



# UNIVERSITY of WISCONSIN-GREEN BAY

## POST-RETIREMENT (REHIRED ANNUITANT) EMPLOYMENT

### SUMMARY OF RULES

2013 Wisconsin Act 20 (2013 – 15 Budget Bill) changed several provisions related to Wisconsin Retirement System (WRS) rehired annuitants. The changes apply to any rehired annuitant who last ended WRS-covered employment on or after July 2, 2013.

### JULY 2, 2013 OR AFTER RETIREMENT (UW SYSTEM EMPLOYEES)

If a rehired annuitant ended all WRS-covered employment on or after July 2, 2013, the following applies:

- Must have a minimum 75-calendar day break in service
  - May not return to any WRS-covered employment during 75-day break in service
  - May not return to same employer in any position in which earnings are received during 75-day break in service
  - May not have a contract in place to return to employer before the break in service begins
  - A rehired annuitant may return to WRS-eligible employment on the **latest** of the following dates:
    - The day after the annuity effective date; or
    - The 76<sup>th</sup> day after termination of all WRS-covered employment; or
    - The 76<sup>th</sup> day after the date the Department of Employee Trust Funds (ETF) receives the retirement application
- Annuity will automatically be terminated if the rehired annuitant is expected to work at least one year and at least 2/3 of what ETF considers full-time employment.
  - University Staff employees: 2/3 of full-time = 1200 hours per year = 58% FTE
  - Academic Staff & Limited 12-month employees: 2/3 of full-time = 880 hours per year = 42% FTE
  - Faculty & Academic Staff 9-month employees: 2/3 of full-time = 880 hours per year = 56% FTE
- This also includes if a rehired annuitant enters into a contract with a WRS-participating employer, e.g. through an employment agency or as an independent contractor, and is expected to work at least one year and at least 2/3 of what ETF considers full-time employment, the annuity must be terminated and no annuity payment is payable until the rehired annuitant no longer provides services under the contract.

### RETIREMENT PRIOR TO JULY 2, 2013 (UW SYSTEM EMPLOYEES)

If a rehired annuitant ended all WRS-covered employment before July 2, 2013, the rehired annuitant is grandfathered and not subject to the above rules and will continue to be subject to the following:

- Must have a minimum 30-calendar day break in service
- Has option about whether or not to go back under WRS
- Once rehired annuitant elects to go back under WRS, will lose grandfathered status and be subject to new rehired annuitant rules

Once any rehired annuitant is placed back under the WRS, the rehired annuitant will be eligible for all group insurance benefits and will accumulate additional years of WRS creditable service.



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## **VOLUNTEER WORK**

Rehired annuitants may volunteer services at the same employer during the break in employment BUT may NEVER receive any type of compensation for the time spent as a volunteer. CAUTION: If a rehired annuitant volunteers services during the required break in employment for the same employer, but is later hired right after the break in employment, there is a risk the validity of the separation will be questioned by Employee Trust Funds.

## **DIFFERENT EMPLOYER**

If a rehired annuitant works for a different WRS-employer (UW System is one employer), the following applies:

Rehired annuitant may not work in any WRS-eligible position in which earnings are or will be received during the required break in service:

- 75-day break (retired on or after July 2, 2013)
- 30-day break (retired prior to July 2, 2013)
- Always look at most recent retirement date to determine required break in service

Rehired annuitant may work for a different WRS-employer during the required break in service ONLY IF the appointment is not WRS-eligible.

- UW is one employer
- Example—employee could retire from a school district and work for the UW during break in service if the UW job is not eligible for the WRS
- If appointment becomes WRS eligible, annuity will terminate and the retirement will be voided and paid back to original retirement date

Contact a Benefit Specialist in the Human Resources Office to determine if an employee has previously retired from a WRS-employer and to confirm if a position is WRS-eligible.

## **UW-GREEN BAY POLICY ON REHIRED ANNUITANTS**

This policy establishes the parameters for hiring retired university employees<sup>1</sup>. All hires of retired university employees and all WRS covered employers must also comply with the requirements of state law (ETF 10.08, Wisconsin Administrative Code).

1. The employment of retired university employees is intended to address short-term needs of the university and is not to be used as a substitute for hiring on-going employees. Consequently, the appointment period for a retired university employee generally should not exceed one year and all rehired annuitants will be reviewed annually.
2. The hiring of a retired university employee is permitted only in specific circumstances. The Chancellor or Vice Chancellor for Academic Affairs or their designee must approve all appointments, in advance. All requests must be reviewed by the Position Review Committee prior to submission to the Chancellor or Vice Chancellor for Academic Affairs. This includes all temporary, part-time and full-time positions at the university. Most of these circumstances are listed below.
  - The individual is needed on an interim basis while recruiting for a permanent employee or while decisions about the necessity of, or financial support for, the position are completed.
  - The individual's expertise and experience are needed for a specific project and/or position.
  - The individual is needed to teach classes when it is not possible to hire a faculty member.



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- Emeriti can be hired to fill teaching, research and other roles when other resources are not available, or the hire is due to the unique qualifications of the faculty member.
  - The individual is hired as a University Staff Temporary employee for a specific event (e.g., a concert).
  - Other exceptional circumstances exist and can be documented.
3. Continuation beyond the initial appointment period requires the approval of the Chancellor or Vice Chancellor, in advance.

## **REHIRED ANNUITANT REQUEST**

In order to verify the validity of a retired WRS employee's break in service, as well as to obtain authorization to rehire a retired WRS employee, the [Authorization for Temporary Hire Form](#) has a section specific to rehired annuitants. Departments will complete the Position and Candidate Information sections and then email the form to [payrollandbenefits@uwgb.edu](mailto:payrollandbenefits@uwgb.edu). A Benefit Specialist will then review the form and annuitant's WRS history to determine if a valid break in service has been met per Wisconsin Statutes, and if the position being requested is WRS eligible. Once the Rehired Annuitant section of the form has been completed, if eligible for employment, it will be sent back to the preparer for appropriate routing of authorization for hire.

## **REHIRED ANNUITANT ELECTION FORM**

If a retired WRS employee is approved through the Rehired Annuitant Request process (as indicated above) the hiring department must have the rehired annuitant complete a [Rehired Annuitant Election Form](#) (ET-2319) within 7 days of the date of hire. The Rehired Annuitant Election Form is a required document with the Department of Employee Trust Funds (ETF) and must then be submitted to Human Resources for review and proper routing.

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For purposes of this policy, "retired university employees" refers to those employees who are continuing their annuity during the period of reemployment. This policy does not apply to retirees who stop their annuity and return to WRS participation during the period of employment.