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| <b>System-wide Policy:</b>  |                                   |
| <b>HR0120 - Employment of University and State of Tennessee Retired Employees</b> |                                   |
| <b>Version: 17</b>  | <b>Effective Date: 06/20/2019</b> |

## HR0120 – Employment of University and State of Tennessee Retired Employees

### Topics:

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| <a href="#">Definition of Retiree</a> | <a href="#">Forms</a>            |
| <a href="#">Guidelines</a>            | <a href="#">Contacts</a>         |
| <a href="#">Procedures</a>            | <a href="#">Related Policies</a> |

### Objective:

To state the conditions under which employees retired from service with the University of Tennessee, the Tennessee Board of Regents institutions, Locally Governed Institutions or the state of Tennessee (including all TCRS participating employees) may be further employed by the University of Tennessee.

### Policy:

#### Definition of Retiree

1. A University of Tennessee retiree is an individual who, prior to termination, has met the eligibility requirements for retirement from the state of Tennessee or from a federal retirement system [(Civil Service Retirement System (CSRS) or Federal Employees Retirement System (FERS)] regardless of the retirement plan in which he or she is enrolled. Those requirements are:
  - a. Age 60 with at least 5 years of service with no health insurance, or
  - b. Age 55 with at least 10 years of service, or
  - c. Any age with 25 years of service, or
  - d. The retirement requirements set for participants in a federal retirement plan (CSRS and FERS members only).

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Benefits associated with being a "retiree" may differ depending on years of service and/or age.

## Guidelines

2. Retirees must be officially retired from service with the University of Tennessee or the state of Tennessee before being re-employed.
3. Persons retired from service with the University of Tennessee, Board of Regents Institutions, Locally Governed Institutions or the state of Tennessee must wait 60 days from the effective date of retirement to be re-employed by any of these agencies. An exception to the 60-day waiting period is allowed if the department certifies in writing to UT Retirement Services that:
  - a. No other qualified person is reasonably available, and
  - b. During the first 60 days after retiring, the retiree will work no more than one-half of the hours he or she was normally scheduled to work as a regular employee before retiring, and
  - c. The retiree will work no more than the maximums allowed by law. (See 6. a. and b.)
4. Retirees may be re-employed as **temporary** employees and limited to 960 hours of work in a 12-month period. If re-employed as a **regular full-time** employee (employment is expected to be 12 months or more), the retiree must agree to waive any retirement benefits received from the state of Tennessee during the period of regular employment. If re-employed as **regular, part-time**, the retiree must participate in Social Security and has the option to participate in a retirement plan. If the part-time employee chooses to participate in a retirement plan, any retirement benefits from the state of Tennessee must be waived during the period of regular employment. Retirement benefits from the Optional Retirement Program (ORP) will continue. Federal retirees, CSRS or FERS annuitants who are re-employed by the university will continue their federal annuity. However, the salary received from the university will be offset by the amount of the annuity.

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5. Tenured faculty may be eligible to participate in the Post-Retirement Service Program. See [HR0374 POST-RETIREMENT SERVICE PROGRAM](#) for more information.
6. Annually, all retirees returning to work (see 3. above regarding waiting period and exceptions) who are receiving retirement benefits from the state of Tennessee or an Optional Retirement Plan (ORP) provider(s) must complete a [TCRS TEMPORARY EMPLOYMENT REPORT](#) form certifying that the following requirements are met:
  - a. State retirees may be employed, without loss of retirement income, in an employer-employee relationship (a payroll position) up to but no longer than 120 working days or the equivalent (960 hours) within the 12-month period immediately following the date of re-employment.
  - b. A retired state employee may be employed as a teacher, without loss of retirement benefits, in an employer-employee relationship for a maximum of 18 semester hours (24 quarter hours), providing that the total salary paid to any such retiree for teaching during the 12-month period does not exceed his or her pro rata share of the average salary being paid at the campus or unit in the academic discipline concerned.
  - c. A disability retiree may return to work for any state employer without loss of retirement benefits provided he or she does not earn more than the substantial gainful activity amount determined each calendar year by Social Security in the 12-month period from the date of re-employment and does not exceed 120 working days or the equivalent (960 hours).
  - d. Retirees can be paid no more than the percentages of pre-retirement salary listed on the **TCRS TEMPORARY EMPLOYMENT REPORT** form for the appropriate year after retirement.
  - e. A person who is retired from the university, a Tennessee Board of Regents institution, a Locally Governed Institution or the state of Tennessee may not be hired as an independent contractor within six months following the effective date of retirement. After that time, if the retiree is to be hired as an independent contractor, the conditions and procedures must be met as specified in

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**FISCAL POLICY FI0420, CONTRACTS** and on the reverse side of the T-27, REQUEST FOR SPECIAL PAYMENT.

**PROCEDURES:**

To view links to campus policies and procedures, click here:

<https://policy.tennessee.edu/campus-policies-procedures>

**Forms:**

- [TCRS Temporary Employment Report Form](#)

**For More Information:**

Benefits and Retirement (865) 974-1441 [retirement@tennessee.edu](mailto:retirement@tennessee.edu)

**Related Policies:** [FI0420 - Contracts](#), [HR0105 - Employment Statustatus](#), [HR0374 - Post-Retirement Service Program](#) [HR0374 - Post-Retirement Service Program Service Program](#)