Reemployment Rules for FRS Pension Plan and DROP Members

You are considered retired when you complete your retirement application and terminate employment with all FRS-covered employers. If you participate in DROP, your retirement is finalized when you terminate employment. Returning to work during the first 12 calendar months after retiring may void your retirement and require you to repay retirement benefits received. This includes work in a temporary, part-time, OPS or regularly established position, regardless of whether it is an FRS-covered or non-covered position.

The minimum required length of time before you can return to work without voiding your retirement is:

- If you retired prior to July 1, 2010: 1 calendar month after retiring or after your DROP termination date.
- If you retired on or after July 1, 2010: 6 calendar months after retiring or after your DROP termination date.

If you void your retirement, you are responsible for repaying any benefits received, including a DROP payout.

Employment (with restrictions)

- You may go to work for an FRS-participating employer 12 months after retiring or after your DROP termination date without violating any reemployment limitations.
- After meeting the minimum separation requirements for termination (1 or 6 calendar months), you may return to work as follows:
  - Retirement date or DROP termination date prior to July 1, 2010: You can return during the 2nd through 12th month after retiring or after your DROP termination date.
  - Retirement date or DROP termination date after July 1, 2010: If you become employed during the 7th through 12th months after retiring or after your DROP termination date, you must suspend receipt of Pension Plan benefits for each month you are employed during this period.

The Pension Plan reemployment laws are complex. So, before returning to work, you must contact the MyFRS Financial Guidance Line and speak with a Division of Retirement representative (1-866-446-9377, Option 3 or 1-888-738-2252).

Excepted Positions

The following positions are excepted from the reemployment law for members who retired prior to July 1, 2010.

- A member who retires and is serving in an elective office or is elected, re-elected, or appointed to an elective office is exempt from all reemployment limitations.
- A retired justice or judge on temporary assignment to active judicial service pursuant to Article V of the State Constitution is exempt from the reemployment limitations.
- Retirees may be reemployed in specific positions without hourly limitations by:
  - Florida District School Boards
  - Florida School for the Deaf and the Blind
  - Charter Schools
  - Developmental Research Schools
- Retirees may be reemployed in specific positions for up to 780 hours in the first year by:
  - Community Colleges
  - Universities

Positions not listed above are considered Non-Excepted Positions.

This list may not be all-inclusive and other restrictions may apply. Refer to the Investment Plan or Pension Plan Summary Plan Descriptions or call the MyFRS Financial Guidance Line for more specific information.
Renewed FRS Membership — Pension Plan

If you retire and are then initially reemployed by an FRS-covered employer:

- **Prior to July 1, 2010,** you are considered a new employee and are entitled to choose the retirement plan you wish to participate in within 5 months following your month of hire: the FRS Pension Plan or the FRS Investment Plan. However, as a “reemployed retiree,” you cannot participate in the Special Risk Class, the FRS Pension Plan DROP program, or receive disability benefits from either plan.
- **On or after July 1, 2010,** you will not be permitted to participate in the FRS or other non-integrated defined contribution plans to earn an additional retirement benefit.

**Your Roadmap to Reemployment**

**Caution:** The FRS considers you retired when you complete your retirement application and terminate employment, or end DROP by terminating employment.

**Reemployment rules are complex.** Call the MyFRS Financial Guidance Line to speak with a Division of Retirement representative before returning to work.

1-866-446-9377, Option 3 or 888-738-2252.

**START HERE**

Are you returning to work within 12 months of retiring?

**YES,** I am returning to work with an FRS-covered employer and...

- **I am returning to work in an excepted position**
  
  You must wait 1 calendar month after retiring or after your DROP termination date before you return to work with an FRS-covered employer in an excepted position. There is no impact on receiving your retirement benefits. You are eligible for FRS membership if you initially returned to FRS-covered employment prior to July 1, 2010.

- **12 Calendar Months After Retiring**
  
  Once 12 calendar months have passed since retiring, you can receive monthly Pension Plan benefits even if reemployed by an FRS employer. You are eligible for FRS membership if you took a distribution and then initially returned to FRS-covered employment prior to July 1, 2010.

- **I am returning to work in a non-excepted position**
  
  You must wait 6 calendar months after retiring or after your DROP termination date before you return to work in any position with an FRS-covered employer. If you return to work, you must suspend receipt of Pension Plan benefits for each month employed during this period and repay any benefits received that should have been suspended. You are eligible for FRS membership if you initially returned to FRS-covered employment prior to July 1, 2010.

- **12 Calendar Months After Retiring**
  
  Once 12 calendar months have passed since retiring, you can receive monthly Pension Plan benefits even if reemployed by an FRS employer. However, you are not eligible for renewed FRS membership.

**Retired On or After July 1, 2010**

You must wait 6 calendar months after retiring or after your DROP termination date before you return to work in any position with an FRS-covered employer. If you return to work, you must suspend receipt of Pension Plan benefits for each month employed during this period and repay any benefits received that should have been suspended. You are not eligible for renewed FRS membership.

**Retired Before July 1, 2010**

You are not eligible for renewed FRS membership.

**Reemployment at a Glance**

<table>
<thead>
<tr>
<th>The month in which I retired or terminated DROP</th>
<th>Can I return to FRS-covered employment during the 2nd through 12th calendar months of retirement, with exceptions?</th>
<th>Can I return to FRS-covered employment during the 7th through 12th calendar months of retirement, with exceptions?</th>
<th>Can I renew membership in the FRS?</th>
</tr>
</thead>
<tbody>
<tr>
<td>Before July 1, 2010</td>
<td>Yes</td>
<td>Not applicable</td>
<td>Yes, if you initially returned to FRS-covered employment prior to July 1, 2010.</td>
</tr>
<tr>
<td>On or after July 1, 2010</td>
<td>Not applicable</td>
<td>No, there are no reemployment exceptions.</td>
<td>No</td>
</tr>
</tbody>
</table>

*Comprehensive reemployment tables listing retirement dates and eligibility are available on MyFRS.com (on the MyFRS.com home page, click on “Reemployment After Retirement,” then “Reemployment Tables”).

Disclaimer: This publication is a summary of the reemployment provisions for the Florida Retirement System Investment Plan and Pension Plan and is not intended to include every program detail. Complete details can be found in Chapter 121, Florida Statutes, the rules of the State Board of Administration of Florida in Title 19 and the Department of Management Services, Division of Retirement in Chapter 60-5, Florida Administrative Code, and the Investment Plan and Pension Plan Summary Plan Descriptions. In case of a conflict between the information in this publication and the statutes and rules, the provisions of the statutes and rules will control.

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