

RETIRANT RETURN TO WORK

Position Type		Required Break from <u>LAST</u> Retirement Date or ERS Membership Employment	6 or 12 month Break Taken	ERS 209: Certification of Compliance with Requirements for Employment of a Retirant	Suspend Pension	Tack-On Benefit	Hawaii Revised Statutes
1	ERS Membership	N/A	N/A	No	Yes	Yes <sup>1</sup>	§88-98
2	Non ERS Membership: <ul style="list-style-type: none"> <li>• Less than 50% FTE</li> <li>• Short-term or Temporary for 3 months or less</li> <li>• Substitute teacher</li> <li>• Session employee of the legislature</li> <li>• President &amp; Chief Executive Officer of the Hawaii Tourism Authority</li> <li>• Research Corporation of the University of Hawaii (RCUH)</li> </ul>	6 months	Yes	Yes	No	No	§88-9 (d)(3)
			No	No	Yes <sup>2</sup>	No	
3	Difficult to Fill or Labor Shortage <sup>3</sup>	12 months	Yes	Yes	No	No	§88-9 (d)(4)
			No	No	Yes <sup>2</sup>	No	
4	A teacher or administrator in a teacher shortage area identified by the DOE or Charter School and to serve as mentors for new classroom teachers	12 months	Yes	Yes	No	No	§88-9 (d)(5)
			No	No	Yes <sup>2</sup>	No	
5	Juror or Precinct Official	N/A	N/A	No	No	No	§88-9(d)(2)
6	Elected Official <sup>4</sup>	12 months	Yes	No <sup>4</sup>	choice	choice	§88-9(d)(1)
			No		Yes	Yes	

<sup>1</sup> Benefit limitations for special categories apply to the Retirant returning to work. If and when maximum limitation met, Member will not earn additional service credit but unused sick leave of 60 days or more from the re-employment can be applied to increase the monthly pension.

<sup>2</sup> Member must agree to suspend pension by completing an ERS form. Otherwise, Member cannot be employed in the position until the break requirement is satisfied.

<sup>3</sup> These positions must meet the criteria designated by the Director of Human Resource or Human Resources Management Chief Executive of the appropriate jurisdiction. In addition, an annual report detailing the employment of the number of retirants in these difficult-to-fill or labor shortage positions must be submitted to the legislature.

<sup>4</sup> Per HRS §88-42.6(c)(2), the Elected Officials must make an election using the ERS-203 Election Form for New Elective Officers whether to have the retirement allowance continue or not within 30 days following the first return to service. Election is irrevocable. If allowance is not suspended, retirant shall not become an ERS member and shall not earn additional service credit or gain additional benefits.