

Employing a TRSL Retiree

This chart reflects changes to return-to-work laws effective July 1, 2017.

THE EMPLOYER MAKES THE DECISION TO HIRE A RETIREE IN A TRSL-COVERED POSITION:

QUESTION #1: Did the retiree retire before July 1, 2010 or does he/she hold an advanced degree in speech therapy, speech pathology, or audiology? *Verify retirement date in Employer Access (EMIS).*

YES

NO

Retired Teacher Sub-Category:
Re-employment Eligible Retiree

- Enroll retiree in TRSL.*
- Withhold and remit unsheltered contributions.
- Report annual earnings.*
- Retiree is subject to a 12-month waiting period.

Go to next question.

QUESTION #2: Is the retiree returning to work in one of the following capacities?

- an adjunct professor (as defined in return-to-work law); or
- a substitute preK-12 classroom teacher, substitute teacher to proctor admissions, evaluation, or assessment tests; or
- instructing adults through an adult education or literacy program administered through a public institution of elementary and secondary education; or
- school nurse, as defined in [R.S. 17:28](#).

YES

NO

Retired Teacher Sub-Category:
Re-employment Eligible Position (25% Earnings Limit)

- Enroll retiree in TRSL.*
- Earnings limit of 25% of annual retirement benefit
- Withhold and remit unsheltered contributions.
- Report annual earnings.*
- Retiree is subject to a 12- or 36-month waiting period. (See the required waiting period chart on next page.)

Go to next question.

QUESTION #3: Is the retiree returning to one of the following critical shortage positions?

- full- or part-time K-12 classroom teacher where critical shortages exist; or
- full-time certified speech therapist, speech pathologist, audiologist, school counselor, school social worker, educational diagnostician, or school psychologist where a critical shortage area exists.

YES

NO

Retired Teacher Sub-Category:
*Re-employment Eligible Position,
Critical Shortage Position*

Full- and part-time positions:

- Enroll retiree in TRSL.*
- Withhold and remit unsheltered contributions.
- Report annual earnings.*
- Retiree is subject to a 12- or 36-month waiting period. (See the required waiting period chart on next page.)

***NOTE:** Employer must certify critical shortage subject area to TRSL and BESE within 45 days of enrollment. (Use Form 15CS for TRSL certification.)*

Retired Member Category:

- The retiree is a **retired member**.
- Enroll retiree under the suspension provision for the duration of re-employment.*
- Employee and employer contributions are not required.
- Annual earnings must be reported.*

***Refer to the Employer Procedures Manual**
For RTW enrollment guidelines, see [Index 15.0](#)
For reporting guidelines, see [Index 18.2](#)

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ADDITIONAL RTW INFORMATION	
Retired teacher:	<ul style="list-style-type: none">Eligible for TRSL benefits after a 12- or 36-month waiting period that starts on date of retirement (See <i>required waiting period chart below</i>).Employee and employer contributions required on compensation received as a re-employed retired teacher.*
Retired member	<ul style="list-style-type: none">TRSL benefits suspended for duration of re-employment in a TRSL-covered position.*Employee and employer contributions not required during period of re-employment.

*Includes compensation earned through contract or corporate contract.

WHAT IS A CLASSROOM TEACHER?
Employee holds a position that requires a Louisiana teaching certificate, and performs professional activities of instructing pupils in courses in classroom situations for which daily attendance figures are kept.

RTW: REQUIRED WAITING PERIOD	
12 months	<ul style="list-style-type: none">Individuals who retired before July 1, 2017Individuals who retired on or after July 1, 2017 and have advanced degrees in speech therapy, speech pathology, or audiologyIndividuals who retired on or after July 1, 2017, and whose retirement benefit was not actuarially reduced or was not calculated at an accrual rate of less than 2.5%
36 months	<ul style="list-style-type: none">Individuals who retired on or after July 1, 2017, and whose retirement benefit was actuarially reduced or was calculated at an accrual rate of less than 2.5%

HOW TO DECLARE A CRITICAL SHORTAGE FOR FULL-TIME POSITIONS
<ul style="list-style-type: none">Position must be advertised on two separate occasions in the official journal of the employer’s governing authority.Position must be posted at career planning office or similar office at all post-secondary institutions in a 120 mile radius of employer’s governing authority.Retiree must be certified in the critical shortage subject area.Certified applicants who are not retirees must be hired before a certified retired teacher, unless there are fewer than three certified applicants. <p>NOTE: Employer must certify critical shortage subject area to TRSL and BESE within 45 days of enrollment. (Use Form 15CS for TRSL certification.)</p>