 30 days from their retirement effective date before returning to work

### **Lifetime Limit**

Plan 1 retirees are subject to a lifetime limit of 1,900 hours. This lifetime limit is prospective and applies to any retiree who can work beyond 867 hours without their pension being suspended. Hours worked beyond 867 up to 1,500 within a fiscal year are the only hours that count toward this lifetime limit. Once the 1,900-hour limit is reached, the benefit will be suspended for work beyond 867 hours within each fiscal year.

### **Communication**

To manage the yearly hourly limits (867 or 1,500), the Department of Retirement Services (DRS) will communicate with both retirees and employers. When retirees approach the 867 hour limit for the year, DRS will send them a letter to let them know their pension will be suspended unless they;

- Terminate employment prior to reaching the 867 hour limit, or
- They qualify to work up to 1,500 hours under the rules described above.

The College will be asked to confirm that the hiring requirements were met to allow the retiree to work up to 1,500 hours, or to verify the date the retiree will exceed the hourly limit or cease employment.

In addition, DRS will provide information to PERS Plan 1 retirees and TRS Plan 1 retirees each year to inform them of the cumulative hours worked that have been applied toward their 1,900 hour limit.

