**Rehired Annuitant Checklist**

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| --- | --- |
| **Employee Information** |  |
| Employee Name: | Empl ID: |
| WRS Termination Date:  | Title: |
| PVL #: | Department: |
| UDDS: | Effective Date: |
| Select All that Apply: ☐ New Hire ☐ EJED change ☐ FTE change |  |

|  | **Task** | **Notes** |
| --- | --- | --- |
| FYI | See more detailed information on Rehired Annuitants in the [Resources](#Resources) section  |  |
|  |  |  |
| ☐ | Candidate’s WRS termination date is **prior to** July 2, 2013 * Confirm candidate is receiving a monthly WRS annuity
* *Note: If an individual received a lump sum retirement benefit, they are NOT considered a rehired annuitant.*
* Minimum break in service requirement has been met*.*
 |  |
| ☐ | Candidate’s WRS termination date is **on or after** July 2, 2013* Confirm candidate is receiving a monthly WRS annuity
* *Note: If an individual received a lump sum retirement benefit, they are NOT considered a rehired annuitant. However, you still need to review the minimum break in service requirement to ensure that the lump sum benefit is valid. If minimum break has not been met, the employee would need to repay the lump sum benefit.*
* Will candidate have served the 75 days break in service? (See **Valid Termination and Minimum Required Break)** ☐**YES** ☐**NO**
* If retirement would be considered invalid or candidate would be compelled to suspend retirement, counsel candidate.
 |  |
| ☐ | Confirm pay rate conforms to Policy: [10.03 Compensation Structure and Pay Upon Appointment](https://kb.wisc.edu/ohr/policies/page.php?id=53238) |  |
| ☐ | If using the Rehired Retiree waiver reason,review for eligibility: [hr.wisc.edu/docs/recruitment/recruitment-waiver-reasons.pdf](https://hr.wisc.edu/docs/recruitment/recruitment-waiver-reasons.pdf) For questions on a Rehired Annuitant hired via open recruitment, consult with Talent Acquisition (TA).  |  |
| ☐ | Ensure applicable Rehired Annuitant language is included in appointment letter. See Rehired Annuitant Offer Letter Template on [Recruitment Toolkit](https://hr.wisc.edu/hr-professionals/recruitment/). |  |
| ☐ | Ensure Rehired Annuitant Form (ET-2319) is returned within 7 days of hire date or job change and review form for completeness:* You can find the most recent version of the ET-2319 form at [etf.wi.gov/resource/rehired-annuitant](https://etf.wi.gov/resource/rehired-annuitant).
* Ensure correct WRS employment category has been selected
* Do **not** sign as agent!
* Upload to Box folder UW—Madison Benefit Services). Questions can be directed to benefits@ohr.wisc.edu.

\*This would be a good spot to link to instructions on how to complete the RA form.  |  |
| ☐ | Complete all other activities related to the normal hire process. |  |
| ☐ | If Rehired Annuitant is eligible for and is choosing to come under WRS or is being compelled to come under the WRS, it is required to submit either enrollment or waiver forms for State Group Health, State Group Life, Income Continuation Insurance. This is usually submitted with the Rehired Annuitant form. Also submit any other insurance applications. (Link: [hr.wisc.edu/forms/](https://hr.wisc.edu/forms/)) |  |

# Resources:

## Overview

UW—Madison will follow the requirements of Wisconsin Statutes 40.22 when hiring individuals who are receiving a Wisconsin Retirement System (WRS) annuity.

After an individual retires from an employer covered by the WRS, they may return to work with a WRS employer as a rehired annuitant (e.g., continuing to receive their WRS annuity), provided certain requirements are met. There are no restrictions on what type of position a rehired annuitant can hold. Under the WRS, there is no limit to how much an individual may earn as a rehired annuitant.

## Who is a Rehired Annuitant?

An employee who:

* Is currently receiving or has a suspended Wisconsin Retirement System (WRS) benefit; and
* Had a valid termination of employment; and
* Served the minimum required break between the end of WRS employment and returning to work for a WRS-covered employer; and
* Now works for an employer covered by the WRS.

Note: An employee who previously received a separation or lump sum retirement benefit from the WRS is not considered a **rehired annuitant**. Per Wis Stat. §§ [40.23 (1) (a) 1](http://docs.legis.wisconsin.gov/statutes/statutes/40/II/23) and [40.26 (5)](http://docs.legis.wisconsin.gov/statutes/statutes/40/II/26) and is defined in [Wis. Admin. Code § ETF 10.08 (2) (c)](https://docs.legis.wisconsin.gov/code/admin_code/etf/10/08).

## Valid Termination and Minimum Required Break

Annuitants must have a valid termination of employment and meet the minimum break-in-service requirement. In many cases if an annuitant does not separate for at least 75 days, the retirement will be considered invalid.

* A 75-day break in service is **required** when a retiree returns to any work for the *same* employer they retired from.
* A 75-day break in service is **required** when a retiree goes to work for a *different* WRS employer, if the position is expected to meet the WRS eligibility criteria.
* A 75-day break in service is **not required** when a retiree goes to work for a *different* WRS employer, if the position is not expected to meet the WRS eligibility criteria.
* A 75-day break is service is **not required** when an annuitant goes to work for an employer who does not participate in the WRS. The employer does not offer WRS benefits.

Minimum break-in-service information above can be found in ETF’s [*Information for Rehired Annuitants*](https://etf.wi.gov/publications/et4105/direct)(ET-4105). The 75-day minimum break in service period begins the date that all WRS participating employment terminated.

Before retirement, there **cannot** be a contract (verbal or written) in place to return to work before the employee’s termination date.

If the Department of Employee Trust Funds (ETF) determines that a termination is not valid, an individual’s annuity could be stopped, and any annuity payments considered to be paid in error must be returned.

## Benefits

Rehired annuitants, whether or not covered by the WRS, are eligible for the following benefits:

* UW 403(b) Supplemental Retirement Program (SRP)
* Wisconsin Deferred Compensation 457 Program
* Flexible Spending Accounts (FSA)
	+ University Staff Temporary employees (TE) are not eligible.
* Pre-Tax Transportation and Commuter Benefits
	+ University Staff Temporary employees (TE) are not eligible.
* If an individual elects not to participate in the WRS, any sick leave hours earned will **not** be credited to their retiree sick leave credit account upon re-retirement

If an individual is covered by the WRS, they are eligible for the following benefits:

* All benefits offered to active employees in the same position (except University Insurance

Association life insurance (UIA))

If the rehired annuitant is eligible for and is choosing to come under WRS or is being compelled to come under the WRS, it is required to submit either enrollment or waiver forms for State Group Health, State Group Life, and Income Continuation Insurance. These applications are usually submitted with the [*Rehired Annuitant Form*](https://etf.wi.gov/publications/et2319/download?inline=) (ET-2319). Effective dates of coverage are determined by ETF. Further details on effective dates of coverage can be found on the *Rehired Annuitant Form* (ET-2319).

## Paid Leave

A rehired annuitant may be eligible for paid leave benefits. A rehired annuitant must meet the same paid leave eligibility requirements as active employees (see [Leave Benefits](https://hr.wisc.edu/benefits/leave/paid-leave/) for eligibility requirements). Only time worked as a rehired annuitant is used to determine paid leave eligibility. WRS coverage is not required to earn paid leave benefits.

## Titles and Appointments for Re-employed Annuitants

Academic staff, Limited appointees, or University Staff who retire may be appointed to a new appointment via PVL waiver (fixed-term terminal indicating a specific end date) using a title appropriate to the duties to be performed. They may also be appointed via an open recruitment.

FYI: For Academic staff or limited appointees who retire and are granted emerita/emeritus, the emeritus/emerita status is tied to the appointment from which they retired.

## Percentage at Which Employee Must Suspend Annuity

If candidate is expected to work one year or longer, they may be required to suspend their annuity and come back under the WRS depending on the number of hours worked.

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| --- | --- | --- |
|  | WRS termination date was prior to July 2, 2013 | WRS termination date on or after July 2, 2013 |
| University Staff | N/A - no limit to hours | 58% appointment (1200 hours) |
| Faculty, Academic Staff, Limited – A basis | N/A - no limit to hours | 42% (880 hours) |
| Faculty, Academic Staff, Limited – C basis | N/A - no limit to hours | 56% (880 hours) |
| Faculty, Academic Staff, Limited – Lump Sum | N/A - no limit to hours | 880 hours  |

Example of concurrent appointments:

A rehired annuitant with a WRS termination date on or after July 2, 2013 was hired into an appointment with the following details:

* Employment Classification: Academic Staff
* FTE: 40% with an expectation of 832 hours reported per year
* Pay Basis: Annual
* Duration: 1-year
* Annual Salary: $50,000.00

Since it is not expected that 880 hours of service will be required within this 12-month period, the rehired annuitant is not required to suspend their WRS annuity. However, if this same rehired annuitant accepts another appointment, this could make them meet 880 service hours and thus require them to suspend their WRS annuity.

In addition to the appointment detailed above, this rehired annuitant accepts a concurrent Academic Staff appointment paid on a lump sum basis for 1-week. In this example the lump sum payment is $2,000.00.

If the employee receiving a lump sum payment has another position in the same employment category (not job title), the rate from that similar position is divided into the lump sum payment to determine the number of creditable WRS service hours. If there are multiple positions in the same employment category, the lowest hourly rate will be used. Hourly rates are calculated by dividing the annual rate by 2,080 hours, regardless of the employment category and pay basis.

* In this example we take the $50,000.00 annual rate / 2,080 hours = $24.04 hourly rate
* Then, take the lump sum amount of $2,000.00 and divide by the hourly rate of $24.04 = 83.19 service hours

The expected 832 hours from the Academic Staff 40% FTE appointment + the 83.19 hours from the lump sum appointment = 915.19 service hours, which exceeds 880 service hours. **This individual is now required to suspend their WRS annuity.**

If the employee does not have a position in a similar employment category, then the WRS lump sum default hourly rate will be divided into the lump sum payment to determine the number of creditable WRS service hours. Email benefits@ohr.wisc.edu to check current fiscal year lump sum default hourly rate.