

Reemployment of PERS-Retired Licensed Staff

1. Current District Employees

- a. In the event that a licensed district employee retires¹ and begins receiving benefits from the Public Retirement Employees System (PERS) prior to the end of the school year, he/she may be retained by the district in his/her current position or another position as deemed appropriate by the district until the end of the school year subject to the provisions of ORS 238.082 and the provisions of any applicable collective bargaining agreement.
- b. All requests for continued employment by the district must be submitted in writing to the superintendent no later than 60 calendar days before the end of the school year in which the individual has retired from PERS. Requests will be considered based on the following criteria:
 - (1) Need. The individual must have specific training, licensure or skills in an area of identified shortage as determined by the district;
 - (2) Evaluations. The individual must have satisfactory performance evaluations. An individual who has been on a program of assistance for improvement or with written directives or written reprimands within the past five years may not be considered for retention by the district.
- c. An employee's seniority will be determined as defined in the collective bargaining agreement, Board policy or individual employment contract.
- d. Decisions to retain the individual in his/her current position will be made by the superintendent. The individual will not be required to submit to the established district application and interview procedures. Decisions to retain the individual in a position other than the individual's current position, such as a new position or another vacant position will be made by the Board. The individual may be required to submit to the established district application and interview procedures for such positions, as determined by the Board.
- e. A retired licensed staff member, as defined by ORS 342.120, will remain in the same collective bargaining unit that included the member before retirement, unless retirees or the assignments (e.g., temporary, substitute, etc.) are specifically excluded from the collective bargaining agreement.

¹The period or periods of employment by one or more public employers of any person receiving a service retirement allowance shall not total 1,040 hours or more in any calendar year; but if the person is receiving old-age, survivors or disability insurance benefits under the federal Social Security Act, the person may be employed for the number of hours for which the salary equals the maximum allowed for receipt of the full amount of those benefits to which the person is entitled. The limitations on employment imposed above do not apply to a retired member who has attained normal retirement age and who is employed as a teacher or as an administrator, as those terms are defined in ORS 342.120, if the retired member is employed by a school district or education service district that has its administrative office located within a county with a population of not more than 35,000 inhabitants according to the latest federal decennial census.

- f. Salary, benefits and length of contract for early retirees who are excluded from the bargaining unit will be determined by the Board.
- g. Employees who retire during the school year shall be employed only until the end of the school year in which they retired. Decisions on continued employment past that date will follow the collective bargaining agreement.
- h. The maximum hours of work performed by an employee shall not exceed 1039 hours, unless the employee is a speech-language pathologist or a speech-language pathologist assistant, as allowed by PERS. The employee shall be responsible for submitting a record of his/her hours worked to payroll, at least monthly, to assure that the period of employment does not exceed the statutory maximum.
- i. The district will immediately submit an Employment of PERS Retiree form to the PERS office as required by law.