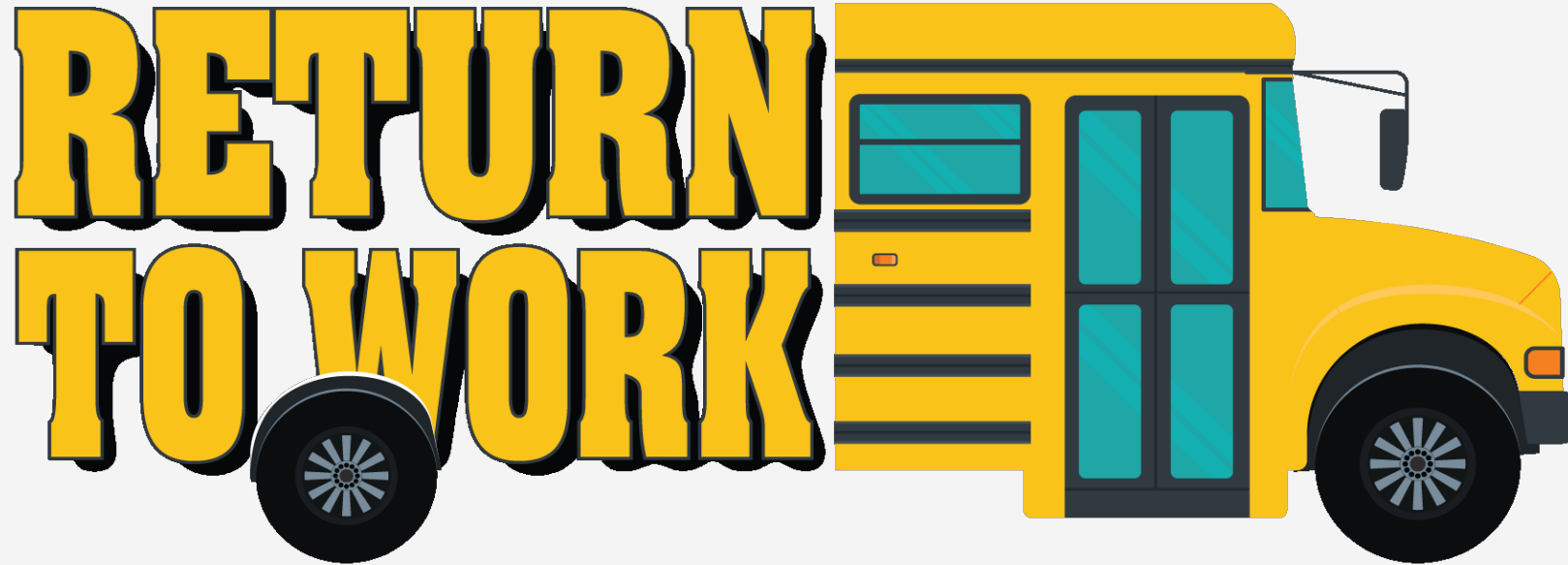


June 2024



LEGISLATIVE UPDATES TO RTW LAWS

FRIENDLY REMINDERS

- This presentation contains general information meant to be used as a guide during the webinar.
- All participants are muted except the presenters.

Have a question?

- Type your question in the **Questions** area during the webinar. There will be question-and-answer periods during the webinar.

WHAT TO EXPECT

- RTW refresher: Laws at a glance
- Overview of changes
- 2010 versus 2020
- Questions and Answers
- How to contact TRSL

RTW LAWS AT A GLANCE

- Retirees who retired **before** July 1, 2020, and have not made an irrevocable decision to join the 2020 RTW Group.*

* NEW EXPANDED PROVISIONS FOR CRITICAL SHORTAGE!

2010 LAW
La R.S. 11:710



- Retirees who retired **on or after** July 1, 2020.
- Retirees who meet criteria for the 2010 RTW Group, but who make an irrevocable election to transfer to the 2020 RTW Group.*

* NEW PROVISIONS FOR CRITICAL SHORTAGE!

2020 LAW
La R.S. 11:710.1



- | | |
|--|---|
| <ul style="list-style-type: none"> • Retired on or before June 30, 2020* • At least 30 years of service | <ul style="list-style-type: none"> • At least age 62 • Adjunct in a nursing program where a shortage exists |
|--|---|

* NO CHANGES!

2022 LAW
La R.S. 11:710.2



HOW RTW LAWS WORK

RTW Laws do not prohibit (or allow) employment.

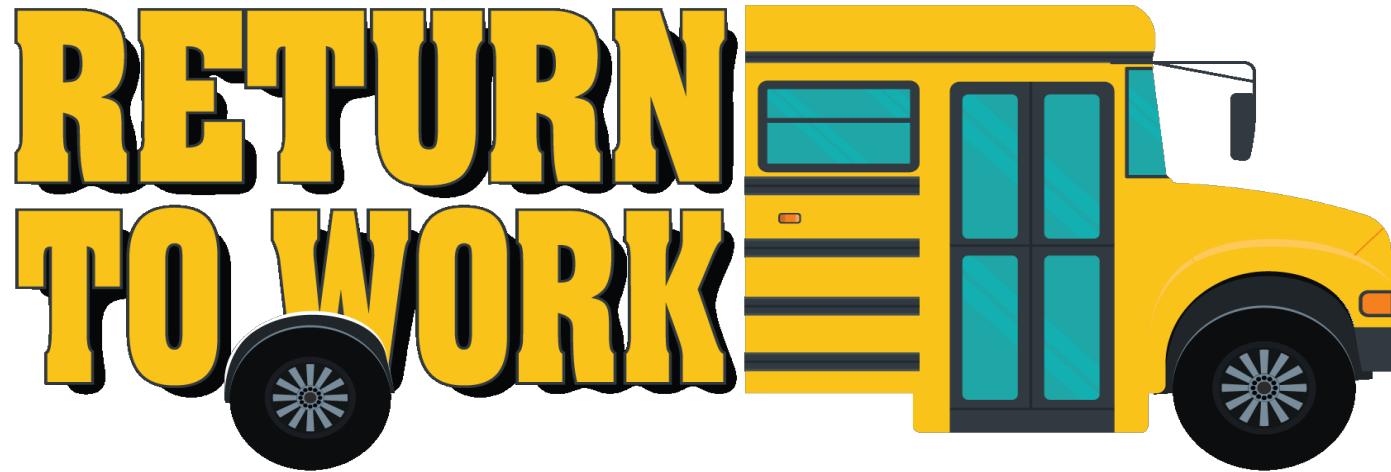
RTW Laws do **specify how retiree benefits are impacted** during reemployment in a TRSL-eligible position and whether contributions are required.

Standard **12-month waiting period** applies to all retirees

- Begins on date of retirement
- Reemployment is not prohibited – however, retirees **cannot receive their TRSL benefit** if reemployed in a TRSL-eligible position during this time frame.

Potential impacts of returning to work after retirement:

1. Suspended benefit
2. Earnings limitation
3. No impact to benefit



CHANGES TO RTW LAWS



CHANGES INVOLVING CRITICAL SHORTAGE

2010 GROUP

- Members who retired prior to July 1, 2020, now able to work **full-time** or **part-time** in critical shortage positions to avoid impacting their benefits.
- Previously, critical shortage assessment positions had to be full-time positions.

2020 GROUP

- Members who retired on or after July 1, 2020, are now able to utilize the critical shortage provisions and work **full-time** or **part-time** without a suspension or reduction in retirement benefits.

NOTE: Those reemployed by contract or corporate contract, such as a staffing agency, will continue to have their benefits suspended for the duration of their reemployment.

WHAT'S AN ELIGIBLE POSITION?

PreK-12
“classroom
teacher”

Speech
therapists

Speech
pathologists

Audiologists

Educational
diagnosticians

School
social
workers

School
counselors


School
psychologists

Interpreters

Educational
transliterators

Educators of the deaf or hard of
hearing

Retiree must be certified in the subject area or specific position in which they will be reemployed.

A teal rectangular sign with a white border and a drop shadow, supported by two silver posts. The sign contains the text 'Law Comparison: 2010 vs 2020'. The background features abstract, flowing shapes in teal, blue, and yellow.

Law Comparison: 2010 vs 2020

DETERMINING RTW GROUP

1. Is date of retirement before July 1, 2020?
 - No – 2020 RTW Group
 - Yes – Next question
2. Does retiree have previous RTW employment history?
 - No – 2010 Group
 - Yes – group indicated by last RTW employment type

2010 RTW Law
Retired **before** July 1, 2020

- Position typically determines provision & benefit impact

2020 RTW Law
Retired **on or after** July 1, 2020

- Hiring method determines “options”

2010 RTW PROVISIONS

Benefit Impact	No Impact	Earnings Limit (25% of Benefit)	Suspended Benefit	Critical Shortage No Impact (after 12-month waiting period)
Position Eligibility	Grandfathered group, advanced speech, certain classroom teachers (CORE & Special Leave) and full-time and part-time critical shortage positions	Substitute classroom teacher, tutor, proctor, nurse, literacy instructor, presenter of professional development	All other positions, including administrative, athletic, clerical, paraprofessional, food services, etc.	Applies to full-time and part-time positions
Contribution requirement	<u>Yes</u> , refundable upon terminating reemployment	<u>Yes</u> , refundable upon terminating reemployment	<u>No</u>	<u>Yes</u> , refundable upon terminating reemployment

2020 RTW OPTIONS

Option	RTW Option 1 Earnings Limit / 25% FAC	RTW Option 2 Suspended benefit	RTW Option 3 Suspended Benefit	Critical Shortage No Impact
Provision eligibility	Available to all part-time and full-time direct employment positions	Available to all full-time direct employment positions	Applies to all employment by contract or corporate contract	Applies to full-time and part-time positions
Contribution requirement	<u>Yes</u> , refundable upon terminating reemployment	<u>Yes</u> , accrues supplemental benefit (11RTW & DOT needed to resume)	<u>No</u> (DOT needed to resume)	<u>Yes</u> , refundable upon terminating reemployment

NO IMPACT PROVISIONS

Those who retired **before July 1, 2010** (grandfathered group) or who hold an **advanced speech degree** can be reemployed in **any position, any capacity, with no impact.**

Otherwise, the following position-centric categories are available

<u>Critical Shortage*</u> (now available to 2020 Group)	Full- and part-time classroom teachers in any subject where a shortage exists
	Full- and part-time certified speech therapist, speech pathologist, audiologist, educational diagnostician, school social worker, school counselor, school psychologist, interpreters, educational transliterators, or educators of the deaf or hard of hearing
<u>Core Subject</u> (2010 only)	Full- and part-time, directly employed retirees certified in math, science, English language arts, or special education (excluding gifted/ talented)
<u>Special Leave</u> (2010 only)	Certified directly employed retirees age 62+ with 30+ years of service , when filling a teaching vacancy due to maternity, military, extended sick leave, or sabbatical leave

Reminder: Individuals in the 2020 RTW Group must be **directly employed in order to utilize the critical shortage category.*

NO IMPACT PROVISIONS

Three separate categories with nuanced differences:

<u>Critical Shortage</u>	<p>Continuous declaration requirement and annual certification required</p> <ul style="list-style-type: none">• Applicable for all subjects• Can fill position for entire year• All critical shortage enrollments cease on 06/30 of any given fiscal year
<u>Core Subject</u> (2010 only)	<p>No declaration process, no forms</p> <ul style="list-style-type: none">• Applicable only to math, science, ELA, and Special Ed (excluding gifted/talented) positions• Full- or part-time & substitute• Retiree maintains eligibility only if no non-retired applicants (retiree can be “bumped” from position)• Expires 7/2027
<u>Special Leave</u> (2010 only)	<p>No declaration process, no forms</p> <ul style="list-style-type: none">• Applicable for all subjects• Retiree must meet required age and service credit criteria• Vacancy must be due to specific leave scenarios• Expires 7/20/2027

HOW TO DECLARE A CRITICAL SHORTAGE

To declare a critical shortage for your parish: *CONTINUOUS PROCESS*

- A general statement that you are soliciting applications for future employment of certified teachers must be:
 1. Advertised at least **once per month, continuously** in official journal
 2. Posted at career development office of every post-secondary institute within 120-mile radius at the **beginning of each semester**
- Additionally, must prominently display a list of unfilled positions and **any** position filled with a retiree on employer's website or the governing authority's website

To utilize critical shortage for a specific position: *ANNUAL PROCESS*

- Retiree must be **certified** in subject area or position
- Must have an applicant pool of **fewer than three**

2010 VERSUS 2020: WHAT'S DIFFERENT?

2010

- Position driven
- Grandfathered group with core subject and special leave provisions
- Earnings limit: 25% of annual TRSL benefit
- “Flat” suspension

VS

2020

- Employment-type driven
- Critical shortage is only no impact category
- Earnings limit: 25% of annual FAC
- Option 2 suspension – accrued service credit
- Contract employment always “flat” suspension

QUESTIONS?

WE'RE HERE FOR YOU

**RTW
Resources**

- Employer Manual
 - Index 15.0
 - Index 15.1
 - Index 15.2
 - Index 15.3
 - Flow Chart

www.TRSL.org



WE'RE HERE FOR YOU

**Contact
Us**

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