

A photograph of a smiling woman with short, grey hair, wearing a maroon cardigan over a light-colored collared shirt. She is holding a tablet computer. In the background, there is a classroom setting with bookshelves and other students.

Returning to Work after retirement

Act 344 of 2026: The Louisiana Legislature passed a new return-to-work (RTW) law in the 2026 Regular Legislative Session that replaces all other RTW laws, simplifies the rules, and offers more reemployment options to TRSL retirees.

This booklet outlines how the new law works and its impact on retirees who become reemployed in RTW-covered positions.

If you're thinking about returning to work, please read this information carefully so you'll know what to expect during your reemployment.

Retirees receiving a disability benefit can review information on returning to work in TRSL's *Disability Retirement* publication available at www.TRSL.org.

The information in this booklet is subject to change and is not a substitute for Louisiana law concerning TRSL.

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Does the RTW law apply to me?

Once you cash or deposit (includes direct deposit) your first TRSL retirement check, you are officially retired and subject to the state’s RTW law.

Important: The RTW law affects TRSL retirees who are reemployed directly or by contract or corporate contract in certain positions eligible for TRSL membership. *For more information on reemployment in a RTW-covered position by contract or corporate contract, please see page 8.*

Break in service

To be covered by the RTW law, you must first be retired, which requires a break in service of at least one weekday (Monday through Friday).

EXAMPLE: If your last day of work is Friday, your retirement date would be a Saturday. You could return to work on Tuesday. Monday would be the one weekday break in service.



Waiting period

Retirees who return to work in positions eligible for TRSL membership are subject to a mandatory 12-month waiting period that begins on the date of retirement. The waiting period is applicable to all retirees with no exemptions. The RTW law does not restrict you from accepting employment during the 12-month waiting period. It just determines how your benefit will be affected.

Retirees who return to work in a RTW-covered position before the lapse of the 12-month waiting period will have their benefits suspended for the duration of reemployment or until the waiting period is complete, whichever occurs first. The 12-month waiting period or a reduction/suspension of benefits does not apply if you accept employment that is not a RTW-covered position, such as private school employment, non-TRSL participating charter school employment, or private sector employment not related to education.

Reemployed in position not eligible for TRSL membership

TRSL retirees who return to work in positions that are not eligible for TRSL membership are not subject to the RTW law.



Laws are different for disability retirees. For more information on disability retirement refer to TRSL’s Disability Retirement brochure.

Overview of the RTW law

The RTW law has several options for reemployment, whether by direct employment or employment by contract or corporate contract, from which you can choose as listed below. Some have eligibility requirements.

Furthermore, the law stipulates how your TRSL benefit will be affected if you return to work and whether employer and employee contributions to TRSL will be required during reemployment.

Provisions include:

- Grandfathered Retiree (retired on or before June 30, 2010)
- Age 65 or Older Retiree
- Critical Shortage Positions
- 50% Earnings Limit (based on retiree's final average compensation - FAC)
- Regain Active TRSL Membership and Earn Supplemental Benefit (Direct Employment Only)



Employers do not have the authority to waive any part of the RTW law under any circumstances.

What are my reemployment options in the RTW law?

Grandfathered Retiree (retired on or before June 30, 2010)

Individuals who retired on or before June 30, 2010 are considered grandfathered retirees and can return to work in any position without any impact to their retirement benefits. These retirees have already fulfilled the 12-month waiting period. For individuals who meet this criteria, this RTW provision supersedes all other RTW options when returning to work. Employer and employee unsheltered contributions are required for reemployment under this RTW provision. After the end of RTW employment, the retiree can apply for a refund of the employee contributions made to TRSL during reemployment.

Age 65 or Older Retiree

Retirees who are age 65 or older can return to work in any position without any impact to their retirement benefits, after fulfilling a 12-month waiting period. This RTW provision is effective on the 1st day of the month in which the retiree turns age 65. Employer and employee unsheltered contributions are required for reemployment under this RTW provision. After the end of RTW employment, the retiree can apply for a refund of the employee contributions made to TRSL during reemployment.

Critical Shortage Positions

Employers can certify a critical shortage position, and qualified retirees can return to work in those positions with no benefit suspension, after fulfilling a 12-month waiting period. Employer and employee unsheltered contributions are required during reemployment. After the end of RTW employment, the retiree can apply for a refund of the employee contributions made to TRSL during reemployment. Critical shortages can only be certified for certain positions:

- Full-time, part-time, or temporary PreK-12 “classroom teacher” or adult education/literacy instructor with a valid teaching certificate. *Retirees must hold a valid teaching certificate, which can be in any subject area.*
- Full-time, part-time, or temporary certified speech therapist, speech pathologist, audiologist, educational diagnostician, school social worker, school counselor, school psychologist, interpreter, educational transliterator, orientation/mobility specialist, educator of the visually impaired, or educator of the deaf or hard of hearing in a school district where a shortage exists. *The position of employment must require a valid Louisiana ancillary certificate approved and issued by the Louisiana Department of Education.*

To declare a critical shortage, employers must certify full-time, part-time, and temporary critical shortage areas to TRSL, and complete certain advertisement requirements. After advertisement, the employer must have received fewer than three applications for the position from qualified non-retirees. Enrollment under the critical shortage provision terminates at the end of each fiscal year.

50% Earnings Limit

Retirees who aren't covered by other provisions can become reemployed in any position and earn up to 50% per fiscal year (July 1 - June 30) of their final average compensation (FAC) without impacting their benefits. If earnings exceed this limit, the retiree's benefit will be reduced, and if necessary, suspended to recover the excess amount. TRSL will maintain an overpayment balance during the fiscal year and the overpayment recovery process will not begin until the following fiscal year (approximately in August).

If a retiree returns to active service in more than one position that is subject to the 50% earnings limit in any fiscal year, the limit applies to the total earnings for all such positions in that fiscal year.

The 12-month waiting period is applicable to this RTW provision. Employer and employee unsheltered contributions are required for reemployment under this RTW provision. After the end of RTW employment, the retiree can apply for a refund of the employee contributions made to TRSL during reemployment.

Earnings limit sample calculation

In the example below, a retiree with a final average compensation of \$4,000 per month would have an earnings limit of \$24,000 per fiscal year for their reemployment in a position(s) subject to this provision.

Calculation: Final average compensation $\times$ 12 $\times$ 50%

Example: $\$4,000 \times 12 \times 50\% = \$24,000$ per fiscal year

Regain Active TRSL Membership and Earn Supplemental Benefit

Retirees can choose to suspend their TRSL retirement benefit and regain active status in TRSL for any full-time position eligible for TRSL membership where the retiree is directly reemployed by the employer. Employer and employee unsheltered contributions are required during reemployment and will be retained by TRSL. During reemployment, the retiree begins earning service credit again that will be used to calculate a supplemental TRSL benefit payable upon termination of their reemployment.

The supplemental benefit is calculated with the same formula used to determine the retiree's original benefit, using only the service credit earned during reemployment. The final average compensation (FAC) used will depend on the length of reemployment.

- **If reemployment lasts at least 36 months:** The supplemental benefit will be calculated based on the higher of the retiree's original final average compensation (FAC) or the FAC since reemployment.
- **If reemployment lasts less than 36 months:** The supplemental benefit will be calculated based on the retiree's original FAC.

The original retirement benefit resumes the day after TRSL receives a termination date from the retiree's employer. The supplemental retirement benefit becomes payable 90 days after the date of termination or the date in which the 11RTW (Application for Return-to-Work (RTW) Supplement) is received, whichever occurs later. If the retiree is reemployed under the supplemental option again within 90 days, the application for supplemental benefits will be canceled and the original benefit will be suspended again.

NOTE: *If the retiree reaches 100% accrual while enrolled under this RTW provision, the retiree/member contributions will cease and the retiree will not earn any additional service credit beyond 100% accrual. The employer will continue making employer contributions to TRSL.*

Reemployment by Contract or Corporate Contract

In general, individuals hired through contract are independent contractors who provide services for a TRSL-participating employer. Compensation paid is typically reported to the IRS on a 1099 Form, not a W-2 Form which employers use to report employee wages.

Employment by corporate contract is when an individual performs services for a company pursuant to its contract with an employer that participates in TRSL.



Retirees reemployed through contract or corporate contract are subject to the RTW law if they return to work in any of the areas listed below. These retirees cannot choose to regain membership, but the other provisions of the RTW law will apply to them.

- **K-12 public school reemployment:** When the retiree provides services that could be performed by an employee of a public school district and the services fall under the following areas:
 - » Instructional programs, including regular and special education instruction across all age and grade levels, and vocational and other instructional programs.
 - » Pupil support services, including child welfare and attendance services, guidance services, health services, and pupil assessment and appraisal services.
 - » Instructional staff services, including curriculum development services, parish-wide directors, supervisors and coordinators of instructional programs, media-based instructional staff, educational media or instructional staff, and clerical and support staff that support instructional staff services positions (excludes staff training services).
 - » School administration, including principals, assistant principals and related administrator positions at school sites, and clerical and support staff that support school administration positions.
 - » Food services operations, including school food service supervisors and assistant supervisors, cafeteria managers and assistant managers, lunchroom workers, aides, food services personnel, and clerical and support staff that support food services positions.
- **Public postsecondary education reemployment:** When the retiree is reemployed as a professor, adjunct professor, instructor, or researcher.

Summary: RTW law

The receipt of TRSL retirement benefits, payment of retirement contributions, and requirement to fulfill the 12-month waiting period are determined by the provision under which the retiree is reemployed, whether directly employed or by contract or corporate contract. The table below summarizes these areas for each provision.

With the exception of the Regain Active TRSL Membership & Earn Supplemental Benefit provision, employee unsheltered contributions are refundable after termination of reemployment, upon request.

RTW Law Provision	Impact to Benefit	Payment of Unsheltered Contributions	Waiting Period Required
Grandfathered Retiree <i>(Retired on or before June 30, 2010)</i>	None	Yes	Yes, but already fulfilled
Age 65 or Older Retiree	None	Yes	Yes
Critical Shortage Position	None	Yes	Yes
50% Earnings Limit	Earnings that exceed 50% of FAC reduce benefits, dollar for dollar	Yes	Yes
Regain Active TRSL Membership & Earn Supplemental Benefit	Benefit suspended for duration of reemployment	Yes*	N/A**

*Employee unsheltered contributions are not refundable as the retiree is accruing service credit that will be used to calculate a supplemental benefit.

**The benefit is suspended regardless of whether reemployment occurs within or outside the 12-month waiting period.

Other information

Regaining active TRSL membership

There are two means by which a retiree can regain active membership in TRSL. However, the requirements and benefits resulting from regaining membership differ greatly for each.

Regaining membership for the purpose of original benefit recomputation – La. R.S. 11:738

This law allows a retiree to regain membership for the purpose of benefit recomputation by doing the following:

- Return all retirement benefits paid plus interest;
- Pay employee and employer contributions plus interest that would have been paid to TRSL during the period of reemployment, if applicable;
- Remain in active service for at least six years to receive a retirement benefit recomputation.

Regaining membership for the purpose of accruing a supplemental benefit – La. R.S. 11:710.3

Under the supplemental benefit RTW provision, a retiree regains active membership while reemployed and accrues a supplemental benefit that is based on service earned during reemployment. There is no minimum length of reemployment necessary to receive a supplemental benefit.

The supplemental benefit is calculated with the same formula used to determine the retiree's original benefit, using service credit earned during reemployment. The final average compensation (FAC) used depends upon the length of reemployment. See "Frequently asked questions" on page 13 for information on the FAC used to calculate a supplemental benefit.

Retirees regaining membership under the supplemental benefit RTW provision do not receive a recomputation of their original retirement benefit. These retirees only regain membership for the purpose of accruing a RTW supplemental benefit.

TRSL disability retirement

A retiree receiving a TRSL disability benefit cannot return to work in the field of public or private education. Those who do so will have their disability benefits terminated. Once the retiree is eligible for service conversion (or if eligible at time of disability retirement), the RTW laws become applicable. **Contact TRSL before accepting any type of employment to make sure you are in compliance with all disability retirement laws.**



Find more information on TRSL’s disability retirement laws in our publication *Disability Retirement* available at www.TRSL.org.

RTW forms

The following RTW forms are available at www.TRSL.org/forms.

Form #	Form name	Completed by:	
		Retiree	Employer
Form 7A	Retiree Refund Application — Used to request a refund of unsheltered contributions made as a RTW retiree payable after termination of all reemployment	☒	☒
Form 11RTW	Application for RTW Supplement — Used to apply for RTW Supplemental benefit payable 90 days after termination of all reemployment	☒	
Form 15ELEC	Regain Active TRSL Membership and Earn Supplemental Benefit — Used to acknowledge and elect to suspend TRSL benefit and regain active membership and earn a supplemental benefit	☒	☒

Frequently asked questions

What is a “classroom teacher?”

Any employee (1) whose position of employment requires a valid Louisiana teaching certificate, and (2) who is assigned the professional activities of instructing pupils in courses in classroom situations for which daily pupil attendance figures for the school system are kept; or is assigned to proctor admissions, evaluation, or assessment testing.

How is the final average compensation (FAC) calculated?

The FAC is the average of your highest three or five years of salary consecutively earned anywhere within your entire salary history.

- Three-year FAC: Used for individuals who first became members of a state public retirement system before January 1, 2011.
- Five-year FAC: Used for individuals who first became members of a state public retirement system on or after January 1, 2011.

What is an adjunct professor?

Any part-time faculty, including any instructor, assistant professor, associate professor, or professor, assigned the professional activities of instructing pupils or conducting research at a public institution of postsecondary education.

What is a critical shortage?

A critical shortage area can exist (1) for full-time, part-time, or temporary positions in any subject area where a shortage of certified teachers or adult education/literacy instructors exists, and/or (2) for full-time, part-time, or temporary certified speech therapists, speech pathologists, audiologists, educational diagnosticians, school social workers, school counselors, school psychologists, interpreters, educational transliterators, orientation/mobility specialists, educators of the visually impaired, or educators of the deaf or hard of hearing. Enrollment under the critical shortage provision terminates at the end of each fiscal year.

To declare a critical shortage, employers must certify full-time, part-time, and temporary critical shortage areas to TRSL, and complete certain advertisement requirements.

What if I am reemployed in a charter school?

Retirees who return to work in positions normally eligible for TRSL membership at a charter school that participates in TRSL are subject to the RTW law.

What are unsheltered contributions?

Contributions that have already been taxed.

If I am a DROP retiree, will my FAC before or after DROP be used for RTW purposes?

A retiree's final average compensation (FAC) is used for two RTW provisions: (1) when determining the 50% earnings limit; and (2) for purposes of determining the calculation components for a supplemental benefit. In both instances, the FAC used is the higher of the FAC used to calculate your base benefit or the FAC used to calculate the after-DROP supplement (also called the original FAC).

- **50% earnings limit:** The original FAC is used to calculate the 50% earnings limit.
- **Regain active TRSL membership and earn supplemental benefit:** The original FAC is used in the retiree's supplemental benefit calculation if the retiree's reemployment lasts less than 36 months. If the retiree's reemployment lasts 36 months or longer, the supplemental benefit will be calculated on the higher of the original FAC or the FAC since reemployment.

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This is an electronic document. The Teachers' Retirement System of Louisiana did not incur any printing costs.

Questions about returning to work after retirement?

We're here to help!

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Toll free (outside Baton Rouge area):
1-877-ASK-TRSL (1-877-275-8775)

Email: www.AskTRSL.org

Web: www.TRSL.org

Facebook: facebook.com/TRSLonline

Twitter: [@TRSLonline](https://twitter.com/TRSLonline)

YouTube: youtube.com/TRSLonline

