

Employee Benefits Division Policy Memorandum

Number: Policy Memo 37r2

Date Issued: November 14, 2017

Subject: Returning to Work After Retirement

PURPOSE:

Establish the proper application of sick leave credit and premium contribution rate for State retirees (including constructive retirees) who return to work and subsequently re-retire.

BACKGROUND:

State retirees may return to work after retirement. This “re-employment” may affect their sick leave credit and premium contribution rate to be used when they terminate employment in this subsequent position, referred to below as “re-retirement.” This policy is in accordance with Civil Service Law, regulation, negotiated agreements and State Time and Attendance policies.

POLICY:

The attached diagram describes the appropriate procedure to be used, depending on whether the reemployment occurs within one year and whether the pension is stopped or continued. In all scenarios, the individual is given the choice of continuing health insurance coverage in retirement status or as an active employee, assuming that the active employee eligibility requirements are met. Refer to the *Back to Work* publication for more information.

Pension Status	Return Period	Procedure at “Re-retirement”
Individual suspends or has not collected pension	Within 1 year	<ul style="list-style-type: none"> • Sick leave credit is newly calculated based on accumulated sick leave balance, new pay rate, and current age • Premium contribution rate is based on salary grade of new position
	After 1 year*	<ul style="list-style-type: none"> • Sick leave credit is newly calculated by adding old credit to new credit based on new sick leave balance, new pay rate, and current age • Premium contribution rate is based on salary grade of new position
Individual continues to collect pension	Within 1 year	<ul style="list-style-type: none"> • Sick leave credit does not change
	After 1 year*	<ul style="list-style-type: none"> • Premium contribution rate does not change

*Executive Branch Classified Employees reinstated by the Civil Service Commission after a break of more than one year are treated in the same way as employees who return within one year.