

# Post-Retirement

## Reemployment FAQs

Routinely, MOSERS receives calls from retirees and agencies regarding potential part-time reemployment. Typically, the question surrounds the “hours” the retiree can work. It is important to note that it is not the number of “hours” the employee can work; it is the position into which he/she is hired. Since we are not aware of every position within every agency, this is a question we cannot answer. The agency is in the best position to determine if a position is eligible for benefits.

*Note: it is all about the position, not the person in the position.*

### **How do I determine if a position is eligible for benefits?**

The intent of a benefit-eligible position is to retain the services of a permanent employee. The determination of the intent of the position is the responsibility of the appointing authority. To that end, the position must meet two criteria:

1. The position must be in the nature of an ongoing (a multi-year position including a position covered by a contract) or permanent position.
2. The position must normally require the performance of duties of not less than 1,040 hours per year.

If the position meets both requirements, the position is eligible for MOSERS benefits. If not, the position is not eligible for MOSERS benefits. Employees who are not eligible for MOSERS benefits should be so informed at the time of their employment. The process for determining if a position is benefit-eligible is the same whether the employee is newly hired or previously retired.

### **If an employee is hired into a benefit-eligible position but works less than 1,040 hours per year, does the employee remain eligible for benefits?**

Yes, because the position is eligible for benefits. However, if the duties of the position were materially changed so that it no longer required at least 1,040 hours per year, then HR should reassess the position to determine if it would meet the criteria necessary to be a benefit-eligible position in the future.

### **If an employee is hired into a non-benefit-eligible position but works more than 1,040 hours per year, is the employee eligible for benefits?**

No, because the position is not eligible for benefits. However, if the duties of the position were materially changed so that it required at least 1,040 hours per year, then HR should reassess the position to determine if it would meet the criteria necessary to be a benefit-eligible position in the future.

### **Are “temporary” employees eligible for benefits?**

Generally speaking, temporary employees are not eligible for benefits. However, sometimes an agency may hire an individual as “temporary” and move them into a full-time position. In that case, the employee should be coded for benefits from the beginning of employment because the “position” is benefit-eligible.

### **If an employee works three one-third time positions, is this employee benefit-eligible?**

An employee who is employed in multiple positions within a single **agency** is considered to be working in a single position for purposes of determining whether the person is in a benefit-eligible position.

### **Is the determination of whether or not a position is benefit-eligible different for a reemployed retiree?**

No. You should review the position as stated above to determine if the retiree is returning to a benefit-eligible position.

### **How will returning to work for the state affect a retiree’s retirement benefit?**

If a retiree returns to work in a “position” that is ongoing or permanent and normally requires the person to work 1,040 or more hours per year, the position should be reported as benefit-eligible and MOSERS will stop the retiree’s retirement benefit. In other words, the retiree would be considered a benefit-eligible employee once again and the retirement benefit would stop for as long as that person continues to work in such a position. Returning to work in a “position” that is not benefit-eligible will not cause the retiree’s retirement benefit to stop.

### **Why is benefit eligibility so important?**

It’s important because employees across the state should be treated consistently and fairly. Human resource/personnel officers should review all positions, especially part-time positions, periodically to be sure they are coded correctly. If the nature of a position has changed, for whatever reason, it is important that updates are made for the employer’s sake as well as the employees’ and that you inform MOSERS of the change.