



# ADMINISTRATIVE POLICY

<b>SECTION: 300 – Human Resources</b>	<b>POLICY#: 309</b>
<b>TITLE: Work After PERS Retirement</b>	<b>R &amp; O #: 24-82</b>
	<b>IMPLEMENTED BY PROCEDURE #: 309-A</b>
<b>SPONSORING DEPT/DIV: Human Resources Department</b>	
<b>ADOPTED: 11/19/2024</b>	<b>REVIEWED: 11/19/2024</b>

## **PURPOSE:**

The purpose of this policy and corresponding procedures is to define provisions for employees who have retired from the Public Employees’ Retirement System (PERS) to continue employment with Washington County under HB 2296.

## **APPLICABILITY:**

This policy applies to all employees of Washington County.

## **GENERAL POLICY:**

A Public Employees’ Retirement System (PERS) Retiree who is receiving a service retirement benefit under Tier One/Tier Two or the Oregon Public Service Retirement Plan (OPSRP), or who has elected to retire without a PERS service retirement benefit may be employed by Washington County subject to the provisions outlined below.

## **POLICY GUIDELINES:**

1. Employment Restrictions
  - 1.1. PERS Retirees may be employed in a Regular, Limited Duration, Temporary, VariableHour, or Seasonal employment assignment. The PERS Retiree is subject to the limitations of the employment category of the new assignment as defined in the Washington County Personnel Rules and Regulations (Article 4).
  - 1.2. The terms and conditions of the employment of a PERS retiree must be approved by the Appointing Authority after consulting with Human Resources prior to the employment of the retiree. The Appointing Authority shall determine whether it is in the public interest to employ the PERS Retiree. .
  - 1.3. Public interest finding shall be based on financial, succession, business, personnel, or other business reasons. Examples may include delays in filling the position vacated by the PERS retiree while actively recruiting for a replacement, hiring shortage in the field with a demonstrated failed recruitment, or the PERS retiree serves a critical role for an incomplete

project. The Appointing Authority can take into consideration the person's knowledge, skills and abilities.

- 1.4. The employment assignment of a PERS Retiree may be to a classification which they previously held career status or to another classification provided the retiree is qualified for the classification.
- 1.5. Oregon statutes may impose certain restrictions on the employment of a person receiving PERS and OPSRP retirement benefits. The employee is responsible for complying with statutory requirements. Washington County is not responsible for the impact upon the retirement benefits of a PERS or OPSRP retiree resulting from their employment with the County.
- 1.6. .
- 1.7. The Appointing Authority is not required to use an active eligible list when hiring a PERS Retiree into the position or classification they most recently held provided the break in service is no longer than thirty (30) days.
- 1.8. The Appointing Authority is not required to use an active eligible list when hiring a PERS Retiree into a temporary (short term), variable hour or seasonal employment assignment.
- 1.9. PERS retirees may be considered for employment in Regular or Limited Duration positions other than the position or classification they most recently held provided they have applied for and have been hired through a competitive recruitment process or through Re-employment under the provisions outlined in Washington County Personnel Rules and Regulations (Section 4.5.12).
- 1.10. Washington County employees who retire from PERS and return to work at Washington County, without having to apply and be selected through a regular hiring process do not have recall rights covered in Article 14 of the Personnel Rules and Regulations.
  - 1.10.1. Section 1.10 does not apply to PERS Retirees who retired and continued working at Washington County prior to August 1, 2020.

## 2. Existing Employees

- 2.1. In addition to other requirements in this policy, existing employees may be considered for reemployment as a PERS retiree if, at the time of retirement, they were not on a work improvement plan or equivalent, were meeting expectations on all aspects of their most recent employee performance review and were not the subject of any written disciplinary actions within 12 months preceding retirement.

## 3. Length of Employment.

- 3.1. Unless authorized by the County Administrator or their designee in writing, a PERS retiree will not be employed more than 24 calendar months). Extensions may be considered in 12 month increments and shall be supported by public interest and documented good performance. PERS Retirees currently working for the County under SB 1049 may request to continue working for a length of time consistent with this policy.

## 4. Application Process:

- 4.1. To be considered for work after PERS retirement, all employees must complete the request form. PERS retirees hired under SB 1049 who desire to continue working under this updated policy must complete a new Request Form and be approved prior to January 1, 2025.

5. Responsibilities:

The Human Resources and Finance Departments are authorized to establish necessary procedures to implement and monitor this policy and may modify established procedures as necessary to carry out the intent of this policy.

6. Exceptions:

Exceptions may only be granted by the County Administrator or his/her designee.

7. Implementation:

Elected officials, department directors and managers are expected to be knowledgeable of, and shall be responsible for, implementing this policy within their respective departments. Observance of this policy is mandatory for all County employees and violation may result in disciplinary action (up to and including termination).

8. Periodic Review:

This policy shall be reviewed by the Human Resources Department at least every three years, or more often if needed, and updated as necessary.