

Reemployment of Tier 1 or Tier 2 PERS-Retired Licensed Staff

1. Current District Employees

- a. In the event that a district licensed 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 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 retirement. Request will be considered based on the following criteria:
 - (1) Length of service. The individual must have been employed by the district a minimum of five years prior to retirement;
 - (2) Need. The individual must be licensed and have experience in a specialty area such as special education, math, science, music, Title 1, English as a Second Language, English Language Learners, Non-English Proficient Students or other such areas of identified district shortage of qualified teachers or other district need.
 - (3) Evaluation. 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 with the past five years will not be considered for retention by the district.
- c. A licensed employee's change in PERS status shall not, in and of itself, constitute a break in service. A classified employee's seniority will be determined and defined in the collective bargaining agreement, Board policy or individual employment agreement.
- 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 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

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.

- the superintendent. The individual may be required to submit to established district application and interview procedures for such positions, as determined by the Board.
- e. A retired member who is employed as a classified employee or teacher, 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.
 - f. Licensed teachers who are re-employed will receive one day of sick leave per month of service after being retained by the district.
 - g. Employees who retire during the school year shall not serve past June 30. Decisions on continued employment beyond that date will be made by the district on a case-by-case basis.
 - h. The maximum hours of work performed by an employee shall not exceed 1039 hours. 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.
 - j. Salary, benefits and length of contract for early retirees who are excluded from the bargaining unit will be determined by the superintendent.

2. Former District Employees

A district employee who retired and left district employment may apply for a subsequent vacancy with the district under the same application and interview procedures as all other applicants for district employment.

Returning to Work after Retirement

If you are an Oregon Public Service Retirement Plan (OPSRP) Pension Program retiree receiving an OPSRP service retirement allowance and you become employed in a qualifying position (600 or more hours in a calendar year) by a participating employer, you will become an active member of the OPSRP Pension Program immediately. All retirement benefit payments will cease unless you are a legislator. Should you become a legislator, you cannot elect to become an active member of OPSRP.

Any retirement option will be canceled, and upon retiring again, you may choose a new option. When you subsequently leave employment, you must reapply for retirement benefits. Pension benefits will be recalculated upon your subsequent retirement based on your new final average salary and retirement credit balances.

If you are also receiving a pension benefit under the PERS Chapter 238 Program, you are also not eligible to become an OPSRP Pension Program member.

OPSRP members (Tier 3) must leave employment for 30 days before working again, and cannot work more than 599 hours in a calendar year.