



## Re-employment or Return to Service by an OPERS (or Ohio Retirement System) Benefit Recipient A Quick Reference Guide

When an individual is receiving benefits from OPERS or another Ohio retirement system<sup>1</sup> and returns to service with a public employer, the public employer is responsible for notifying OPERS. The notice required by the public employer is dependent on the benefit recipient's status and the type of services (employment or independent contractor). A public employer who fails to provide timely notice of a return to service will be responsible for any overpayment of benefits to the benefit recipient. This guide is intended to educate public employers about their responsibilities when a return to service after retirement occurs.

**After determining the individual's status as a benefit recipient, it is important to instruct the individual to contact OPERS (or the other Ohio retirement system) to determine the specific impact of a return to public service on the individual's continued receipt of benefits or access to health care.**

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**IMPORTANT:** For certain categories of benefit recipients, a return to public service after retirement will result in the forfeiture, suspension, or termination of benefits and denial of access to health care.

<sup>1</sup> State Teachers Retirement System (STRS), School Employees Retirement System (SERS), Ohio Police and Fire (OP&F), Cincinnati Retirement System (CRS), State Highway Patrol (SHPRS)

RE-EMPLOYMENT/RETURN TO WORK SCENARIO	ACTIONS REQUIRED BY EMPLOYER
<p><b>OPERS Retired Employee:</b> Employee who has retired from OPERS and is newly hired by your agency or was previously employed with your agency and is returning to work (<i>not as an independent contractor</i>).</p>	<ul style="list-style-type: none"> <li>• Complete the <i>Notice of Re-Employment or Contract Services of an OPERS Benefit Recipient</i> form (SR-6) and submit to OPERS by the end of the first month of employment.</li> <li>• Employee and Employer contributions must begin on the first day of re-employment.</li> <li>• When reporting the first re-employment contribution, use a pay period begin code of “E” on your report and ensure that you are using the first day of work as the pay period begin date.</li> <li>• When the employee terminates the re-employment, include the correct pay period end date (the last day of work) and an end code of “Q.”</li> <li>• Submit the TERM-MP form immediately following the termination noting the last day of work.</li> </ul> <p><b>Note</b> - If the re-employed retiree does not have earnable salary to report to the system, the individual should appear on the <i>Non-Contributing List</i> due January 31 annually for each applicable year. Please use the reason “No earnable salary.”</p> <p><b>Attention: Supreme Court of Ohio</b> - Please submit with the SR-6 form a copy of assignment papers if the member is a retired judge assigned to active duty by the Chief Justice of the Ohio Supreme Court.</p>
<p><b>OPERS Retired Employee (Elected Official):</b> Employee who has retired from OPERS and is elected or appointed to an elected position or returns to the same office for the remainder of an unexpired term (elected or appointed) or the next term.</p>	<ul style="list-style-type: none"> <li>• Complete the <i>Notice of Re-Employment or Contract Services of an OPERS Benefit Recipient</i> form (SR-6) and submit to OPERS by the end of the first month of employment.</li> <li>• Employee and Employer contributions must begin on the first day of re-employment.</li> <li>• When reporting the first re-employment contribution, use a pay period begin code of “E” on your report and ensure that you are using the first day of work as the pay period begin date.</li> <li>• When the employee terminates the re-employment, include the correct pay period end date (the last day of work) and an end code of “Q.”</li> <li>• Submit the TERM-MP form immediately following the termination noting the last day of work.</li> </ul> <p><b>Note:</b> If the re-employed retiree does not have earnable salary to report to the system, the individual should appear on the <i>Non-Contributing List</i> due January 31 annually for each applicable year. Please use the reason “No earnable salary” and not “Elected Official.”</p>

RE-EMPLOYMENT/RETURN TO WORK SCENARIO	ACTIONS REQUIRED BY EMPLOYER
<p><b>OPERS Disability Benefit Recipient:</b> Employee is an OPERS disability recipient and is newly hired by your agency.</p>	<ul style="list-style-type: none"> <li>• Complete the <i>Notice of Re-Employment or Contract Services of an OPERS Benefit Recipient</i> form (SR-6) and submit to OPERS by the end of the first month of employment.</li> <li>• Employee and Employer contributions must begin from the first day of re-employment. The monthly benefit of an <b>OPERS disability benefit recipient</b> who is restored to service, or elected to office, is terminated upon a return to work with a public employer.</li> <li>• When reporting the first re-employment contribution, use a pay period begin code of “E” on your report and ensure that you are using the first day of work as the pay period begin date.</li> <li>• When the employee terminates the re-employment, include the correct pay period end date (the last day of work) and an end code of “Q.”</li> </ul> <p><b>Note:</b> If the re-employed retiree does not have earnable salary to report to the system, the individual should appear on the <i>Non-Contributing List</i> due January 31 annually for each applicable year. Please use the reason “No earnable salary.”</p>
<p><b>ORS Retired Employee:</b> Employee who has retired from an Ohio Retirement System (other than OPERS) and is newly hired by your agency or was previously employed with your agency and is returning to work (<i>not as an independent contractor</i>).</p>	<ul style="list-style-type: none"> <li>• Complete <i>Personal History Record/Elected Official Membership</i> (Form A) available on the Employer Contribution System (ECS) or <a href="http://opers.org">opers.org</a> and submit to OPERS by the end of the first month of employment.</li> <li>• Employee and Employer contributions must begin on the first day of re-employment.</li> <li>• When reporting the first re-employment contribution, use a pay period begin code of “N” on your report and ensure that you are using the first day of work as the pay period begin date.</li> <li>• When the employee terminates the re-employment, include the correct pay period end date (the last day of work) and an end code of “Q.”</li> <li>• Submit the TERM-MP form immediately following the termination noting the last day of work.</li> </ul> <p><b>Note:</b> If the re-employed retiree does not have earnable salary to report to the system, the individual should appear on the <i>Non-Contributing List</i> due January 31 annually for each applicable year. Please use the reason “No earnable salary.”</p>

RE-EMPLOYMENT/RETURN TO WORK SCENARIO	ACTIONS REQUIRED BY EMPLOYER
<p><b>OPERS Retired Independent Contractor (same public employer):</b> Individual returns to service as an independent contractor with your agency.</p>	<ul style="list-style-type: none"> <li>• Complete the <i>Notice of Re-Employment or Contract Services of an OPERS Benefit Recipient</i> form (SR-6) and submit to OPERS by the end of the first month of providing personal services.</li> <li>• Submit the <i>Non-Member Acknowledgment</i> form (PEDACKN) to OPERS not later than 30 days after the individual begins providing personal services.</li> <li>• If an OPERS retiree returns to service with the <b>same public employer</b> from which the individual retired, the return to work will result in forfeiture of the pension portion of the retiree’s benefit and suspension of the annuity portion during the term of the contract.</li> <li>• Submit the TERM-MP form immediately following the termination noting the last day of work.</li> </ul> <p><b>Note:</b> The independent contractor should appear on the <i>Non-Contributing List</i> due January 31 annually for each applicable year.</p>
<p><b>OPERS Retired Independent Contractor (different public employer):</b> Individual is newly hired as an independent contractor with your agency.</p>	<ul style="list-style-type: none"> <li>• Complete the <i>Notice of Re-Employment or Contract Services of an OPERS Benefit Recipient</i> form (SR-6) and submit to OPERS by the end of the first month of providing personal services.</li> <li>• Submit the <i>Non-Member Acknowledgment</i> form (PEDACKN) to OPERS not later than 30 days after the individual begins providing personal services.</li> <li>• If an OPERS retiree returns to service within two months of retirement with a <b>different public employer</b> from which the individual retired, the return to work will result in forfeiture of the pension portion of the retiree’s benefit and suspension of the annuity portion during the term of the contract.</li> <li>• Submit the TERM-MP form immediately following the termination noting the last day of work.</li> </ul> <p><b>Note:</b> The independent contractor should appear on the <i>Non-Contributing List</i> due January 31 annually for each applicable year.</p>
<p><b>ORS Retired Independent Contractor:</b> Individual is newly hired as an independent contractor with your agency.</p>	<ul style="list-style-type: none"> <li>• Submit the <i>Non-Member Acknowledgment</i> form (PEDACKN) to OPERS not later than 30 days after the individual begins providing personal services.</li> </ul> <p><b>Note:</b> The independent contractor should appear on the <i>Non-Contributing List</i> due January 31 annually for each applicable year.</p>

RE-EMPLOYMENT/RETURN TO WORK SCENARIO	ACTIONS REQUIRED BY EMPLOYER
<p><b>OPERS Retired Employee (employed by an Ohio College or University):</b> Employee has retired from OPERS and is newly hired by an Ohio college or university.</p>	<ul style="list-style-type: none"> <li>• Complete the <i>Notice of Re-Employment or Contract Services of an OPERS Benefit Recipient</i> form (SR-6) and submit to OPERS by the end of the first month of employment.</li> <li>• Employee and Employer contributions must begin from the first day of re-employment even if the employee is eligible to enroll in an Alternative Retirement Plan (ARP).</li> <li>• If eligible to enroll in an ARP, the employee must appear on the ARP report for the college or university (ARP 2) no later than 10 days after employment begins.</li> <li>• When reporting the first re-employment contribution, use a pay period begin code of “E” on your report and ensure that you are using the first day of work as the pay period begin date.</li> <li>• If employee enrolls in ARP, submit the <i>Alternative Retirement Plan Election</i> form (ARP 3) to OPERS no later than 120 days after employment begins.</li> <li>• Unless the employee enrolls in ARP, when the employee terminates the re-employment, include the correct pay period end date (the last day of work) and an end code of “Q.”</li> <li>• Submit the <i>TERM-MP</i> form immediately following the termination noting the last day of work.</li> </ul> <p><b>Note:</b> If the re-employed retiree does not have earnable salary to report to the system, the individual should appear on the <i>Non-Contributing List</i> due January 31 annually for each applicable year. Please use the reason “No earnable salary.”</p>
<p><b>ORS Retired Employee (employed by an Ohio college or university):</b> Employee has retired from ORS and is newly hired by an Ohio college or university.</p>	<ul style="list-style-type: none"> <li>• Complete <i>Personal History Record/Elected Official Membership</i> (Form A) available on the Employer Contribution System (ECS) or <a href="http://opers.org">opers.org</a> and submit to OPERS by the end of the first month of employment.</li> <li>• Employee and Employer contributions must begin from the first day of re-employment even if the employee is eligible to enroll in an Alternative Retirement Plan (ARP).</li> <li>• If eligible to enroll in an ARP, the employee must appear on the ARP report for the college or university (ARP 2) no later than 10 days after employment begins.</li> <li>• When reporting the first re-employment contribution, use a pay period begin code of “N” on your report and ensure that you are using the first day of work as the pay period begin date.</li> <li>• If employee enrolls in ARP, submit the <i>Alternative Retirement Plan Election</i> form (ARP 3) to OPERS no later than 120 days after employment begins.</li> <li>• Unless the employee enrolls in ARP, when the employee terminates the re-employment, include the correct pay period end date (the last day of work) and an end code of “Q.”</li> <li>• Submit the <i>TERM-MP</i> form immediately following the termination noting the last day of work.</li> </ul> <p><b>Note:</b> If the re-employed retiree does not have earnable salary to report to the system, the individual should appear on the <i>Non-Contributing List</i> due January 31 annually for each applicable year. Please use the reason “No earnable salary.”</p>

RE-EMPLOYMENT/RETURN TO WORK SCENARIO	ACTIONS REQUIRED BY EMPLOYER
<p><b>OPERS Carryover Employee:</b> Employee is working for a private entity that contracted with your agency to take over a public function.</p>	<ul style="list-style-type: none"> <li>• Employee and Employer contributions shall cease upon the retirement of a carryover public employee. No form is required to notify OPERS.</li> <li>• An OPERS retiree is ineligible to contribute to OPERS as a carryover employee if they return to service or continue to work with a private entity.</li> </ul>
<p><b>OPERS, SERS, or STRS Retired Employee:</b> Employee retired from a higher paid position and is continuing employment in the lower paid position with your agency.</p>	<ul style="list-style-type: none"> <li>• To qualify, contributions must be received for both positions in the month prior to retirement and, for the lower paid position, in the month retirement is effective. No form is required to notify OPERS.</li> <li>• Employee and Employer contributions continue during the period after retirement.</li> </ul>