

Three Rivers School District

Code: GCPC/GDPC
Adopted: * NEW *

Retirement of Staff

{Senate Bill (SB) 1049 (2019) made it possible for employees to retire under PERS and work for a PERS-covered employer, without hour restrictions in most situations. House Bill (HB) 2296 (2023) extends this law to 2034. The law does not require districts to allow PERS-retired employees to work in the district, rather, leaves the decision up to the district. OSBA encourages districts to evaluate the situation (including financial impacts) prior to making a decision regarding these employees. If districts do allow retired employees to return to work, OSBA recommends working with legal counsel to develop criteria and procedures that can be consistently implemented. Also consider the bargaining impacts of the selected practice.}

To assist the district in its planning efforts, staff members considering retirement are encouraged to notify the district as early as possible, preferably at the beginning of the school year in which the retirement will take place.

Retiring employees are encouraged to coordinate with PERS and the Human Resources Department to ensure that all requirements are met. The superintendent or designee will develop requirements, limitations and procedures for employment as a PERS-retiree. {¹}

District employees will be allowed to retire under PERS and return to their position in the district only for the remainder of the school year.² Ability to contract back beyond initial year will be reviewed by superintendent or designee.

END OF POLICY

Legal Reference(s):

[ORS Chapter 237](#)
[ORS Chapter 238](#)
[ORS Chapter 238A](#)
[ORS 243.303](#)
[ORS 342.120](#)

¹ {House Bill 2296 (2023) modified Senate Bill 1049 (2019), which allows PERS-retired employees to continue to work for PERS-employers without hour restrictions; this provision is now set to expire at the end of 2034.}

² There must be a break in service for retired employees returning to work.

Consolidated Omnibus Budget Reconciliation Act of 1985, 29 U.S.C. §§ 1161-1169 (2018).
Employee Retirement Income Security Act of 1974, 29 U.S.C. §§ 1001-1461 (2018).
OR. CONST., art. IX, §§ 10-13.
[House Bill 2296](#) (2023).