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# ADMINISTRATIVE PROCEDURE

<b>SECTION: 300 – Human Resources</b>	<b>PROCEDURE #: 309-A</b>
<b>TITLE: Work After PERS Retirement</b>	<b>IMPLEMENTS POLICY #: 309</b>
<b>SPONSORING DEPARTMENT: Human Resources Department</b>	
<b>EFFECTIVE: 11/01/2019</b>	<b>REVIEWED: 11/19/2024</b>

**OBJECTIVE:** To establish procedures for implementing provisions of the Work After PERS Retirement Policy (#309).

**AUTHORITY:** The authority to issue or revise these procedures is reserved to the County Administrator. The County Administrator may authorize exceptions to these procedures when deemed appropriate.

**DEFINITIONS:**

**PERS Retiree:** A person who has completed the requirements to be vested under Oregon PERS, has met the criteria to retire through PERS, and has officially retired through Oregon PERS prior to the current date.

**Normal Retirement:** PERS retirement of an employee that meets Oregon PERS’ definition and requirements of normal retirement with regular retirement benefits.

**Early Retirement:** PERS retirement of an employee that meets Oregon PERS’ definition and requirements of early retirement with reduced benefits.

**Regular Position:** See the definition in the Washington County Personnel Rules and Regulations (PR&Rs).

**Limited Duration Position:** See the definition in the PR&Rs.

**Temporary Appointment:** See the definition in the PR&Rs.

**Variable Hour Employment:** See the definition in the PR&Rs.

**Seasonal Appointments:** See the definition in the PR&Rs

## **PROCEDURE:**

1. An employee is required to provide written notice of their intent to retire at least thirty (30) days prior to their last day of regular employment with the County.
2. The Appointing Authority shall document:
  - 2.1. That the employee meets the overall job requirements;
  - 2.2. It is in the public interest to re-employ the PERS Retiree based on financial, succession, business, personnel, or other business reasons;
  - 2.3. The person's knowledge, skills, and abilities;
  - 2.4. The employee was not on a work improvement plan or equivalent;
  - 2.5. The employee was meeting expectations on all aspects of their most recent employee performance review; and
  - 2.6. The employee was not the subject of any written disciplinary actions within 12 months preceding retirement.
3. An employee who retires from PERS on or after normal retirement age can continue to receive pension benefits (without accruing any new benefits) and may return to work with no statutory limitations on the number of hours worked.
4. An employee who retires from PERS earlier than normal retirement age can continue to receive pension benefits (without accruing any new benefits) and may return to work with no statutory limitation on the number of hours worked provided the effective date of return to employment is more than six (6) months after retirement date.
5. When an employee retires from PERS:
  - 5.1. Any accrued but unused vacation leave and compensatory time will be paid out.
  - 5.2. Any unused Floating Holiday, MAPPS Leave, and Sick Leave will not be paid out and will be zeroed. See provision 7, 8, and 9 for more details.
6. An employee needs to return to work at the County as a PERS retiree on or after their PERS retirement date. The employee cannot return before their PERS retirement date.
7. A retiree returning to employment will receive the benefits associated with their new position or employment assignment.
8. A retiree returning to employment who was in a Career Probationary Period at the time of retirement and who is rehired in the same classification will restart and serve the entire Career Probationary Period upon rehire.
9. The following provisions will apply when a PERS Retiree is appointed into the same position or classification as held prior to retirement:
  - 9.1. Starting salary shall be at a step or position in the salary range no higher than previously held.
  - 9.2. If reemployed within 30 days or less after the date of termination of employment, then the Employee will continue with the following benefit elections (Medical, Dental, Vision and Flexible Spending Accounts) that such individual had before termination. Returning retirees must reapply for voluntary life and long-term disability insurance.
  - 9.3. Sick Leave balance will be reinstated provided there is not a break in service longer than 180 days.
  - 9.4. Vacation leave balance will not be reinstated and will begin at zero.
  - 9.5. Vacation leave will accrue at the same level the employee accrued prior to retirement.
  - 9.6. Unused Floating Holiday will be reinstated provided it is in the same calendar year as it was granted. If effective date of return to employment is in the following calendar year, Floating Holiday will be granted in accordance with the Washington County PR&Rs.
  - 9.7. Unused MAPPS Leave will be reinstated provided it is in the same fiscal year as it was

- granted. If effective date of return to employment is in the following fiscal year, MAPPS leave will be granted in accordance with the adopted MAPPS Policy.
- 9.8. This restart does not start a probationary period.
  10. The following provisions will apply when a PERS Retiree is appointed into a regular position in a different classification as held prior to retirement:
    - 10.1. Salary shall be paid at any rate in the salary range as allowed under the Washington County PR&Rs.
    - 10.2. If reemployed within 30 days or less after the date of termination of employment, then the Employee will continue with the following benefit elections (Medical, Dental, Vision, and Flexible Spending Accounts) that such individual had before termination. Returning retirees must reapply for voluntary life and long-term disability insurance.
    - 10.3. Sick Leave balance will be reinstated provided there is not a break in service longer than 180 days.
    - 10.4. Vacation leave balance will be zero.
    - 10.5. Vacation leave will accrue at the same level the employee accrued prior to retirement.
    - 10.6. Unused Floating Holiday will be reinstated provided it is in the same calendar year as it was granted. If effective date of return to employment is in the following calendar year, Floating Holiday will be granted in accordance with the Washington County PR&Rs.
    - 10.7. Unused MAPPS Leave will be reinstated provided the position is eligible to receive MAPPS leave and it is in the same fiscal year as it was granted. If effective date of return to employment is in the following fiscal year, MAPPS leave will be granted in accordance with the adopted MAPPS Policy.
  11. The following provisions will apply when a PERS Retiree is appointed into a Temporary, Variable Hour, Job Share, or Seasonal assignment in a different classification as held prior to retirement:
    - 11.1. Salary shall be paid at a rate in the salary range as allowed under the Washington County PR&Rs.
    - 11.2. Employee will only be eligible for benefits that are offered to Temporary, Variable Hour, or Seasonal assignments.
    - 11.3. Sick Leave balance will be reinstated provided there is not a break in service longer than 180 days.
  12. PERS Retirees in employment assignments that are not eligible for health benefits may continue to exercise COBRA rights or retiree program benefits that are available to them.
  13. PERS Retirees in Temporary, Variable Hour, Job Share, or Seasonal employment assignments shall not be entitled to any previously held seniority or qualified pay periods within the organization.
  14. Section 1.9 of Policy 309 does not apply to PERS Retirees who currently fall under a County Collective Bargaining Agreement that specifically addresses seniority.

### Distribution

The policy and these corresponding Administrative Procedures shall be disseminated to all employees, supervisors, managers, and elected officials of Washington County. Any questions, concerns, or comments related to this policy should be directed to the Chief Human Resources Officer or designee.