

## **WORKING AS A PUBLIC EMPLOYEE AFTER RETIREMENT**

**(Excerpted from Div. of Pensions & Benefits Fact Sheet #86)**

The following assumes that you are a qualified retiree, meaning you have already met the 180-day requirement for bona fide severance of employment if the new position is with the former employer, or that you are well past the date at which your retirement benefits became "due and payable,"<sup>10</sup> if your new position is with a different employer. Your employer is required to report your employment to the Division of Pensions and Benefits.

### **Enrollment in the Retirement System Required**

Re-enrollment in your former retirement system is generally required if you accept full-time employment in a position covered by that system.<sup>11</sup> The Division routinely compares Department of Labor and Workforce Development records with retired payroll records. The audit performed as a result of this review will target retired public employees working more than 25 hours per week or earning a salary substantially similar to that earned in active employment prior to retirement. If, as a result of an audit, your employment is deemed to satisfy eligibility for enrollment in your former retirement system, you will be required to repay all of your retirement benefits which were received after the date of your required re-enrollment until you retire again. You will also be responsible for the payment of pension contributions from the date of re-enrollment through the date of termination of the most recent employment.

If you are required to be re-enrolled in your former retirement system, your retirement allowance and any related retired health benefits will be cancelled for the duration of your employment. In certain instances you may be required to prove insurability to have group life insurance coverage. In the event of your death during the second membership, no benefits from either the previous membership or retirement are payable (except for the return of uncollected contributions). This includes option settlements and death benefits.

Your date of re-enrollment is determined under the general enrollment procedures of the retirement system and you are treated as an active employee in all respects. You will be enrolled in a new retirement system account under the membership tier in effect at the time you returned to employment. When you retire for the second time, any additional allowance due as a result of the second period of service is generally determined in accordance with rules governing your new membership tier. You may also elect to withdraw the contributions associated with the second period of service. You will be required to file an application with the Division of Pensions and Benefits in order to initiate retirement benefits or the withdrawal of contributions relating to your new membership account.

### **ENROLLMENT IN THE RETIREMENT SYSTEM NOT REQUIRED**

The following assumes that you are a qualified retiree, meaning that you have already met the 180-day requirement for bona fide severance of employment if the new position is with the former employer, or that you are well past the date at which your retirement benefits became "due and payable,"<sup>13</sup> if your new position is with a different employer. Your employer is required to report your employment to the Division of Pensions and Benefits. If you return to work in a position covered by a different New Jersey State-administered retirement system, your retirement allowance may continue and you can receive salary from the employment; however, you cannot become a member of the other retirement system.