Montana Teachers' Retirement System

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TRS Office Use Only

FORM 143: RETIRED MEMBER APPLICATION TO RETURN TO WORK PURSUANT TO §19-20-732, MCA

(HB 363, Montana 2009 Legislative Session)

In compliance with the Americans with Disabilities Act of 1992, alternative accessible formats of this document will be provided upon request.

Please read the information on page 2 before completing this form.

PLEASE TYPE OR PRINT LEGIBLY IN DARK INK

RETIRED MEMBER INFORMATION

Full Name: First Middle Last Suffix

Birth Date (mm/dd/yyyy)

Maiden or Other Name Previously Reported to TRS

___ ___ ___ - ___ ___ - ___ ___ ___ ___
Social Security Number

Mailing Address - City, State, ZIP+4 (if unknown, use 5-digit ZIP code)

( )
Telephone Number

Change of Mailing Address? ☐ Yes ☐ No

Title of Position to Which You Are Applying

FROM TO
Dates of Proposed Contract Term (mm/dd/yyyy)

Employer's Name

Folio ID (Educator License Number)

ACKNOWLEDGEMENT AND ATTESTATION

By my signature below, I acknowledge that I have read and understand all conditions for employment without loss or interruption of retirement benefits, as authorized by House Bill (HB) 363, and as stated on the reverse of this form; and I attest that I am eligible for employment pursuant to HB 363 with respect to each of those conditions. I further acknowledge that if I am not eligible for employment pursuant to HB 363, as verified by Teachers' Retirement System (TRS), any employment in a TRS reportable position that I may elect to undertake will be subject to the applicable requirements and limitations set forth in Title 19, Chapter 20, Part 7 of the Montana Code Annotated (MCA), including that such employment may result in reduction or cancellation of my TRS retirement benefits until I again terminate and retire.

Member's Signature

Date

CONDITIONS FOR EMPLOYMENT OF TRS RETIREES PURSUANT TO HB 363

Subject to the following conditions, a TRS member who retires with 30 or more years of creditable service may be re-employed as a teacher, specialist, or administrator by a school district without the loss or interruption of TRS retirement benefits.

HB 363 applies only to employment with school district employers (defined in §20-6-101, §20-6-701, MCA) and does not include state agencies, counties, education cooperatives, the university system, community colleges, or any other employer participating in TRS.

RETIRED MEMBERS

IMPORTANT NOTE: Entering into an employment contract prior to receiving verification from TRS that you are eligible to be rehired under HB 363 could result in you being contractually bound to provide service as an employee, which, if TRS denies eligibility under HB 363, may result in loss or interruption of your retirement benefits during the term of that employment.

If you are hired under this provision:

- You are exempt from the post-retirement earnings limits under §19-20-731, MCA and from the 150 day break in service requirement under §19-20-734, MCA. You are not exempt from the prohibition regarding pre-arranged agreements (§19-20-810, MCA).
- You must have 30 or more years of creditable service with TRS. To verify your years of creditable service, please contact TRS at 406-444-3135, 406-444-3185 or 866-600-4045.
- You must have received at least two monthly retirement benefits. TRS monthly benefits are processed on the last business day of each month; if you terminated in June, you would not be eligible to be reemployed under this provision until September 1, after you have received your July and August retirement benefits.
- You may only be employed pursuant to HB 363 for a maximum of three years during your lifetime. A year is defined to mean all or any part of a fiscal year (July 1 through June 30).
- You will not accrue additional creditable service or receive any increase to your retirement benefits due to additional service time or increased salary in employment under HB 363.
- No contributions are due from you and you will continue to receive your TRS retirement benefits.

EMPLOYERS

The school district employer is required to:

- Certify that it advertised the position for the school year but was unable to fill the position because the school district received no qualified applications or did not receive an acceptance of an offer of employment made to a non-retired teacher, specialist, or administrator.
- Advertise the position and certify its inability to fill the position each year, prior to entering into a contract with a retired member. This includes re-contracting with the same retired member.
- Contribute to TRS the sum of all employee and employer contributions rates (required under §19-20-602, 604, 605, 607, 608, and 609, MCA) of the salaries paid to retired members working under HB 363. No contributions are due from the TRS retired member, and they will continue to receive their TRS retirement benefits.)

Please contact TRS if you have any questions. TRS staff can be reached at 406-444-3134 or 866-600-4045.