

EMPLOYMENT OF RETIRED MEMBERS REPORT

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EMPLOYMENT OF RETIRED MEMBERS REPORT

The purpose of the ***Employment of Retired Members Report*** is to report, on a monthly basis, the TRS retirees returning to work.

TRS contributions are not withheld from the retiree's salary.

RETIREMENT ELIGIBILITY

A member is eligible to retire and begin receiving a monthly service retirement benefit from TRS when the minimum requirements for age and service credit are met and the member ends all employment with a TRS-covered employer.

REQUIRED BREAK IN SERVICE

A member must terminate all employment with all TRS-covered employers for a minimum of one complete calendar month after the retirement date.

- Waiving payment for service during this time period is considered employment.
- Volunteering during this time period to perform services that are normally provided by an employee may be considered employment.

EXCEPTION TO REQUIRED BREAK IN SERVICE

“June 15th Rule”:

A May 31st retiree required to work into the month of June, but no later than June 15th, to complete work required for the school year. Under this rule the retiree may not return to employment for a TRS-covered employer until August 1st.

WORK AS AN INDEPENDENT CONTRACTOR

- Employment with a Texas public educational institution as an independent contractor is not subject to the TRS laws and rules regarding employment after retirement.
- For this reason the employment of a retiree by a TRS-covered employer as an independent contractor is not reported to TRS and the retiree's monthly annuity is not affected.

EMPLOYMENT BY A THIRD PARTY ENTITY

- Employment by a third-party entity is considered employment by a Texas public educational institution subject to the employment after retirement laws and rules.
- For purposes of employment after retirement, a third-party entity is an entity retained by a Texas public educational institution to provide personnel to the institution to perform duties or provide services that employees of the institution would normally perform or provide.

WORK AS A VOLUNTEER

- Volunteering to perform services that are normally provided by an employee or waiving payment for service may be considered service that must be reported to TRS.
- Volunteering during the first full calendar month after the retirement date may be considered service that revokes retirement.
- For a May 31st retiree working into June, volunteering during the first 2 months after the retirement date may be considered service that revokes retirement.

**RETIREMENT DATE DETERMINES
HOW A RETIREE IS REPORTED TO TRS**

RETIRED BEFORE JANUARY 1, 2011

If the retiree has a retirement date BEFORE *January 1, 2011*, the retiree will be reported only on the Signature component in Area 2.

Exception: This does not apply to disability retirees. They must always be reported in Area 1.

RETIRED AFTER JANUARY 1, 2011

If retirement date is AFTER *January 1, 2011*, the retiree will be reported through the Detail component (ER10 record) and the Signature component in Area 1.

REPORT DUE DATE

- Submit the *Employment of Retired Members Report* each month, September through August.
- The monthly report is due to TRS by the 6th of the month following the close of the calendar month for which the report is prepared.

If the 6th falls on a weekend or a Federal Holiday, the report must be submitted the previous business day.

- The work activity and/or paid leave of the retiree must be reported by calendar month from the first working day of the month to the last working day of the month. There is no relationship to “pay period.”

TWO REPORT COMPONENTS:

- **Detail**
- **Signature**

REPORT COMPONENTS, CONTINUED

Detail - used to report the employment of TRS retirees who retired AFTER January 1, 2011, and all disability retirees regardless of retirement date.

Detail - Record Types

The Record types associated with the *Employment of Retired Members Report* are:

ER00, Lead Record

ER10, Detail Record

REPORT COMPONENTS, CONTINUED

Signature

- *The Signature component is an electronic signature.
- * A Signature may only be submitted by a TRAQS user who has Signature authority.
- * Submit the Signature component each month even if there are no employed TRS retirees.

REPORT COMPONENTS, CONTINUED

Signature

For **Area 1**, the Signature component is used to:

- ❖ Certify that the total number of records submitted through the Detail, ER10 record, is accurate and complete in the reporting of all employed TRS retirees who retired AFTER January 1, 2011, and all disability retirees regardless of their retirement date.

OR

- ❖ To report and certify that there are no employed TRS retirees who retired AFTER January 1, 2011 and/or no disability retirees.

REPORT COMPONENTS, CONTINUED

For **Area 2**, the Signature component is used to:

- ❖ Report and certify by position the number of employed TRS retirees in each category who retired BEFORE January 1, 2011.*

OR

- ❖ To report and certify that there are no employed TRS retirees who retired BEFORE January 1, 2011. *

*This does not include disability retirees.

REPORT COMPONENTS, CONTINUED

SUMMARY OF REQUIREMENTS:

For Retirees who retired AFTER January 1, 2011, and all disability retirees regardless of their retirement date:

- Report through the Detail component, ER10 record

AND

- Report in Area 1 of the Signature component

For Retirees who retired BEFORE January 1, 2011*, including substitutes:

- Only report in Area 2 of the Signature component
- Do not include these retirees in the ER10 record

*This does not apply to disability retirees. They **must** be reported through the ER10 record.

If no Retirees are employed:

- Only submit the Signature component
- Check the appropriate box in Area 1 and Area 2

EMPLOYMENT TYPE CODES (ETC)

RETIREES WHO RETIRED AFTER JANUARY 1, 2011* MAY RETURN TO
WORK IN THREE (3) CATEGORIES:

1. **Substitute ETC = "S"**
2. **One-Half Time or Less ETC = "H"**
3. **Full-Time ETC = "F"**

*Refer to page ER-32 for employment information for
disability retirees

SUBSTITUTE

Service retirees may substitute an unlimited number of days during the school year if the following two (2) criteria are met:

1. A retiree who serves in the place of a current employee

For the purposes of Employment After Retirement *only*, retirees are also allowed to serve in a vacant position or positions for no more than 20 days in each vacant position and still be considered a 'substitute,' provided the retiree is not serving the vacant position created by that retiree's retirement

AND

2. The salary earned is not more than the daily rate of substitute pay as set by the employer.

Note: Working any portion of a day as a substitute counts as working a full day.

- Report substitutes under the position code in which they worked.

HOW TO REPORT SUBSTITUTE SERVICE FOR RETIREES WHO RETIRED AFTER JANUARY 1, 2011, AND ALL DISABILITY RETIREES REGARDLESS OF THEIR RETIREMENT DATE:

Include the following information in the Detail, ER10 record:

- ❖ Positions 1 through 82 and positions 93 and 94 must be completed for all categories of employment.
- ❖ Positions 90 through 92 are only completed for disability retirees.
- ❖ Position 111 must be set to “N” unless the retiree is a disability retiree.
- ❖ Position 112 - Enter an employment type code of “S”.

ONE-HALF TIME OR LESS

- For Employment After Retirement purposes ONLY, one-half time is defined as the **equivalent** of 4 clock hours for each work day in that calendar month. The total number of hours allowed for that month may be worked in any arrangement or schedule. **This standard will apply to all positions including bus drivers and instructors in higher education.**
- To determine available work days in the month, count every Monday thru Friday from the 1st to the last day in the month. Do not omit holidays or days the Reporting entity may have been closed.
- The time available to work will vary from month to month due to the actual number of working days in the month.

ONE-HALF TIME OR LESS, CONTINUED

- Report retirees working one-half time or less in **clock hours** each month.
- Only report in days if the retiree is combining one-half time and substitute work in the same calendar month. (Report as one ER-10 record. Do not report as two separate positions/records.)
- Paid time off (sick leave, vacation, admin leave, etc.) is considered employment for the purpose of determining the amount of time worked in a calendar month.

ADDITIONAL INFORMATION FOR REPORTING ONE-HALF TIME OR LESS

- **Work units worked** should reflect actual clock hours a retiree has worked from the 1st day of the month to the last day of the month. Be sure to include any paid time off (sick leave, vacation, admin leave, etc.) since it is considered employment for the purpose of determining the amount of time worked in a calendar month. (see chart on next slide.)
- **Work units required** should reflect time required for full-time employment in reported calendar month. To determine full-time, take the number of **available work days** and multiply X 8 clock hours. (see chart on next slide.)
- **One Half Time for Higher Ed** must also be reported in clock hours. If your employment is measured in course hours or semester hours rather than clock hours (typically applies to higher ed employment), each course or semester hour will count as two clock hours in order to reflect instructional time as well as preparation and other time typically associated with one course hour of instruction.

Month	Total Full-Time Hours in Calendar Month ('Work Units Required' on ER10)	Number of Hours a Retiree Working One-Half Time or Less May Work Without Triggering Surcharges	Total Number of Workdays in Calendar Month ('Work Units Required' on ER10)	Number of Workdays Retiree Combining Substitute and Other TRS-Covered Employment May Work Without Triggering Surcharges
September 2016	176 hours	88 hours	22 days	11 days
October 2016	168 hours	84 hours	21 days	10 days
November 2016	176 hours	88 hours	22 days	11 days
December 2016	176 hours	88 hours	22 days	11 days
January 2017	176 hours	88 hours	22 days	11 days
February 2017	160 hours	80 hours	20 days	10 days
March 2017	184 hours	92 hours	23 days	11 days
April 2017	160 hours	80 hours	20 days	10 days
May 2017	184 hours	92 hours	23 days	11 days
June 2017	176 hours	88 hours	22 days	11 days
July 2017	168 hours	84 hours	21 days	10 days
August 2017	184 hours	92 hours	23 days	11 days

HOW TO REPORT ONE-HALF TIME OR LESS EMPLOYMENT FOR RETIREES WHO RETIRED AFTER JANUARY 1, 2011, AND ALL DISABILITY RETIREES REGARDLESS OF THEIR RETIREMENT DATE:

Include the following information in the Detail, ER10 record:

- ❖ Positions 1 through 82 and positions 93 and 94 must be completed for all categories of employment.
- ❖ Positions 83 through 85 - Report the amount of time worked plus any paid leave by the retiree during the reported calendar month.
- ❖ Position 86 through 88 - Report the amount of time required for full-time employment in that position.
- ❖ Position 89 – Enter one of the following work unit codes:
H-hours or D-days (Only use Days if combining one-half time and substitute time in the same calendar month.)
- ❖ Positions 90 through 92 are only completed for disability retirees.
- ❖ Position 111 must be set to “N” unless the retiree is a disability retiree.
- ❖ Position 112 – Enter an employment type code of “H”.

FULL-TIME EMPLOYMENT

Full-time employment is employment for more than 50% of the full-time requirement.

There are three (3) full-time employment type codes:

1. **“E”** – Full-time exempt. Retiree has 12 consecutive month break in service since the date of retirement
2. **“W”** – Full-time waived. Retiree does not have 12 consecutive month break in service
3. **“T”** – Three month trial exception for disability retirees who elect to work full-time for three months.

HOW TO REPORT FULL-TIME EMPLOYMENT FOR RETIREES WHO RETIRED AFTER JANUARY 1, 2011, AND ALL DISABILITY RETIREES REGARDLESS OF THEIR RETIREMENT DATE:

Include the following information in the Detail, ER10 record:

- ❖ Positions 1 through 82 and positions 93 and 94 must be completed for all categories of employment for those who retired **AFTER** January 1, 2011.
- ❖ Positions 95 through 102 – Enter the beginning date of employment for full-time in the school year
- ❖ Positions 103 through 110 – Enter the ending date of employment for full-time in the school year

****The begin and end dates indicate to TRS what payments are to be suspended/collected when reported under the waived FTEC.****

FULL-TIME EMPLOYMENT, CONTINUED

Detail, ER10 Record continued:

- ❖ Position 112 – Enter an employment type code of “F”
- ❖ Position 113 – Enter the appropriate full-time employment type code:
 - “E” Exempt (not forfeiting retirement check)
 - “W” Waived (forfeiting retirement check)
 - “T” Three months trial exception (disability retirees)

SUBSTITUTE AND ONE-HALF TIME EMPLOYMENT IN THE SAME MONTH

- A retiree may work as a substitute and one-half time or less in the same calendar month without forfeiting the monthly annuity payment if the total time worked in both positions does not exceed one-half the number of work days in the calendar month.
- Work for any part of a day is considered a full day when combining substituting and half-time employment.
- When combining substitute and one-half time employment in the same month, the retiree cannot substitute an unlimited number of days that month.
- If the combination of the substitute and one-half time or less employment exceeds one-half the number of work days in the calendar month, the employment must be reported as full-time.

HOW TO REPORT SUBSTITUTE AND ONE-HALF TIME OR LESS EMPLOYMENT IN THE SAME MONTH FOR RETIREES WHO RETIRED AFTER JANUARY 1, 2011, AND ALL DISABILITY RETIREES REGARDLESS OF THEIR RETIREMENT DATE:

Include the following information in the Detail, ER10 record:

- ❖ Positions 1 through 82 and positions 93 and 94 must be completed for all categories of employment.
- ❖ Positions 83 through 85 - Report the total number of days worked as a substitute and one-half time or less plus any paid leave by the retiree during the reported calendar month.
- ❖ Position 86 through 88 - Report the total number of work days in the calendar month.
- ❖ Position 89 – Enter “D” for days.
- ❖ Positions 90 through 92 are only completed for disability retirees.
- ❖ Position 111 must be set to “N” unless the retiree is a disability retiree.
- ❖ Position 112 – Enter an employment type code of “H”.

DISABILITY RETIREE

- A disability retiree is allowed to work 90 days per school year (September to August) as a substitute or on a one-half time or less basis. In both provisions, the number of days worked must be reported.
- A disability retiree can work full-time by using the Three-month exception. This is a one-time exception and requires that form TRS 118D be submitted. The three months listed on the form TRS 118D must be consecutive and may cross school years.
- If the retiree continues to work full-time after the third month of the three month exception, the disability retiree will be returned to active status.
- **Disability retirees must be reported on the ER10 Detail record, regardless of their retirement date.**

ERROR MESSAGES

- Use the “Query” function of TRAQS to view possible Error Messages AFTER each submission.
- An Error Message will cause the report to Reject.
- Read the Error Message to determine the corrective action required.

ADJUSTMENT PROCEDURES

- Once the *Employment After Retirement Report* has reached the “Completed” status, no changes can be made.
- For additions, deletions or changes, submit a correction through the ER Correction System.
- If the ending date of employment for a retiree working full-time changes, submit a correction through the ER Correction System.

ADJUSTMENT PROCEDURES, CONTINUED

If a retiree working full-time terminates prior to the ending date listed on the previous month's report, **you must submit a correction to edit the ending date of employment through the ER Correction system.**

****Removing the ER10 record for the retiree from the Detail file does not indicate to TRS that they have ended their employment.****

HELPFUL HINTS

- “Query” each day until the Report Status of “Completed” has been reached.
- Each month’s Employment of Retired Members Report must reach the Report Status of “Completed” before the next month’s report can reach the “Completed” status.