

# Neah-Kah-Nie School District 56

Code: GCPC/GDPC-AR  
Adopted: 6/09/03  
Readopted: 2/11/08; 5/11/15  
Orig. Code: GCPC/GDPC-AR

## Reemployment of PERS-Retired Staff

*(Recommend deleting or updating based on revised policy recommendations.)*

### 1. Current District Employees

- a. In the event that a district employee retires and begins receiving benefits from the Public Retirement Employees System (PERS) prior to the end of the school year, the district may, at its discretion, and upon written request by the employee, hire the employee back in the same, or similar, position under a temporary contract of the balance of the school year under the terms and conditions set forth in this policy, ORS 238.082 and the provisions of any applicable collective bargaining agreement<sup>1</sup>.
- b. Retiring employees desiring continued employment with the district must submit a request in writing to the Superintendent at least 60 calendar days before the retirement date. The district is under no obligation to hire back any particular retired employee and is under no obligation to hire back any retired employee for any future school years. The employee has no reasonable expectation of employment after the term of his or her previous or temporary employment contract.
- c. A retired member who is employed as a classified or licensed employee, as defined by ORS 342.120, will remain in the same collective bargaining unit that included the member before retirement, unless the retiree or the assignment is specifically excluded from the collective bargaining agreement. A retiree will not receive the early retirement benefit while employed by the district.
- d. Retirees that are hired back under a temporary contract pursuant to this section, and would otherwise receive an early retirement benefit, will have that benefit deferred until the end of the temporary contract, as long as the retiree is otherwise eligible for that benefit.
- e. Retirees who are hired back as described in this section and are in a bargaining unit will receive salary and benefits provided to the bargaining unit except as expressly modified below:
  - (1) The retiree will be paid on a per diem basis upon the salary of the retiree at the date of retirement. The district will no longer make a PERS contribution on the retiree's behalf.
  - (2) The retiree will be provided the insurance provided to the bargaining unit.
- f. The retiree will retire and resign in writing from the district before being hired back under this policy.
- g. The salary and benefits for early retirees who are excluded from a bargaining unit will be determined by the Board.
- h. The temporary contracts under this section will terminate at the end of the school year. The district has complete discretion to make decisions regarding continued employment.

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<sup>1</sup> The Neah-Kah-Nie School District is located within a county with a population of not more than 35,000 inhabitants according to the latest federal decennial census. If the county population ever exceeds 35,000, retired employees receiving a service retirement allowance shall not work 1,039 hours in any calendar year, pursuant to ORS 238.082

- i. Decisions to retain the individual in his/her current position will be made by the superintendent. The individual will not be required to submit to established district application and interview procedures if the superintendent, in his/her own discretion, decides to rehire the individual in the current position. Decisions to return the individual in the position other than the individual's current position, such as a new position or another vacant position, will be made by the Board. The individual may be required to submit to the established district application and interview procedures for such positions, as determined by the Board.

2. Former District Employees

A district employee who retired and left district employment without requesting to be rehired as provided in this policy may apply for a subsequent vacancy with the district under the same application and interview procedures as all other applicants for district employment.

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