



## Looking for more information on Employment After Retirement for disability retirees?

This handout is meant to be a general reference guide to EAR limits, for TRS disability retirees thinking about returning to work after retirement. Easily access these additional resources from the TRS website ([www.trs.texas.gov](http://www.trs.texas.gov)) today

[Employment After Retirement Brochure](#)

[Interactive Employment After Retirement Video](#)

[Employment After Retirement Limits Chart](#)

[Member Education Video Series](#)

## What happens to my TRS-Care health coverage if I return to work after I retire?

If you're a return-to-work retiree enrolled in TRS-Care and eligible for Medicare, you can enroll in TRS-ActiveCare if you return to work for an employer who participates in TRS-ActiveCare and work 10 or more hours per week.



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[www.trs.texas.gov](http://www.trs.texas.gov)

## TEACHER RETIREMENT SYSTEM of TEXAS



## RETURNING TO WORK AFTER RETIREMENT?

**DISABILITY  
RETIREES:  
KNOW YOUR  
EMPLOYMENT  
AFTER RETIREMENT  
(EAR) LIMITS.**

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## TRS DISABILITY RETIREES: ARE YOU CONSIDERING RETURNING TO WORK WITH A TRS-COVERED EMPLOYER?

If so, it's important to understand the limits on employment after retirement (EAR) for disability retirees. If your employment exceeds the EAR limits, you may ultimately forfeit your annuity.

### LIMITS FOR DISABILITY RETIREES WHEN COMBINING EAR EXCEPTIONS

If you choose to be employed in multiple positions for one or more TRS-covered employers that qualify for the EAR exceptions, the number of hours or days you may work in those positions may be limited.

All days worked in a school year count toward the 90-day limit unless those days are part of a three-month trial period. The 90-day limit applies regardless of the employment type or combination of types.

Contact TRS for help with determining the correct monthly limits for your specific situation.

### DON'T FORGET ABOUT THE MANDATORY ONE FULL, CALENDAR-MONTH BREAK IN SERVICE!

You must observe a one full, calendar-month break in service from your effective retirement date before resuming employment with a TRS-covered employer. If you resume employment with a TRS-covered employer without observing the one full, calendar-month break in service, you will revoke your retirement. This means you will not be entitled to an annuity unless you once again terminate employment with a TRS-covered employer and apply for retirement with TRS. You will also have to pay back any annuity amounts that you received.

**Keep in Mind:** If your retirement date is May 31 but your contract or work agreement requires you to work into June, but no later than June 15, you may not return to employment in Texas public education until Aug. 1.

### WHAT ARE THE EAR EXCEPTIONS FOR DISABILITY RETIREES?

The guidelines for each available EAR exception are as follows:

**Substitute (for up to 90 days in a school year):** A disability retiree may work as a substitute unless the position they are working in is vacant. A disability retiree may only work up to 20 days in a vacant position; or

**One-Half Time or Less (for up to 90 days in a school year):** A disability retiree may work or receive paid leave for no more than 92 hours in a calendar month; or

**Combination of One-Half Time or Less and Substitute (for up to 90 days in a school year):** A disability retiree may work or receive paid leave for no more than 11 days in a calendar month in both positions combined; or

**Non-Profit Tutor (for up to 90 days in a school year):** A disability retiree may work up to full time for a TRS-covered employer in a tutoring position that meets the requirements of Section 33.923, Education Code; or

**One-Time Three-Month Trial:** You are allowed a one-time only trial work period, for three-consecutive months, to determine if you can return to work full time. This does not count against the 90-day working limit for a school year.

Working any portion of a day is considered as having worked one day. A school year for purposes of employment after retirement is Sept. 1 through Aug. 31. To opt for the trial work period, contact TRS to submit the *Employment after Retirement Disability Election* form (TRS 118D).

### COMPENSATION LIMITS FOR DISABILITY RETIREES

If you retired after Aug. 31, 2007, there is a limit on the amount of annual compensation you may earn from any source without losing annuity payments. The limit is the highest salary received in any school year before disability retirement or \$40,000, whichever is greater.

### SURCHARGES

Remember, if you retired **on or after Sept. 1, 2005** and work more than one-half time in a month, in most cases your employer(s) will owe TRS pension and health care surcharges. As of Sept. 1, 2021, your employer can no longer pass any surcharge amount on to you. Please contact TRS if you feel that your employer is violating this prohibition.