



# Montana Teachers' Retirement System

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TRS Office Use Only

## FORM 143-EE: Retired Member Application to Return to Work Pursuant to §19-20-732, MCA

In compliance with the Americans with Disabilities Act of 1990, alternative accessible formats of this document will be provided upon request.

TYPE OR PRINT LEGIBLY IN DARK INK

Please read all information on Page 2 before completing this form.

### RETIRED MEMBER INFORMATION

Full Name: First Middle Last Suffix XXX - XX - Last 4 digits of your SSN

Maiden or Other Name Previously Reported to TRS Birth Date (mm/dd/yyyy) Telephone Number

Mailing Address: Street or P.O. Box City State ZIP Code (use Zip+4 if known)

Is this a new 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 §19-20-732, MCA, and as stated on the reverse of this form. I also attest that I am eligible for employment pursuant to §19-20-732, MCA, with respect to each of those conditions. I further acknowledge that if I am not eligible for employment pursuant to §19-20-732, MCA, as verified by the 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 §19-20-732, MCA

Subject to the following conditions, a TRS member who retires with 27 or more years of creditable service may be re-employed in a Class 2 or Class 3 school district as a teacher, specialist, or administrator other than superintendent without the loss or interruption of TRS retirement benefits. The provisions of §19-20-732, MCA, apply only to employment with school district employers (as defined in §20-6-101, §20-6-701, MCA) and do 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 §19-20-732, MCA, could result in you being contractually bound to provide service as an employee, which, if TRS denies eligibility under §19-20-732, MCA, may result in loss or interruption of your retirement benefits during the term of that employment, or may result in retroactive return to active member status if you did not complete a 150-day break in service as required under §19-20-734, MCA.

If you are eligible and 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 retired with 27 or more years of creditable service with TRS. To verify your years of creditable service, please contact TRS at (406) 444-3134 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, for example, you terminated employment 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 §19-20-732, MCA, 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 §19-20-732, MCA.
- 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 §19-20-732, MCA. No contributions are due from the TRS retired member, and they will continue to receive their TRS retirement benefits.

If you have any questions, please call TRS at (406) 444-3134 or toll-free at (866) 600-4045.