



Employing a TRSL retiree: HIGHER ED

This chart reflects changes to return-to-work laws effective June 17, 2022.

SEPT
2022

NOTE: The RTW Laws apply to direct employment and employment by contract or corporate contract.

	Question →	YES	NO
#1	Did retiree retire before July 1, 2020?	Continue to Question #2.	Retiree falls under the 2020 RTW Group. See #1A.
#1A	If answer to #1 is NO, is retiree employed by contract or corporate contract?	Benefit suspension	See #1B.
#1B	If answer to #1A is NO, is retiree employed full time?	Can elect RTW Option 1* or Option 2**	Only eligible for RTW Option 1*
		*Option 1: 25% earnings limit based on retiree's FAC **Option 2: Suspend benefits, regain active membership, and earn a supplemental benefit	
#2	Is the retiree at least age 62 with 30 or more years of service credit and being hired as an adjunct professor in a nursing program where a critical shortage exists?	Retiree falls under 2022 RTW Law. [†] (Higher Ed ONLY)	Continue to Question #3.
#3	Has the retiree previously elected to transfer to the 2020 RTW Group?	Retiree falls under 2020 RTW Law. (See 2020 RTW options above.)	Continue to Question #4.
#4	Did the retiree return to work for the first time on or after July 1, 2020, but before June 17, 2022?	Continue to Question #5.	Retiree falls under the 2010 RTW Law. Continue to Question #6.
#5	Does retiree want to make the election to transfer from the 2020 RTW Law to the 2010 RTW Law and remain under the 2010 RTW Law until at least July 1, 2027?	Retiree can transfer with Form 15TR. Continue to Question #7.	Retiree falls under the 2020 RTW Law. (See 2020 RTW options above.)
#6	Does retiree want to make the irrevocable election to transfer from the 2010 RTW Law to the 2020 RTW Law?	Retiree must first be enrolled under the 2010 RTW Law for at least one day before being able to transfer to the 2020 RTW Law.	Retiree falls under the 2010 RTW Law. Continue to Question #7.
#7	Did retiree retire before July 1, 2010?	Retiree falls under 2010 RTW Law. (Grandfathered Group)	Continue to Question #8.
#8	Does retiree hold an advanced degree in speech therapy, speech pathology, or audiology?	Retiree falls under 2010 RTW Law. (Advanced Speech)	Continue to Question #9.
#9	Will retiree be employed as a tutor for PreK-12 students or as a presenter of professional development?	Subject to 25% earnings limit (based on annual retirement benefit)	See #9A.
#9A	Will retiree be employed as an adjunct professor?	Subject to 25% earnings limit (based on annual retirement benefit)	Retired Member — Benefit Suspension (Eligible to convert to 2020 RTW Law)

[†]If employer has fulfilled requirements for declaring a critical shortage (See Index 15.3 of Employer Procedures Manual.)



Employing a TRSL retiree: PreK-12

This chart reflects changes to return-to-work laws effective June 17, 2022.

SEPT
2022

OVERVIEW

NOTE: The RTW Laws apply to direct employment and employment by contract or corporate contract.

	Question →	YES	NO
#1	Did retiree retire before July 1, 2010?	Retiree falls under 2010 RTW Law. (Grandfathered Group)	Continue to Question #2.
#2	Did retiree retire before July 1 2020?	Continue to Question #3.	Retiree falls under 2020 RTW Law.
#3	Did the retiree return to work for the first time on or after July 1, 2020, but before June 17, 2022?	Continue to Question #4.	Continue to Question #6.
#4	Does retiree want to make the election to transfer from the 2020 RTW Law to the 2010 RTW Law and remain under the 2010 RTW law until at least July 1, 2027?	Retiree can transfer with Form 15TR. See chart for 2010 Group.	Retiree falls under 2020 RTW Law.
#5	Has retiree previously elected to transfer to the 2020 RTW Group?	Retiree falls under 2020 RTW Law.	Retiree falls under 2010 RTW Law.
#6	Does retiree want to make the irrevocable election to transfer from the 2010 RTW Law to the 2020 RTW Law?	Retiree must be enrolled under the 2010 RTW Law for at least one day before transferring to 2020 RTW Law.	Retiree falls under 2010 RTW Law.

2010 GROUP: Retired between July 1, 2010, and June 30, 2020

	Question →	YES	NO
#1	Does retiree hold an advanced degree in speech therapy, speech pathology, or audiology?	Retiree falls under 2010 RTW Law. (Advanced Speech)	Continue to Question #2.
#2	Is retiree certified to teach math, science, English language arts, or special ed. (excluding gifted & talented) and is being reemployed to fill a position, including substitute, in their area of certification?	Retiree falls under 2010 RTW Law. (Core Subjects) May also be eligible for critical shortage provision*	Continue to Question #3.
#3	Will retiree be employed as a full- or part-time PreK-12 "classroom teacher" where a critical shortage exists?	Retiree falls under 2010 RTW Law. (Critical Shortage)*	Continue to Question #4.
#4	Will retiree be employed as a full-time speech therapist, pathologist or audiologist, school counselor, social worker, or psychologist, educational diagnostician, interpreter, transliterator, or educator of the deaf or hard of hearing where a critical shortage exists?	Retiree falls under 2010 RTW Law. (Critical Shortage)	Continue to Question #5.
#5	Is retiree at least age 62 with 30 or more years of service credit, and is reemployed to fill a teaching vacancy created because a teacher is on maternity leave (R.S. 17:1211), military leave (R.S. 17:215), sabbatical leave (R.S. 17:1171), or extended sick leave (R.S. 17:1202)	Retiree falls under 2010 RTW Law. (Special Leave)	Continue to Question #6.
#6	Will retiree be employed as a substitute PreK-12 "classroom teacher," tutor, proctor, school nurse, adult literacy instructor, or presenter of professional development?	Retiree falls under 2010 RTW Law. (Earnings Limit)	Retiree falls under 2010 RTW Law. (Retired Member — Benefit Suspension) Eligible to convert to 2020 RTW Law

*If employer has fulfilled requirements for declaring a critical shortage (See **Step-by-Step: Declaring a Critical Shortage.**)

2020 GROUP: Retired after June 30, 2020 (& those in 2010 Group who elect to convert)

	Question →	YES	NO
#1	Is retiree employed by contract or corporate contract?	Benefit suspension	Continue to Question #2.
#2	Is retiree employed full time?	Can elect RTW Option 1* or Option 2**	Only eligible for RTW Option 1*
		<p>*Option 1: 25% earnings limit based on retiree's FAC</p> <p>**Option 2: Suspend benefits, regain active membership, and earn a supplemental benefit</p>	