

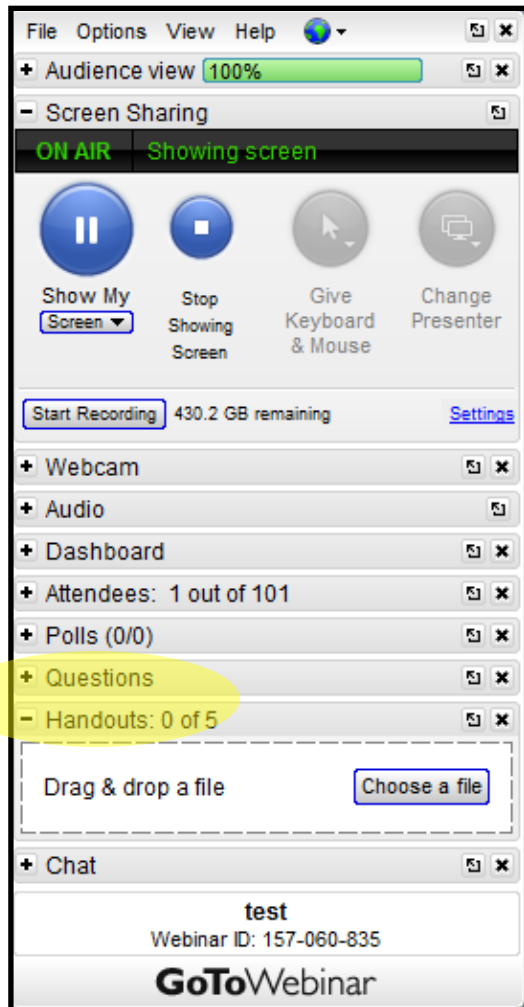


Retiree Return-To-Work Legislative Updates

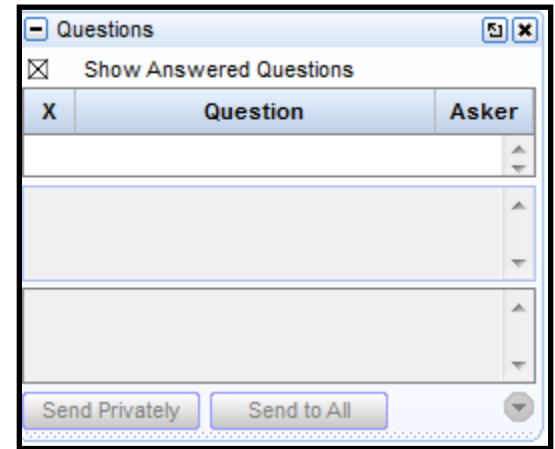
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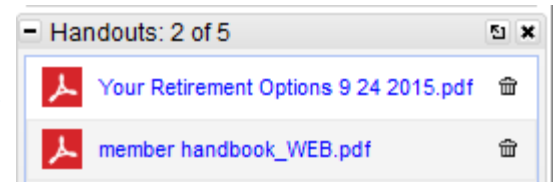
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What you need to know...

- Recent changes to the RTW law
- Overview of RTW categories
- “Retired teacher” provisions
- “Retired member” provisions
- Chart: Summary of RTW provisions
- RTW enrollment process
- Updated RTW materials (online)
- Wrap-up

Recent changes to RTW law

2018 Regular Session changes:

- Additions to “re-employment eligible positions” (25% earnings limit)
 - » Presenter of professional development training
 - » Tutor for any PreK-12 student
 - » “Classroom teacher” employed in a temporary capacity to proctor
- Additions to “re-employment eligible critical shortage positions”:
 - » Full- or part-time PreK-12 “classroom teachers”
 - » Interpreter, educational transliterator, or educator of the deaf or hard of hearing



Recent changes to RTW law

Act 613 of 2018: *House Bill 13 (G. Miller)*

- Adds **presenter of professional development training** and **tutor for any PreK-12 students** to the list of retirees who can return to work and continue to receive a benefit payment, subject to 25% of annual earnings limit and applicable waiting period.
- Clarifies language related to proctoring tests:
 - » Creates a stand-alone category, separate from substitutes
 - » Allows retirees to be re-employed in a temporary capacity to proctor admission, evaluation or assessment tests
- Adds **full- and part-time PreK-12 “classroom teachers”** to the list of retirees who can return to work and continue to receive a benefit payment in critical shortage situations, subject to applicable waiting period. (*Also included in Act 492 of 2018*).

Effective July 1, 2018

Recent changes to RTW law

ACT 492 of 2018: *House Bill 14 (P. Smith)*

- Adds **interpreter, educational transliterator, or educator of the deaf or hard of hearing** to the list of full-time critical shortage positions in which a retiree can return to work without a reduction of benefits, subject to the applicable waiting period.
- Adds **full- and part-time PreK-12 “classroom teachers”** to the list of retirees who can return to work and continue to receive a benefit payment in critical shortage situations, subject to applicable waiting period. *(Also included in Act 613 of 2018.)*

Effective July 1, 2018

Required waiting period

Criteria for 12 months & 36 months

12 months	Individuals who retired before July 1, 2017
	Individuals who retired on or after July 1, 2017 and have advanced degrees in speech therapy, speech pathology, or audiology
	Individuals who retired on or after July 1, 2017 and whose retirement benefit <u>was not</u> actuarially reduced or <u>was not</u> calculated at an accrual rate of less than 2.5%
36 months	Individuals who retired on or after July 1, 2017 and whose retirement benefit <u>was</u> actuarially reduced or <u>was</u> calculated at an accrual rate of less than 2.5%.
	Plan B members who retired on or after July 1, 2017.

Overview of RTW categories

If you hire TRSL retirees in positions eligible for TRSL membership, they will be classified in one of the following categories:

Retired Teachers	Retired Members
<ul style="list-style-type: none">• Pay contributions to TRSL• Receive a monthly benefit after fulfilling applicable month waiting period*	<ul style="list-style-type: none">• Do not pay contributions to TRSL• Do not receive monthly benefit during period of re-employment

**All retirees returning to work are subject to a 12- or 36-month waiting period, as applicable, which starts on the date of retirement and continues for the duration of re-employment or the lapse of the waiting period, whichever occurs first.*

“Retired teacher” provisions

- For rehired retirees to be considered “retired teachers,” they must fall into one of these three sub-categories:
 - » Re-employment eligible retirees
 - » Re-employment eligible positions (25% earnings limit)
 - » Re-employment eligible, critical shortage positions

Re-employment eligible retirees

1. Re-employment eligible retirees:

- Members who retired on or before June 30, 2010 (*grandfathered group*)
- Retirees who hold an advanced degree in speech therapy, speech pathology, or audiology

Re-employment eligible positions (25% earnings limit)

2. Re-employment eligible positions (25% earnings limit):

- Substitute, preK-12 classroom teachers
- Adult education or literacy program teachers
- Adjunct professors as defined in the RTW law
- School nurses as defined in R.S. 17:28
- Presenter of professional development training
- Tutor for any PreK-12 student
- “Classroom teacher” employed in a temporary capacity to proctor tests



New



EARNINGS LIMIT: Retirees in these categories can earn up to 25% of their annual benefit amount during any fiscal year. If earnings exceed this amount in a fiscal year, the benefit will be reduced by the amount over the 25% limit, up to the retiree's annual benefit amount.

How is the earnings limit applied?

- The 25% earnings limit is calculated based on the retiree's annual benefit.
- Restricts any earnings from such position in a fiscal year (July 1 - June 30) to no more than the earnings limit.
- If earnings exceed this amount, the retiree's benefit will be reduced by the amount in excess of the earnings limit up to the retiree's annual benefit amount.
- If a retiree returns to active service in more than one position that is subject to the earnings limit in any fiscal year, the limit applies to the total earnings for all such positions in the fiscal year.

Re-employment eligible (critical shortage positions)

3. Re-employment eligible, critical shortage positions:

- Full- or part-time PreK-12 classroom teachers where a critical shortage exists 
- Full-time certified speech therapists, speech pathologists, audiologists, school counselors, school social workers, educational diagnosticians, school psychologists, interpreter, educational transliterator, or educator for the deaf or hard of hearing where a shortage exists 

The school superintendent and/or personnel director must complete certain actions to declare a critical shortage before re-employing a retiree. The employer, not TRSL, declares the critical shortage.

“Retired member” provisions

- “Retired members” are individuals employed in a TRSL-eligible position, but do not meet the definition of a “retired teacher” as outlined in the RTW law.
 - » This may include individuals re-employed in administrative and other positions not meeting the “retired teacher” criteria, as well as individuals re-employed by contract or corporate contract.
- TRSL benefits are suspended for the duration of re-employment.
- No employee or employer contributions are required.

DROP/ILSB account withdrawals can still be made, even if the retiree’s monthly benefit is suspended.

Chart: Summary of RTW provisions

RTW category	Contributions required	Benefits suspended	25% annual earnings limit
RETIRED TEACHER			
Grandfathered group	YES	NO	NO
Advanced degree in speech/audiology	YES	NO	NO
Critical shortage positions	YES	NO	NO
Adjunct professors	YES	NO*	YES
PreK-12 substitutes	YES	NO*	YES
Adult education	YES	NO*	YES
School nurses	YES	NO*	YES
Presenter of professional development training	YES	NO*	YES
Tutor for PreK-12 students	YES	NO*	YES
Proctors (employed in temporary capacity)	YES	NO*	YES
RETIRED MEMBERS	NO	YES	N/A

**Benefits suspended if earnings limit is exceeded; overpayments will be recovered.*

NOTE: All retired teachers will have their benefits suspended if they return to work in a TRSL-covered position prior to fulfillment of their applicable waiting period.

RTW enrollment process

- **Enrollment:** Rehired retirees must be enrolled in TRSL within 30 days of re-employment. All enrollments are processed online through EMIS.
- **Critical shortage certification:** Within 45 days of enrollment notification, employers must submit TRSL Form 15CS, *Retiree Return-to-Work Critical Shortage Certification*.
- **Position certification:** Certification of the following positions has been included in the online enrollment process:
 - Advanced degree (speech and audiology related)
 - Adult education and literacy
 - School nurse

Online Certification

Enter Enrollment Information Below

System: 4 ▾

Employer ID: 0037

Enrollment Date (mm/dd/yyyy): 07/01/2017

Return-to-Work Provision: Advanced Degree Speech ▾

Gender (update gender if needed): Female ▾

Address:

City:

State:

Zip Code:

I certify that the retiree I am enrolling holds an advanced degree in speech therapy, speech pathology, or audiology.

Online Certification

Advanced Degree in Speech

- I certify that the retiree I am enrolling holds an advanced degree in speech therapy, speech pathology, or audiology.

Adult Education

- I certify that the retiree I am enrolling holds a valid Louisiana teaching certificate and will be instructing adults through an adult education or literacy program administered through a public institution of elementary or secondary education.

School Nurse

- I certify that the retiree I am enrolling is filling the school nurse position provided for in La. R.S. 17:28.

Updated RTW materials (online)

The following RTW materials have been updated to reflect new legislation.

- **Employer procedures manual:**
 - » Index 15.0
 - » Frequently asked questions (FAQs)
 - » Step-by-step: Declaring a critical shortage
 - » Flowchart
- **Forms:**
 - » Form 15CS
- **Member brochure: Returning to work after retirement**
- **TRSL website: Return to work**

Wrap-up: Retiree classification

- TRSL employers can hire a TRSL retiree into a TRSL-covered position.
- The classification under which the retiree falls (“retired teacher” or “retired member”) determines the impact on retiree benefits and whether contributions are due during re-employment.
- “Retired teacher” includes:
 - » Re-employment eligible retiree
 - » Re-employment eligible position (25% earnings limit)
 - » Re-employment eligible, critical shortage position
- All retirees returning to work are subject to a 12- or 36-month waiting period, as applicable, which starts on the date of retirement.

Wrap Up:

Employer reporting requirements

Enrollments

- » Within 30 days of re-employment, enroll the rehired retiree in TRSL through EMIS.
- » Within 45 days of enrollment notification, complete and return critical shortage certification - Form 15CS (if applicable).

Monthly salary reporting

- » Report the salary paid to all individuals as a “retired teacher” under the RTW law.
- » Due by the 15th of the following month.

Annual reporting

- » Submit to TRSL the earnings for all payees in the prior fiscal year, including retirees and individuals receiving a TRSL disability benefit.
- » Due August 15

Questions?



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LINKS

MEMBER NEWSLETTER



APRIL 2018

2018 legislative session



The 2018 regular legislative session began Monday, March 12. We're monitoring a number of bills affecting TRSL, ranging from the creation of a new benefit structure to changes to the return-to-work laws.

You can view a list of all bills impacting the system, along with the positions taken by the TRSL Board of Trustees for each, by visiting the [Legislation](#) page of our website.

Stay informed

You can also receive updates about bills and issues that impact TRSL and its members



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Forms by Subject


Address or name changes

- [Active Member Change of Address Authorization](#) (Form 2AC)
- [Active Member Name Change Request](#) (Form 2NC)
- [Retiree Change of Address Authorization](#) (Form 15C) - Survivors, beneficiaries, and alternate payees
- [OPB Member Change of Address Authorization](#) (Form 166C)

Direct Deposit of DROP or ILSB Account Withdrawals

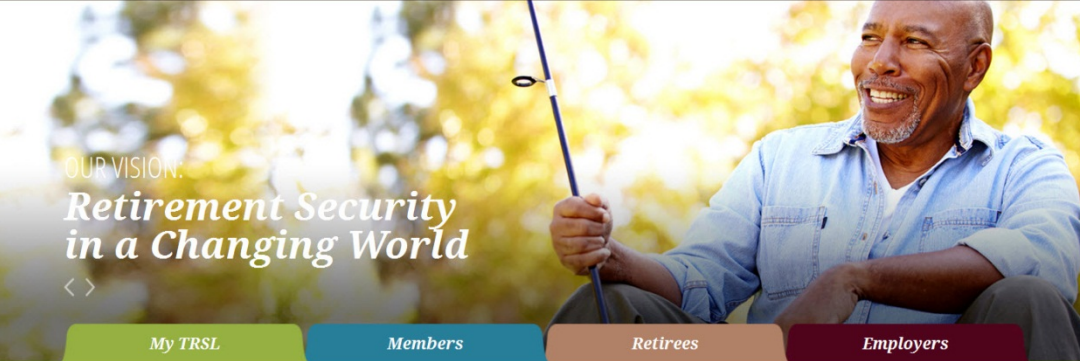
- [Direct Deposit of DROP or ILSB Account Withdrawals](#) (Form 11R) - Use 15D for regular benefits
- [Direct Deposit of Benefits](#) (Form 15D) - Use 11R for DROP or ILSB account withdrawals
- [Addendum to Direct Deposit of Benefits - Nonspousal Joint Signer\(s\)](#) (Form 15JS)

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