

	LOS ANGELES COMMUNITY COLLEGES HUMAN RESOURCES GUIDE	HR P-121
		REHIRE RETIREE
ISSUE DATE: August 11, 2009	SERVICE: <input checked="" type="checkbox"/> ACADEMIC <input checked="" type="checkbox"/> CLASSIFIED <input checked="" type="checkbox"/> UNCLASSIFIED	
REPLACES: HR Guide Dated June 14, 2006	CHANGES: Update Table P-121D to STRS yearly earnings limits and PERS yearly hours limits for 2008-09 and 2009-10; update to §III.3 requirements to retiree assignments in the Classified Service	

I. POLICY

It is the duty of each College and Division to establish internal processing procedures that ensures newly hired retirees submit all documents required to process their assignment within established timelines and guidelines.

II. DEFINITION:

- **Full Separation** is stopping all work assignments in all positions with the LACCD for at least one day. The length of time of a full separation affects reemployment processing as detailed in Table P-121A, Reemployment Form and Document Processing Requirements, below. In SAP, a rehire action is processed when a person returns to service after full separation.
- **Need** is defined as either an emergency situation which would prevent the college or division from conducting necessary classroom education or providing vital services necessary to the educational process or specialized knowledge, skills, and abilities essential to the performance of work of a limited duration.
- **Rehire** is the return to pay status of a person who has previously worked for the District and who is selected for the same or a different position after full separation has occurred.
- **Rehire Retiree** is the administrative process associated with processing a retiree assignment. This process may also be called reemployment.
- **Retiree** is a former employee of the LACCD receiving a retirement allowance from the State Teacher's Retirement System (CalSTRS) and/or California Public Employee Retirement System (CalPERS) and who is eligible to work in a temporary position within specified parameters each fiscal year. Retirees are sometimes referred to as retired annuitant or annuitant.
- **Separation** is stopping one work assignment in one position with the LACCD for at least one (1) day.

III. REQUIREMENTS

An employee who terminates in good standing from the District may be assigned as a retired employee in Academic, Classified or Unclassified Service. When a retiree assignment is processed, general procedures as well as procedures specific to the employee service must be followed.

A. General Policy and Procedures

1. Retirees are processed as temporary employees subject to selection and termination as specified in applicable state law, district rules and regulations, and collective bargaining agreements.
2. In the SAP system, retirees are considered “active” because they receive medical benefits. Therefore, a retiree assignment is processed in SAP as an additional assignment. See [HR Guide P-130, Additional Assignment](#), for details.
3. The retiree assignment is initiated by the hiring location subject to approval by Human Resources, District Office. The retiree assignment in Classified Service is also subject to Personnel Commission rules. The assignment of the retired person is approved and certified as to need by the requesting division head or college president who makes the assignment or the Chancellor if he makes the assignment. For the purpose of this rule, need shall be defined as either an emergency situation which would prevent the college or division from conducting necessary classroom education or providing vital services necessary to the educational process or the retired employee possesses specialized knowledges, skills, and abilities essential to the performance of work of a limited duration. (For details on retiree assignments in the Classified Service, see PC Rule 763).
4. Retirees may apply for and accept an assignment in the same or different service from which they retired. Rehired employees assigned to job in a service different from the service from which they retired are required to complete any forms and processes specific to the service to which they are being assigned.

B. Form and Document Submittal Requirements:

1. Document and processing requirements are determined according to:
 - Service in which the employee is being assigned.
 - Length of Separation
 - State and Federal requirements, i.e., physical examination, I-9
 - Required and/or requested changes in employee information on file, i.e., W-4.
2. When an employee separates from employment on one day and starts a new assignment the next day, a break in service has not occurred. Consequently, unless a form or document is required by a change in service or law, the employee is not required to submit additional forms and documents. Table P-121A, Reemployed Form and Document Requirements, below, lists forms and documents which a rehired employee may need to complete.
3. All reemployed retirees must check with their location Personnel Office within three (3) business days of the effective date of the re-employment assignment to determine which, if any of the documents listed in New Hire Form Packet are required.

TABLE P-121A REEMPLOYMENT FORM AND DOCUMENT REQUIREMENTS		
FORM TITLE	FORM NUMBER	REQUIREMENT
Rehired Retiree Terms of Employment	HR-P-121	<ul style="list-style-type: none"> Initial assignment
Address and Warrant(s) Designation	HR-5	<ul style="list-style-type: none"> Break in service (Six months or more) Employee desires change
Employee Withholding Certificate	W-4	<ul style="list-style-type: none"> Break in service (Six months or more) Employee desires change
Employment Eligibility Verification	I-9	<ul style="list-style-type: none"> Break in service (Six months or more) Work authorization date noted on the last I-9 has expired.
Medical Examination Certification	HR-21	When re-employment assignment changes to Academic Service
Supplemental Information	HR-23	When re-employment assignment changes to Unclassified Service
Fingerprint	See HR-Guide P-111	<ul style="list-style-type: none"> Break in service of more than <u>one</u> year Change in data on file occurs

C. Retiree Categories of Employment

Rehired retirees are limited to the types of assignments they may be processed as a STRS or CalPERS member receiving a retirement allowance. Table P-121B, Retiree Categories of Employment, below, identify LACCD assignment limitations and requirements.

TABLE P-121B RETIREE CATEGORIES OF EMPLOYMENT			
SERVICE	ESG ^{1,2}	ALLOWABLE ASSIGNMENT TYPES	REQUIREMENTS
Academic	SR	Long-Term Substitute	<ul style="list-style-type: none"> Must be receiving retirement allowance from the California State Teachers' Retirement System (STRS). Must submit medical certificate indicating freedom from any contagious disease at applicant's expense. Must submit Tuberculosis Examination Compliance Certificate (Form LACCD HR-11) at applicant's expense.
	HM, HR	Day-to-Day Substitute	
	HM, HR	Adjunct Faculty, Hourly	
	PM	Adjunct Faculty, Scheduled	
Classified	HM, HR	Substitute, Temporary	<ul style="list-style-type: none"> Must have retired from the Classified Service in the State of California. Name must be listed on eligibility list maintained by Personnel Commission.
	H2	Instructional Aide, Hourly	
Unclassified	HM, HR	Community Services Teacher	<ul style="list-style-type: none"> Retirees receiving a retirement allowance from STRS or PERS will have their earnings / hours in Unclassified Services assignments applied to their maximum yearly allowance.
	HM, HR	Professional Expert	
	HM, HR	Community Representative	
	HM, HR	Student Employees	

¹ ESG, Employee Sub-Group, is described in HR Guide H-300, Work Status, Employee Sub-Groups.
² HM are retirees that receive medical benefits. HR are retirees that do not receive medical benefits.

D. Assignment Processing

1. Retiree reemployment assignment processing cannot be processed until the Retirement personnel action is completed. See HR Guide P-370, Retirement, for details on processing a retirement action.
2. In SAP, a reemployment assignment is considered an “additional” assignment because the retiree already has an Employee Identification Number (EN) and Social Security Number (SSN) on file.
3. The specific processing used for processing a reemployment assignment depends on the start date of the reemployment assignment. Table P-121C, Rehire Retiree Processing, identifies SAP and administrative actions needed to process a retiree assignment.

TABLE P-121C REHIRE RETIREE PROCESSING			
ASSIGNMENT	PERSONNEL ACTION NEEDED	FORM PACKET	EXAMPLE
Continuation of retiree’s extra (hourly) non-classroom assignment held prior to retirement with no break in service	Change in ESG ¹ Only • From HN (Temporary to HM or HR (Temporary, Retiree)	None	Hourly non-classroom assignment held prior to retirement
Continuation of retiree’s adjunct teaching assignment held prior to retirement with no break in service	• ESG ¹ remains PM (Pooled, Monthly) • Change tax model from T1 to T4 ²	None	Adjunct teaching assignment held prior to retirement
New assignment in same or different service with no break in service	Process as “Additional Assignment / Rehire”	If change in service, forms applicable to new service	Academic / Classified retiree to hold Professional Expert assignment
New assignment with break in service	Process as “Additional Assignment / Rehire”	Rehire Packet	
¹ ESG, Employee Sub-Group, is described in HR Guide H-300, Work Status, Employee Sub-Groups. ² Tax model change is needed because T4 does withhold retirement contributions.			

E. Time Reporting

The location at which service is performed is responsible for reporting time according to procedures established by Payroll Services, District Office.

F. District and Retiree Responsibilities

1. Retirement systems limit the earnings and/or number of working days a retiree may work in each fiscal year. These limitations are applicable from the service from which the employee retired, not the service in which the employee works as a rehire retiree. Table P-121D, Retirement System Limits, below, summarizes the limits for Academic and Classified Services.

TABLE P-121D RETIREMENT SYSTEM LIMITS		
SERVICE	RETIREMENT SYSTEM	LIMIT
Academic	STRS	Yearly earnings for such services must not exceed a total of \$29,700 in fiscal year July 1, 2008 – June 30, 2009. Yearly earnings limit must not exceed a total of \$30,580.00 in fiscal year July 1, 2009 – June 30, 2010. (Earning limitation includes all service in California, regardless of district.
Classified	PERS	Employment is limited to 960 hours in any fiscal year, including employment for all agencies under CalPERS.
Academic Classified Unclassified	Social Security	Limits are based on an individual's age at retirement, earnings, and work credits towards Social Security benefits. Retirees should contact their local Social Security Office or visit Social Security Online to determine the effect working after retirement may have on their individual situation.

2. The District:

- a. Reports earnings to retirement systems as applicable by law and provides each retiree a statement of earnings as part of the remuneration statement (“paycheck stub”) and IRS Form W-2, Wage and Tax Statement.
- b. Does not notify employees when they have reached allowable retirement system earning limits.
- c. Assumes no liability if an employee works beyond the allowable retirement system limits or if the employee maintains inaccurate records.

3. Rehired retirees are responsible for:

- a. Keeping their own records and determining when they have reached the allowable maximum earnings under the applicable retirement systems.
- b. If eligible for OASDHI, not accepting assignment extensions or new assignments that raise earnings over the limit imposed by Social Security regulations.
- c. Making the required annual report of earnings to the designated Social Security Office if entitled to OASHDHI benefits.

IV. **ADDITIONAL SOURCES**

CALIFORNIA EDUCATIONAL CODE

Chapter 3. Employment

Article 3. Hiring Criteria

87421 Temporary Employment

87467 Effect of Retirement

87478 Classification of Temporary Faculty Employees; Temporary Employment Deemed Contract Employment

87483 Reduction to Part-Time Employment Status; Regulations; Conditions

87665 Termination of Temporary Employees

Article 3 Community College Faculty

87731 Reemployment of Academic Employees

Chapter 4. Classified Employees

Article 1. Employment

- 88015 Layoff; Reinstatement from Service Retirement
- 88034 Employment of Retired Classified Employee

Chapter 27 Service Retirement

[24214 Creditable Service By Retirant; Rate of Pay; Earnings Limitations; Allowance Reductions](#)

LACCD BOARD RULES

Chapter X. Human Resources

[Article IV. Certificated Assignments](#)

- 10415 Return to Service After Resignation
- 10415.11 Employment of Certificated Employees After Retirement
- 10415.12 Employment After Retirement - Salary
- 10417 Reemployment Rights Following Disability Retirement
- 10419 Assignment of Temporary Certificated Employees
- 10420 Early Retirement Plan with Increased Retirement Benefits
- 10421 Early Retirement Plan at Age 50

LACCD HUMAN RESOURCE GUIDE

[HR P-100 Assign Employee](#)

PERSONNEL COMMISSION RULES

[763 Employment of Retired Persons](#)

LACCD COLLECTIVE BARGAINING AGREEMENTS

[AFT Faculty Guild Local 1521: Article 22. Retirement](#)

[CALIFORNIA STATE TEACHERS RETIREMENT SYSTEM \(CALSTRS\)](#)

[CALIFORNIA PUBLIC EMPLOYEES RETIREMENT SYSTEM \(CALPERS\)](#)

[SOCIAL SECURITY ADMINISTRATION](#)