

Senate Bill 1 of the 2021 Special Session makes certain temporary changes to the retired return-to-work (RTW) rules of the Teachers' Retirement System (TRS). This outlines those changes. If you have any questions, contact TRS at 800-618-1687 before returning to work.

- Applies only to those who retired on or before Aug. 1, 2021.
- The exceptions for TRS retirees provided in SB 1 only apply for RTW teaching positions hired by local school districts (for example, not administrators or classified positions such as bus drivers).
- The exceptions provided in SB 1 only continue through Jan. 15, 2022.
- Standard breaks in service do not apply for teaching positions; the only requirement is a one-month break in service that should already have been served by anyone who is eligible under this law.
- The exception for the shorter, one-month break in service in almost all cases does not apply to reciprocity retirees who have service in more than one retirement system (with a limited potential exception for hazardous duty retirees).
- SB 1 allows districts to hire additional retirees until the law sunsets in the critical shortage program, which allows retirees to return to work without limitations on salary or a daily wage threshold (DWT).
- Anyone who is in RTW because of this law can continue employment beyond SB 1's expiration without a further break in service, but the standard RTW rules of KRS 161.605 would apply from that point. Depending how many critical shortage teachers are employed in a district, this would mean that someone working during this period as a critical shortage teacher could have to switch on Jan. 16, 2022, to RTW program that has day and wage limitations if a district is at its allowed capacity.

Most RTW aspects do not change. These aspects that do not change include:

- Retirees who are active in the workforce must drop health insurance coverage through TRS if they are eligible for health insurance through their job. If insurance is available through the employer, TRS insurance, regardless of whether it's the Kentucky Employees' Health Plan (KEHP) or the Medicare Eligible Health Plan (MEHP), must be waived. Additionally, once a retiree loses eligibility for the active-employment insurance, the retiree should contact TRS immediately to enroll in its coverage within the qualifying event period (usually 30 days).
- For TRS retirees who aren't in critical shortage teaching positions, the normal day and pay limitations, such as DWT, apply. (The only temporary exception for RTW retirees returning as teachers who aren't in critical shortage is the break in service duration. TRS retirees returning to non-teaching positions such as bus drivers still must complete the normal breaks in service.)
- Retirees must observe the breaks required of all retirement systems in which they have service regardless of the position to which they are returning. This means that (for example, in the case of a teacher/bus driver) serving the shortest required break does not waive the requirement to serve the longer break of a different retirement system.