



Return-to-Work (RTW) of TRSL Retiree – La. R.S. 11:710.1

RTW 2020 Group (Form 15ELEC)

07-15ELEC
rev. 12/20

HOW TO SUBMIT:	DROP OFF or MAIL IN	EMAIL	FAX
	8401 United Plaza Blvd, Ste 300 Baton Rouge LA 70809	web.master@trsl.org	(225) 925-4779

Effective August 1, 2020, retirees of the Teachers' Retirement System of Louisiana (TRSL) who return to work in a position eligible for TRSL membership are subject to one of the following two laws governing their return to work.

- 2010 RTW LAW:** For retirees who retired on or before June 30, 2010 **or** who returned to work before July 1, 2020. These retirees are subject to La. R.S. 11:710, enacted in 2010.
- 2020 RTW LAW:** For retirees who returned to work **for the first time** on or after July 1, 2020 **or** retirees who have made an **irrevocable election** to be subject to the 2020 RTW Law. These retirees are subject to La. R.S. 11:710.1, enacted in 2020.

HOW TO COMPLETE THIS FORM: Print in ink or type all entries except signature. Please read this form carefully before signing. Employers should maintain this form in their records **and** MAIL or FAX a copy to TRSL.

Retirees subject to 2010 RTW LAW: • If you are making an **irrevocable election** to be subject to the 2020 RTW Law: Complete Sections 2 through 5. **Complete this form ONLY if you are making an irrevocable election to be subject to the 2020 RTW Law.**

Retirees subject to 2020 RTW LAW: • If you are subject to the 2020 RTW Law by virtue of when you return to work: Complete Sections 2, 4, and 5 upon re-employment to select one of the RTW options available under the 2020 RTW Law.
• If you are subject to the 2020 RTW Law by making an **irrevocable election**: Complete Sections 2 through 5.

Section 1 - Employment information (to be completed by employer)

Agency name	Agency ID
Position title of RTW employee	Rehire date (mm/dd/yyyy)
Employment status: <input type="checkbox"/> Full time <input type="checkbox"/> Part time	Is retiree directly employed? <input type="checkbox"/> Yes <input type="checkbox"/> No

- If "Yes," retiree should complete all sections below based on the elections being made.
- If "No," retiree should be enrolled under **710.1-CONTRACT-SUSP** in EMIS and should complete Section 2 and sign Section 5 of this form acknowledging that (1) retirees employed by contract or corporate contract are not eligible to select a RTW option below, and (2) that their benefit will be suspended for the duration of this employment. (See reverse side for additional information.)

Section 2 - Retiree information

Name: Last, first, MI, suffix (Jr., III, etc.)	Social Security number (###-##-####)
Street address / PO box	Date of birth (mm/dd/yyyy)
City, state, zip	Daytime telephone (include area code)

Section 3 - Members retired on/before June 30, 2010 or retired and returned to work before July 1, 2020

TRSL retirees who retired on or before June 30, 2010, or returned to work before July 1, 2020, are covered by La. R.S. 11:710 (2010 RTW Law). However, a retiree falling under the 2010 RTW Law can make a **one-time irrevocable election** to instead be covered by La. R.S. 11:710.1 (2020 RTW Law). Retirees choosing to make this **irrevocable election**, must sign the attestation below, then complete Sections 4 through 6.

I am a TRSL retiree who either retired on or before June 30, 2010, or returned to work before July 1, 2020. I hereby make a **one-time irrevocable election** to be subject to La. R.S. 11:710.1 (2020 RTW Law), allowing me to choose RTW Option 1 or RTW Option 2 as listed on the following page. I acknowledge that I am making an **irrevocable election** in accordance with La. R.S. 11:710.1(B). I further acknowledge that this election will make me subject to La. R.S. 11:710.1, whereby I can avail myself of the RTW options listed on the following page. I understand that I can never avail myself of any provisions contained in La. R.S. 11:710 (2010 RTW Law), and forever waive all rights connected to my irrevocable decision. I hereby hold TRSL harmless for my decision to make this **one-time irrevocable election**, and I acknowledge that additional information relating to La. R.S. 11:710 and La. R.S. 11:710.1 is available to me on the following page.

Retiree's signature	Date (mm/dd/yyyy)
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Complete the remainder of the form on the next page, if necessary.

Section 4 - Selection of re-employment option

I hereby elect the following option during the period of my re-employment after retirement in accordance with La. R.S. 11:710.1. I understand that this option is **irrevocable** for the full period of re-employment, unless otherwise indicated below. I further understand that if I return to service within 12 months from the effective date of my retirement, my benefit will be suspended for the duration of a 12-month period from the effective date of my retirement, regardless of the option selected below.

☐ **RTW OPTION 1:** (Available to all part-time and full-time direct employment positions) I elect to limit my earnings during each fiscal year to 25% of my original final average compensation (FAC). I understand that my employer and I will make contributions to TRSL during my re-employment and that my RTW Option 1 employee contributions will be refundable to me upon application and termination of all employment. It is my responsibility to monitor my actual earnings during the fiscal year to ensure that the earnings limit is not exceeded. I understand that if my earnings exceed the earnings limit, my retirement benefit may be suspended and my future retirement benefit will be reduced by the amount that exceeds the earnings limit. **I further understand that if I am a full-time employee, I may prospectively exercise RTW Option 2 below any time prior to or after reaching my 25% earnings limit by executing a new Form 15ELEC — Return-to-Work (RTW) of TRSL Retiree. If I make such change from RTW Option 1 to RTW Option 2, I understand that I will receive a refund of my RTW Option 1 employee contributions after termination of all employment, unless I have exceeded my 25% earnings limit, in which case my refund could be reduced by the amount of earnings in excess of the 25% limit.**

☐ **RTW OPTION 2:** (Available to all full-time direct employment positions) I elect to have my benefits suspended for the duration of my re-employment. I understand that once elected, all subsequent full-time employment will be under RTW Option 2; that I will become an active member of TRSL; that my employer and I will make contributions to TRSL during my re-employment; and that I will accrue a supplemental benefit. I further understand that my supplemental benefit will be calculated using the same formula used to determine my original benefit, utilizing service credit earned during re-employment. The final average compensation (FAC) will be determined as follows: if I am re-employed for at least 36 months, the FAC used in the formula will be the higher of my original FAC or my FAC since re-employment or if I am re-employed for less than 36 months, the FAC used in the formula will be my original FAC.

Section 5 - Retiree signature

- I hereby certify that I have read this form (including all sections) and understand its contents.
- I further certify that the employment information stated above is correct to the best of my knowledge.
- I understand that this choice is **irrevocable** for the full term of re-employment, unless otherwise indicated above.
- I further understand that I should contact a financial advisor if I have any questions regarding what option is best for me.

Retiree's signature

Date (mm/dd/yyyy)

Section 6 - Agency certification (to be completed by employer)

I certify that this retiree is employed in a TRSL-covered position and is eligible to make the elections contained herein.

I further certify that this retiree will be enrolled in TRSL through EMIS by a representative of this agency.

Authorized signature

Date (mm/dd/yyyy)

Title

Additional information

- **Direct employment and employment by contract or corporate contract:** Direct employment is when a retiree is hired directly (generally issued a W-2 IRS form) by a TRSL-reporting employer. Generally, a retiree is employed by "contract or corporate contract" in the following situations:
 - » When hired as an independent contractor (generally issued a 1099 IRS form) by a TRSL-reporting employer to provide services to that TRSL employer; or
 - » When hired and paid by a separate company that is performing services to a TRSL-reporting employer pursuant to a contract between that company and the TRSL employer.

State law provides that if a retiree's re-employment is based on a "contract or corporate contract," the retiree shall have their benefit suspended for the duration of re-employment. Furthermore, the retiree and his employer shall not make contributions to the system during such time, and the retiree shall receive no additional service credit and shall not accrue any additional retirement benefits. La. R.S. 11:710.1(C)(3). If you have any questions as to whether you are a direct employee of a TRSL-reporting employer, you should contact your employer to confirm your status.

- **Online resources:** For more information about the 2010 RTW Law (La. R.S. 11:710) and the 2020 RTW Law (La. R.S. 11:710.1), please refer to TRSL's online brochure, *Returning to Work After Retirement*, as well as the Louisiana Legislature website for La. R.S. 11:710 and La. R.S. 11:710.1 (Act 337 of 2020).