

WORKING AFTER RETIREMENT

INCLUDES COLORADO PERA FORMS:
WORKING AFTER RETIREMENT LIMIT WORKSHEET
EFFECTIVE MONTH OF RETIREMENT WORK REPORT
RETIREE WORKING FOR A PERA EMPLOYER
DISCLOSURE OF COMPENSATION

Revised April 2023

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OVERVIEW

In order to retire and receive a Colorado PERA benefit, you must terminate employment with all PERA employers. To ensure that a termination of employment occurs, your termination date for PERA retirement must be in writing and verified by your employer on your Final Six Months' Salary Report.

If you plan to work for any PERA employer after retirement, be sure to read the information in this booklet. As a PERA retiree, you are responsible for understanding the working after retirement rules and submitting the working after retirement forms.

If you fail to submit any of the forms as required in this booklet or provide PERA with false information, PERA may suspend your retirement and take legal action to recover unearned benefit payments and interest.

- » You may work for a private company that is not performing services for a PERA employer (or work for a public employer not affiliated with PERA) without limitation.
- » You may volunteer for a PERA employer as many hours as you desire, except on the first business day of the month in which your retirement is effective.
- » If you return to work for a PERA employer or perform services for a PERA employer for compensation, you are subject to specific working after retirement rules as outlined in this booklet.
- » All retirees except state legislators, judges participating in the Senior Judge Program, and certain retirees working for employers in positions covered by an Optional Retirement Plan (ORP) must pay a working retiree contribution (see page 4).
- » If you are a disability retiree, you have different working after retirement rules. See the "Disability Retirees Returning to Work" section beginning on page 7 for more information.
- » If you receive a monthly benefit as a cobeneficiary or survivor beneficiary, you are not subject to any employment or working after retirement limitations unless you also receive a monthly retirement benefit for your time worked for a PERA employer.

Submit Required Form

Complete the Retiree Working for a PERA Employer form on page 19 if you work for a PERA employer after retirement. If you return to work for more than one PERA employer, complete this form for each employer.







Keep a record of your work hours/days for any PERA employers because PERA may request information about your employment.

RETURNING TO WORK FOR A PERA EMPLOYER

WORKING DURING THE EFFECTIVE MONTH OF RETIREMENT

Colorado state law specifies that employment for any PERA employer during the effective month of retirement will result in a reduction of your retirement benefit. This does not apply to judges participating in the Senior Judge Program.

There must be a termination of employment for you to be eligible to retire; any return to work in the effective month of retirement, even with a new PERA employer, may cause PERA to question whether you were truly terminated from all PERA covered employment. If you work for any PERA employer during the effective month of retirement, your employer may be asked for documentation about your employment status.

You may not volunteer or work on the first business day of the month in which your retirement is effective. If you work the first business day of the month, you have not terminated employment and your retirement will be canceled or delayed until a valid termination of employment occurs. Even being contracted to work in the effective month of retirement, prior to the first business day of that month, could constitute an employee-employer relationship that may also invalidate your eligibility.

If you work during the effective month of retirement, PERA must reduce your benefit by 5% for each day or partial day that you work during that month. This penalty applies immediately, regardless of whether or not you exceed other working after retirement limits and the time will count toward the working after retirement limits described below.

Submit Required Form

Report any work performed during your effective month of retirement on the *Effective Month of Retirement Work Report* form on page 17.

WORKING AFTER RETIREMENT LIMITS

You may perform services in exchange for compensation for up to 110 days or 720 hours per calendar year without affecting your benefit, including work performed during the effective month of retirement. You are subject to the 110-day/720-hour work limit if you cannot be considered an independent contractor (see page 5).

WORK LIMIT DEFINITION AND EXAMPLES

A day is defined as more than four hours of work in a day. If you work four hours or less during a day, the limit is 720 hours per calendar year. If your work exceeds 110 days or 720 hours, PERA must reduce your benefit in a future month by 5% for each day in excess of the limit.

To convert your hours to days, divide your number of hours by the conversion factor of 6.5454 (see examples below). If you work hours only (you work four hours or less per day), then you may work 720 hours in a calendar year without exceeding the limit (720 hours converts to 110 days).

Example 1:

Janet worked six hours per day for 60 days in 2020. Since she worked over four hours per day, each day is counted as one day of work.

Janet also worked three hours per day for 30 days in 2020. Since she worked less than four hours per day, she accumulated 90 hours (3×30 days). Using the formula, Janet's hours are converted to days in the following calculation:

 $90 \div 6.5454 = 14 \text{ days}$

Janet's total number of days worked in 2020 calculates to 74 days (60 + 14). Janet has not exceeded the 110-day work limit.

Example 2:

Doug worked 4.5 hours per day, three days a week, in 2020. Each day that Doug worked more than four hours is counted as one day toward the 110-day limit. Although Doug's hours only totaled 702 (4.5 \times 3 \times 52), he exceeded the limit because he worked over four hours per day, exceeding the 110-day limit by working 156 days (3 \times 52).

140-DAY/916-HOUR WORK LIMIT FOR CERTAIN RETIREES EMPLOYED BY SCHOOL DISTRICTS AND INSTITUTIONS OF HIGHER EDUCATION

Effective January 1, 2011, each employer in the School Division and the Denver Public Schools (DPS) Division, as well as each state college or university, may designate up to 10 retirees who are permitted to work up to 140 days or 916 hours per calendar year without a reduction in their benefits. These retirees must be designated by the employer and reported to PERA by March 31 of the applicable year or upon the retiree's hire date if later in that applicable year. Any designation received by PERA after the March 31 deadline or after the applicable calendar year has ended will not be recognized.

Retirees who are not designated by their employer are not eligible for the 140-day/916-hour limit and are subject to the 110-day/720-hour limit. Confirm with your employer that you have been designated as a 140-day/916-hour retiree prior to working any additional days or hours beyond the 110 day/720-hour limit allowed by state law.

If you are working for multiple PERA employers and you reach the standard 110-day/720-hour limit, you may only work the remaining 30 days or 196 hours for the employer that designated you as a 140-day/916-hour retiree without incurring a reduction in your PERA benefit.

If you are designated as a retiree under the 140-day/916-hour limit by your employer, PERA will send you a letter each year. If you believe you should have been designated but have not received written confirmation from PERA, please contact your employer to clarify your

110 day/720-hour limit allowed by state law.

status prior to working any additional days beyond the

For purposes of this limit:

- » Charter schools of a school district are not allowed to each designate 10 retirees. Rather, 10 retirees may be designated by the entire school district and all of its affiliated charter schools.
- » Higher education institutions with more than one campus may designate 10 retirees per campus each year.

CRITICAL SHORTAGE FOR RETIREES EMPLOYED BY RURAL SCHOOL DISTRICTS, CHARTER SCHOOLS, OR BOCES

Rural school districts, charter schools within rural school districts, or Boards of Cooperative Educational Services (BOCES) within rural school districts may declare a critical shortage of qualified teachers, school bus drivers, food service workers, school nurses, or paraprofessionals.

If you are hired to work in a critical shortage position:

- » You will not be subject to the working after retirement limits
- » You cannot work for any employer during the effective month of retirement.
- » Your employer will be required to make employer contributions and you will be required to pay working retiree contributions.
- » You are eligible to participate in your employer's health insurance programs or the PERACare program; however, no subsidy will be applied toward payment of PERACare premiums.
- » You are limited to six consecutive years without a reduction in benefits, starting the year you become a critical shortage retiree.

If you are a teacher and you retire with a reduced service benefit:

» You must wait two years after retirement to return to work in a critical shortage position for the same school district, charter school, or BOCES from which you retired. If you are designated as a critical shortage retiree by your employer, PERA will send you a letter each year. If you believe you should have been designated but have not received written confirmation from PERA, please contact your employer to clarify your status prior to working any additional days beyond the 110 days allowed by state law.

CRITICAL SHORTAGE FOR RETIREES EMPLOYED BY BOCES

Boards of Cooperative Educational Services (BOCES) in Colorado may declare a critical shortage of Special Services Providers (SSP).

If you are hired into a critical shortage position:

- » You will not be subject to the working after retirement limits.
- » You cannot work for any employer during the effective month of retirement.
- » Your employer will be required to make employer contributions and you will be required to pay working retiree contributions.
- » You are eligible to participate in your employer's health insurance programs or the PERACare program; however, no subsidy will be applied toward payment of PERACare premiums.
- » You are limited to five consecutive years without a reduction in benefits, starting the year you become a critical shortage retiree.

If you retire with a reduced service benefit:

» You must wait two years after retirement to return to work in a critical shortage position for the same school district from which you retired.

If you are designated as a critical shortage retiree by your employer, PERA will send you a confirmation letter. On an annual basis, your employer is required to certify that you have continued employment in the critical shortage position and have continued to provide services through the BOCES to at least two rural or small rural school districts. If your employer cannot sign off on at least one of these requirements, PERA will send you a letter notifying you that your critical shortage status has been terminated.

In any event, if there is any question about your status as a critical shortage retiree, please contact your employer prior to working any additional days beyond the 110 days allowed by state law.

LICENSED SUBSTITUTE TEACHERS

During the period of March 17, 2022, through June 30, 2025, PERA retirees who hold a valid Colorado teaching license working as a substitute teacher may be temporarily exempt from the working after retirement limits. This includes substitutes in any school district or charter school authorized by the Colorado Charter School Institute (CSI) who have declared a critical shortage of qualified substitute teachers. (Note: Holding only a substitute teaching license is not sufficient for this temporary exemption.)

JUDGES WORKING AFTER RETIREMENT

Judges have different working after retirement provisions when returning to a position on the bench under the Senior Judge Program. Upon written agreement with the chief justice, you may perform assigned judicial duties without pay for 10, 20, 30, 60, or 90 days each year and will receive a benefit increase equal to 3.3%, 6.7%, 10%, 20%, or 30%, respectively, of the current monthly salary of judges serving in the same position from which you retired.

Such agreements shall be for a period of no more than three years. A retiree may enter into subsequent agreements, but the aggregate of these agreements shall not exceed 12 years, except at the discretion of the Colorado Supreme Court. (Note: Only judges with an official agreement with the chief justice are exempt from the limits. Retired judges asked to come back in the Denver County Court system under a temporary assignment are not under the exempted Senior Judge Program.)

If you work for a PERA employer outside of the Senior Judge Program:

- » You will be subject to the working after retirement limitations.
- » Your employer is required to pay all employer contributions on your pay.

WORKING RETIREE CONTRIBUTION

You are required to pay a working retiree contribution if you work for a PERA employer outside the Senior Judge Program:

- » If you work for a PERA employer in any division, you must pay the working retiree contribution, which is equal to the member contribution shown under "PERA Contributions."
- » If you are working under the Senior Judge Program, no working retiree contribution is due.

EXCEEDING THE WORKING AFTER RETIREMENT LIMITS

If you exceed the 110-day/720-hour (or 140-day/916-hour) work limit in a calendar year, one month's benefit will be reduced by 5% for each additional day worked. A reduction of more than 100% of your benefit will be carried forward to reduce future months' benefits. If you exceed the working after retirement limits, complete the *Working After Retirement Limit Worksheet* on page 15 or online at copera.org by logging into your account using your User ID and password, and send it to PERA no later than March 31 of the year following the calendar year in which you exceeded the limits.

You may also report your excess hours or days on a monthly basis so that the penalties are applied during the year in which you exceed the limits, instead of being applied in the following calendar year.

If you fail to disclose to PERA by March 31 that you exceeded the working after retirement limits in the previous calendar year, you will be subject to an additional penalty for non-disclosure above the 5% for each working day. This non-disclosure penalty will be applied for each day of non-disclosure and is assessed at PERA's actuarial assumed rate of return.

Submit Required Form

Submit the Working After Retirement Limit Worksheet on page 15 to PERA no later than March 31 of the year following the calendar year in which you exceeded the limits. You may also submit the form online at copera.org by logging into your account using your User ID and password.

EMPLOYER CONTRIBUTIONS ON RETIREES' SALARIES

Your employer must pay employer contributions as well as the Amortization Equalization Disbursement (AED), Supplemental Amortization Equalization Disbursement (SAED), and the Defined Contribution Supplement (DC Supplement) on your salary or payments made to you for services rendered.

This applies to all PERA retirees working after retirement for a PERA employer as an employee, vendor, independent contractor, consultant, or if you are hired by a PERA employer through a business you own or operate, or through a business owned or operated by an affiliated party. By law, it is the employer's responsibility to pay these employer contributions and they may not be paid as a deduction from your salary or other pay. An employer may reduce the salaries for rehired retirees to compensate for the employer contribution, which is allowed under the law, but may not deduct contributions from the agreed upon pay.

WORKING RETIREE CONTRIBUTION

All retirees working after retirement must pay a working retiree contribution equal to the member contribution rate shown below.

If you are hired as an employee of a PERA employer, the working retiree contribution will be taken directly from your pay as a pre-tax contribution, which will reduce your taxable income. If you are working as an independent contractor, see information on page 5. The working retiree contribution does not accrue an additional benefit. You are not eligible for a refund of these contributions.

The working retiree contribution does not apply to retirees working as state legislators, judges participating in the Senior Judge Program, or certain retirees working for an employer in a position covered by an ORP as provided for by C.R.S. § 24-54.5-101, *et seq.* (see page 6).

Under state law, member and employer contributions will adjust beginning July 1, 2020, to ensure that PERA is able to pay off its unfunded liability. Both member and employer contribution rates can each increase (or decrease) by up to 0.5% per year, and cannot exceed certain limits also set in law. The changes are based on PERA's funded status and are determined each June, a year before any changes are implemented.

MEMBER CONTRIBUTION RATES

	State, School, and DPS Divisions	Local Government Division	Judicial Division	Safety Officers
July 2022	11.00%	9.00%	11.00%	13.00%





TAX INFORMATION

Most PERA retirees working after retirement for a PERA employer must pay a working retiree contribution. The rate of this working retiree contribution is the same rate that members employed by the employer pay for their member contribution. If a retiree has been hired as an employee of a PERA employer, it is the employer's responsibility to deduct and forward these working retiree contributions to PERA.

The working retiree contributions are pension contributions that are remitted on a pre-tax basis to PERA under Internal Revenue Code (IRC) § 414(h)(2). In order to maintain its qualified status under IRC § 401(a), PERA must use contributions for the exclusive benefit of the participants. In this case, the working retiree contributions are an integral part of keeping PERA solvent. PERA retirees are direct beneficiaries of such solvency.

As a result, a PERA retiree who is working after retirement as an employee of a PERA employer, and who is paying a working retiree contribution, may notice that the "Retirement Plan" in Box 13 is checked on the retiree's W-2 form, which indicates that the retiree is an active participant in a retirement plan. Any retiree in this situation may wish to consult a tax professional to determine what impact this may have as it relates to contributing to an Individual Retirement Account (IRA) on a tax-deductible basis.

PERA RETIREES WORKING FOR PERA EMPLOYERS AS INDEPENDENT CONTRACTORS OR THROUGH AFFILIATED PARTIES

If you provide services to a PERA employer as an independent contractor, through a business you own or operate, or through a business owned or operated by an affiliated party (see definition on page 6), you are not subject to the working after retirement limit. However, you are subject to working retiree contributions. Additionally, the employer must pay employer contributions, the AED, and the SAED on your salary or payments made to you for services rendered.

This applies to all PERA retirees under either benefit structure working after retirement for PERA employers as employees, independent contractors, vendors, or consultants, or if they are hired by PERA employers through a business they own or operate, or through affiliated parties.

By law, it is the employer's responsibility to pay employer contributions and they may not be paid as a deduction from salary or other pay. An employer may reduce the salaries on contracted payments for rehired retirees to compensate for the employer contribution, which is allowed under the law. However, an employer may not deduct contributions from the agreed upon pay.

Classification as an independent contractor is determined between you and your employer and should be based on IRS guidance. Misclassification can result in back taxes, benefit issues, and penalties.

YOU ARE REQUIRED TO COMPLETE A DISCLOSURE OF COMPENSATION FORM IF EITHER OF THE FOLLOWING IS TRUE:

- » For tax purposes, the PERA employer reports compensation paid to you or your company under a tax identification number different from your Social Security number (SSN).
- » You are performing services through an affiliated party.

If you fail to report compensation to PERA and the PERA employer, you may be required to pay the employer contribution amount plus any interest.

You are not required to complete a *Disclosure of Compensation* form if, for tax purposes, the PERA employer reports compensation paid to you or your company under your SSN. See "Information About Completing the *Disclosure of Compensation* Form" on page 20.

YOU ARE WORKING THROUGH AN AFFILIATED PARTY IF THE COMPANY OWNER IS:

- » A person who is your named beneficiary or cobeneficiary on your PERA account.
- » A person who is your relative by blood or adoption (includes parents, siblings, half-siblings, children, and grandchildren).
- » A person who is your relative by marriage or civil union (includes spouse, spouse's parents, stepparents, stepchildren, stepsiblings, and spouse's siblings).
- » A person or entity with whom you have an agreement to share or profit from the performance of services for a PERA employer in addition to your regular salary or compensation.

The following is an example of working through an affiliated party:

If you work for Company X, which is owned and operated by your spouse (through marriage or civil union) and a PERA employer contracts with Company X and agrees to pay \$50,000 to Company X for the work completed, you are working through an affiliated party. You were not specifically hired to do the work, but do part of the work contracted between Company X and the PERA employer.

If you are paid \$5,000 from Company X, you must disclose that amount to the PERA employer and to PERA. The PERA employer must then submit the appropriate employer contribution to PERA and your benefit will be offset by the working retiree contribution.

It is your responsibility to submit the Disclosure of Compensation form to the PERA employer and PERA, indicating how much you were paid by Company X for the \$50,000 contract.

Submit Required Form

After reading the information on page 20, submit the Disclosure of Compensation form on page 21 to PERA and the PERA employer for months when you perform services through an affiliated party, or for months when you perform services through a business you own or operate under a tax identification number different from your SSN. You may also submit the form online at copera.org by logging into your account using your User ID and password.

WORKING RETIREE CONTRIBUTIONS

If you are a retiree working for a PERA employer as an independent contractor, through a business you own or operate, or through a business owned or operated by an affiliated party, you are required to pay the working retiree contribution (see page 4). Your PERA monthly benefit will be reduced by the amount of the working retiree contribution. Should the amount of your working retiree contribution exceed the amount of your PERA monthly benefit, the excess amount must be paid directly to PERA within 30 days after the receipt of the benefit to which the offset was made.

RETIREES WORKING FOR EMPLOYERS IN POSITIONS COVERED BY AN ORP

This section refers to ORPs provided by state colleges and universities pursuant to C.R.S. § 24-54.5-101, et seq., but does not include the University of Colorado retirement plans.

If you are a retiree who terminated PERA membership prior to June 3, 1994, and have had continuous employment with the same employer in a position covered by an ORP:

- you will not be subject to the working after retirement work limits.
- » Your employer will be required to make employer contributions.
- » You will not pay the working retiree contribution.
- » You are not allowed to suspend retirement.

If you are a retiree who began working on or before December 31, 2010, for an employer in a position covered by an ORP and have had continuous employment with the same employer:

- » You will be subject to the working after retirement work limits.
- » Your employer will be required to make employer contributions.
- » You will not pay the working retiree contribution.
- » You are not allowed to suspend retirement.

If you are a retiree who begins working for an employer in a position covered by an ORP on or after January 1, 2011, you will be required to choose PERA or the ORP as your retirement plan.

IF YOU CHOOSE PERA:

- » You will be subject to the working after retirement work limits.
- » Your employer will be required to make employer contributions.
- » You will pay the working retiree contribution.
- » You are allowed to suspend retirement and return to membership (see "Suspending Retirement Benefits" on page 8).

IF YOU CHOOSE THE ORP:

- » You will be subject to the working after retirement work limits.
- » Your employer will be required to make employer contributions.
- » You will not pay the working retiree contribution.
- » You are not allowed to suspend retirement.

PROVISIONS AS A RESULT OF THE DENVER PUBLIC SCHOOLS RETIREMENT SYSTEM (DPSRS) MERGER

- » If you are a retiree under the PERA benefit structure and an active member of the Denver Public Schools (DPS) benefit structure as of December 31, 2009, you are not subject to the working after retirement limits as long as you remain employed with the employer you were working for on December 31, 2009. You will continue to accrue a benefit under the DPS benefit structure after December 31, 2009. Any employment with an employer other than the pre-merger employer subjects you to the working after retirement limits (see page 1) and you will be required to pay the working retiree contribution (see page 4.)
- » If you are a retiree under the PERA benefit structure, you are exempt from the working after retirement limits if you were working as an hourly employee for a DPS employer on or before December 31, 2009, and continue in the same position. Any employment with an employer other than the pre-merger employer subjects you to the working after retirement limits. (Note: Your pre-merger employer is still required to pay employer contributions, plus AED and SAED, on the salary you earn. As a retiree, you are required to pay the working retiree contribution (see page 4).)

» If you are a retiree under the DPS benefit structure and are employed by a PERA employer other than DPS or a DPS charter school as of December 31, 2009, you are not subject to the working after retirement limits as long as you remain employed with the employer you were working for on December 31, 2009. You will continue to accrue a benefit under the PERA benefit structure after December 31, 2009. Any employment with an employer other than the pre-merger employer subjects you to the working after retirement limits (see page 1) and you will be required to pay the working retiree contribution (see page 4.)

DISABILITY RETIREES RETURNING TO WORK

DISABILITY RETIREES UNDER THE PERA BENEFIT
STRUCTURE WHO RETIRED ON OR AFTER
JANUARY 1, 1999, AND DISABILITY RETIREES
UNDER THE DPS BENEFIT STRUCTURE WHO RETIRED ON
OR AFTER JANUARY 1, 2010:

- » If you return to work for a PERA employer, you are subject to the same working after retirement provisions as a service retiree.
- » Your disability retirement benefit is based upon your inability to perform any regular and substantial gainful employment. Any work after retirement (for a PERA employer or any other employer) must be coordinated with the Disability Program Administrator and may prompt a re-evaluation of your disabling condition. If it is determined that you are medically able to earn 75% of your predisability earnings, your disability retirement benefit may end.

DISABILITY RETIREES UNDER THE PERA BENEFIT STRUCTURE WHO RETIRED BETWEEN JULY 1, 1988, AND DECEMBER 31, 1998:

- » If you return to work for a PERA employer, you are subject to the same working after retirement provisions as a service retiree.
- » You are also subject to an annual earned income limitation. This limit applies to income earned from both PERA employment and employment not covered by PERA. The annual limit is the difference between your annualized Highest Average Salary (HAS) at retirement and your annualized initial benefit amount.

- » If you exceed the annual earnings limit, your monthly benefit will be reduced by \$1 for every \$3 you earn over this annual limit. This reduction must be made in full in the calendar year following the year in which the earnings limit was exceeded. This reduction is made in addition to any benefit reduction you may have as a result of exceeding the working after retirement limits by working for a PERA employer.
- » Disability retirees subject to the annual earnings limit are sent a *Disability Offset Worksheet* to complete and return to PERA during the first quarter of each year.
- » The annual earnings limit will no longer apply once you meet the service retirement requirements based upon your earned and purchased service credit (not projected service credit) in effect when your disability retirement benefit started.

DISABILITY RETIREES UNDER THE PERA BENEFIT STRUCTURE WHO RETIRED ON OR BEFORE JUNE 30, 1988:

» If you return to work for a PERA employer, you are subject to the same working after retirement provisions as a service retiree.

DISABILITY RETIREES UNDER THE DPS BENEFIT STRUCTURE WHO RETIRED ON OR BEFORE DECEMBER 31, 2009, AND THOSE WHO SUBMITTED A DISABILITY APPLICATION TO DPSRS ON OR BEFORE DECEMBER 31, 2009:

» If you return to work for a PERA employer, you are subject to the same working after retirement provisions as a service retiree, unless you were actively employed by a PERA employer on or before December 31, 2009. See the third bullet under "Provisions as a Result of the Denver Public Schools Retirement System (DPSRS) Merger" on page 7.

DISABILITY RETIREES UNDER THE DPS BENEFIT STRUCTURE WHO RETIRED BETWEEN JULY 1, 1998, AND DECEMBER 31, 2009, AND THOSE WHO RETIRED ON OR BEFORE JUNE 30, 1998, BUT REACHED AGE 65 ON OR AFTER JULY 1, 1998:

» If you return to work for any employer before reaching service retirement age or age 65, annual salary which you earn may count toward service to be used to recalculate your disability benefit when you reach service retirement age or age 65.

- » Up to 10 years of this service may be awarded, but in no case can the sum of this service and your existing service credit exceed 25 years. If you have 25 or more years of existing service credit, no additional service may be awarded.
- » To be awarded this service, salary documentation (such as year-end tax returns) must be submitted to PERA for review

SUSPENDING RETIREMENT BENEFITS

You may decide to suspend retirement and return to work for a PERA employer as a member rather than working within the working after retirement limits. If you decide to suspend your retirement under either the PERA or DPS benefit structure:

- » You must notify PERA in writing prior to the date of your re-employment. Retirement suspensions are effective the first of the month following receipt of notification.
- » It is your responsibility to notify your employer that you have suspended your retirement, so that your employer can withhold member contributions from your pay.
- » If you are a retiree under both the PERA and DPS benefit structures, and want to suspend retirement, you must suspend both retirements.
- » Some PERA employers have positions that are not subject to PERA membership; for instance, a municipality or special district affiliated with PERA with a firefighter or police officer position that requires coverage under the Fire and Police Pension Association (FPPA) of Colorado. If you are working in a position of this kind, you will be unable to suspend your retirement because suspension requires a return to work in a position subject to PERA membership. If you work in a position covered by an ORP, see information on page 6.

The rules on suspending your retirement are different under the PERA and DPS benefit structures. They are also different depending on whether you suspended your retirement on or before December 31, 2010, or on or after January 1, 2011.





SUSPENDING YOUR RETIREMENT— PERA BENEFIT STRUCTURE

IF YOU SUSPENDED YOUR RETIREMENT ON OR BEFORE DECEMBER 31, 2010

If you suspended your retirement on or before December 31, 2010, and returned to membership, you will make member contributions to PERA and earn service credit for this employment. If you have earned less than one year of service credit when you terminate employment and reretire, PERA will refund your contributions and resume your benefit as originally calculated.

If you earn one year or more of service credit following a suspension of retirement, when you re-retire, PERA will recalculate your benefit to reflect your additional service credit and any change in your HAS, and you may select a new benefit option and cobeneficiary. (Note: If your original retirement date was on or before December 31, 2008, your new benefit will be calculated using the HAS calculation in effect at the date of re-retirement, which could lower your retirement benefit instead of increasing it. Call PERA's Customer Service Center if you would like a benefit estimate to determine if suspending your retirement would have an impact on your benefit amount.)

IF YOU SUSPEND YOUR RETIREMENT ON OR AFTER JANUARY 1, 2011

If you suspend your retirement and return to membership on or after January 1, 2011, you will make contributions to PERA and earn service credit for this employment. If you have earned less than one year of service credit when you terminate employment and re-retire, PERA will refund your contributions and resume your benefit as originally calculated.

If you earn one year or more of service credit following a suspension of retirement, you will build a separate benefit. When you terminate employment, your original benefit will resume and you have the option to either refund your new account or elect to receive a separate benefit based upon the plan provisions that governed your initial retirement benefit. You may select a new option and/or cobeneficiary (if applicable).

Additional information for separate benefit segment:

You will be immediately eligible for a second benefit when you stop working, regardless of your age. If you select a new option and/or cobeneficiary (if applicable), the option and cobeneficiary must be the same for all benefit segments. You also may not receive a total benefit greater than 100% of the largest HAS you earn in any benefit segment.

You must wait a period of time as specified by law from the date of re-retirement in order to be eligible for an annual increase. See the *Annual Increases fact sheet* for details of how long you must wait after retirement to be eligible.

SUSPENDING YOUR RETIREMENT— DPS BENEFIT STRUCTURE

If you suspend your retirement and return to membership, you will make contributions to PERA and earn service credit for this employment. If you have earned less than one year of service credit when you terminate employment and reretire, PERA will refund your contributions and resume your benefit as originally calculated.

If you earn one year or more of service credit following a suspension of retirement, you will build a separate benefit. When you terminate employment, your original benefit will resume and you have the option to either refund your new account or elect to receive a separate benefit based upon the plan provisions that governed your initial retirement benefit. You will be immediately eligible for a second benefit when you stop working, regardless of your age. You also may not receive a total benefit greater than 100% of the largest HAS you earn in any benefit segment.

IF YOU SUSPENDED YOUR RETIREMENT ON OR BEFORE DECEMBER 31, 2010

If you suspended your retirement on or before December 31, 2010, and elect a separate benefit upon re-retirement, the new benefit will be the same option and cobeneficiary (if applicable) that you originally elected for your first benefit. You are not allowed to select a new option or cobeneficiary.

IF YOU SUSPEND YOUR RETIREMENT ON OR AFTER JANUARY 1, 2011

If you suspend your retirement on or after January 1, 2011, and earn one or more year of service credit during suspension, you will build a separate benefit. When you terminate employment, your original benefit will resume and you have the option to either refund your new account or elect to receive a separate benefit based on the plan provisions that governed your initial retirement benefit. You may select a new option and/or cobeneficiary (if applicable) if you originally elected an Option A, P2, or P3 benefit.

Additional information for separate benefit segment:

You will be immediately eligible for a second benefit when you stop working, regardless of your age. If you select a new option and/or cobeneficiary (if applicable), the option and cobeneficiary must be the same for all benefit segments. You also may not receive a total benefit greater than 100% of the largest HAS you earn in any benefit segment.

You must wait a period of time as specified by law from the date of re-retirement in order to be eligible for an annual increase. See the *Annual Increases fact sheet* for details of how long you must wait after retirement to be eligible.

PERAPLUS 401(K) AND 457 PLANS

PERAPLUS 401(K) PLAN ACCOUNT

You may make contributions to your PERAPlus 401(k) Plan account, even if you did not participate in the Plan prior to retirement.

You may also make rollovers to your account from other plans that you participate in such as a 401(a), 401(k), 401(c) Keogh, governmental 457(b), 403(a) and 403(b) (you must be eligible to take a distribution from the plan), conduit IRAs, and Traditional IRAs. After-tax money can be rolled over only if it originated in a 401(a), 401(k), 403(a), 403(b), or 457 account.

You may not take distributions from your account unless you have reached age 59% or have terminated employment with all PERA employers.

PERAPLUS 457 PLAN ACCOUNT

You may make contributions to your PERAPlus 457 Plan account as long as you are working for an employer that is affiliated with the PERAPlus 457 Plan, even if you did not participate in the Plan prior to retirement.

You may make rollovers to your account from other plans that you participate in such as a 401(a), 401(k), 401(c) Keogh, governmental 457(b), 403(a) and 403(b) (you must be eligible to take a distribution from the plan), conduit IRAs, and Traditional IRAs. After-tax money cannot be rolled over to the PERAPlus 457 Plan.

You may not take distributions from your account unless you have reached age 59½ or have terminated employment with all PERA employers.

ROTH OPTION

If you return to work for an employer who has adopted the Roth option in the PERAPlus 401(k)/457 Plans, you may make Roth (tax-paid) contributions. You can also rollover Roth funds from designated plans into your Roth account in the PERAPlus Plans.

SUMMARY OF WORKING AFTER RETIREMENT RULES

If you are Then

A retiree working for a private company (or working for a non-PERA affiliated public employer) that is not owned or operated by an affiliated party.	The work limits do not apply and your benefit will not be affected (except for disability retirees).
A retiree providing a product and not a service to a PERA employer.	The work limits do not apply. Employer and working retiree contributions are not required.
A retiree hired as an employee by a PERA employer.	The work limits apply. Employer and working retiree contributions are required.
A retiree individually working for a PERA employer as an independent contractor.	The work limits do not apply. Employer and working retiree contributions are required.
A retiree working for a PERA employer through a business you own or operate and you provide services to the PERA employer as an employee of the PERA employer.	The work limits apply. Employer and working retiree contributions are required.
A retiree working for a PERA employer through a business you own or operate or owned or operated by an affiliated party and you provide services to the PERA employer as an independent contractor.	The work limits do not apply. Employer and working retiree contributions are required.
A retiree who owns or operates a company that is providing services to a PERA employer, but you are not performing services for the PERA employer.	The work limits do not apply. Employer and working retiree contributions are not required.
A retiree serving as a state legislator.	The work limits do not apply. Employer and working retiree contributions are not required.
A retired judge participating in the Senior Judge Program.	The work limits do not apply. Employer and working retiree contributions are not required.
A retired judge working outside the Senior Judge Program.	The same rules apply as are applied to other retirees.
A retiree working in a position that has been temporarily vacated by an employee who has been called into active U.S. military duty.	The work limits do not apply. Employer and working retiree contributions are required.
A retiree who is a volunteer for a PERA employer.	The work limits do not apply; however, you may not volunteer or work in any capacity on the first business day of your effective month of retirement (see page 1).
A disability retiree under the disability program which went into effect January 1, 1999.	Any work after retirement must be coordinated with the Disability Program Administrator and may prompt a re-evaluation of your disabling condition; if it is determined that you are medically able to earn 75% of your predisability earnings, your disability retirement benefit may end. If you work as an employee, the work limits apply.
A retiree who terminated membership prior to June 3, 1994, who has continuous employment with the same employer in a position covered by an ORP as defined under C.R.S. § 24-54.5-101, et seq.	The work limits do not apply. Employer contributions are required. Working retiree contributions are not required.
A retiree who began work on or before December 31, 2010, and has continuous employment with the same employer in a position covered by an ORP as defined under C.R.S. § 24-54.5-101, et seq.	The work limits apply. Employer contributions are required. The working retiree contribution is not required.

If you are Then

A retiree who returns to work on or after January 1, 2011, in a position covered by an ORP as defined under C.R.S. § 24-54.5-101, et seq.	You will be required to choose PERA or the ORP as your retirement plan (see information on page 6).
A retiree who has been retired for less than one month and works in any capacity for any PERA employer during the effective month of retirement.	 You may not work in any capacity (paid or volunteer) on the first business day of your effective month of retirement. PERA will reduce your benefit by 5% for each day or partial day you worked during your effective month of retirement. Any time you work during the effective month of retirement will count toward the working after retirement limits. Employer and working retiree contributions are required.
A retiree working in a critical shortage position.	The work limits do not apply. Employer and working retiree contributions are required.
A retiree working in a BOCES critical shortage position.	The work limits do not apply. Employer and working retiree contributions are required.
A Colorado-licensed teacher working as a substitute teacher during the period of March 17, 2022, through June 30, 2025, for any school district or CSI-authorized charter school that has declared a critical shortage of qualified substitute teachers.	The work limits do not apply. Employer and working retiree contributions are required.

ADDITIONAL PROVISIONS AS A RESULT OF THE DPSRS MERGER

If you are	Then
A retiree under the DPS benefit structure without a PERA benefit structure account and you are hired by a PERA (including DPS) employer on or after January 1, 2010.	The work limits apply. Employer and working retiree contributions are required.
A retiree under the DPS benefit structure with an inactive PERA benefit structure account and you are hired by a PERA (including DPS) employer on or after January 1, 2010.	The work limits apply. Employer and working retiree contributions are required.
A retiree under the DPS benefit structure with an active PERA DC Plan account on January 1, 2010.	As long as work continues for the same employer and the retiree does not begin work for another PERA employer, the work limits do not apply.
A retiree under the PERA benefit structure who retired on or before December 31, 2009, and an active member of the DPS benefit structure on January 1, 2010.	As long as work continues for the same employer and the retiree does not begin work for another PERA employer, the work limits do not apply.
A retiree under the PERA benefit structure who retired on or before December 31, 2009, and was working as an hourly employee for DPS on or before December 31, 2009.	As long as you continue working for the same employer as an hourly employee and do not begin working for another PERA employer, the work limits do not apply. Employer and working retiree contributions are required.
A retiree under the DPS benefit structure on or before December 31, 2009, and an active member of the PERA benefit structure on January 1, 2010.	As long as you continue working for the same employer and do not begin work for another PERA employer, the work limits do not apply.
A retiree under both PERA and DPS benefit structures and began working for a PERA employer (including DPS) after January 1, 2010.	The work limits apply. Employer and working retiree contributions are required. Any reduction will be applied toward both benefits.

WORKING AFTER RETIREMENT FORMS

INFORMATION ABOUT COMPLETING THE WORKING AFTER RETIREMENT LIMIT WORKSHEET

Complete the worksheet on page 15 (or online at copera.org by logging into your account and using your User ID and password), and attach any supporting documentation to submit time worked after you have retired. PERA will not accept your documentation without also submitting a completed *Working After Retirement Limit Worksheet*.

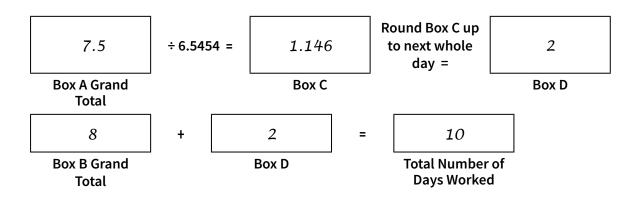
If you fail to disclose to PERA by March 31 that you exceeded the working after retirement limits in the previous calendar year, you will be subject to an additional penalty for non-disclosure above the 5% for each working day. This non-disclosure penalty will be applied for each day of non-disclosure and is assessed at PERA's actuarial assumed rate of return.

CONVERTING HOURS TO DAYS

All hours on this worksheet must be converted to days. To convert your hours to days, divide your number of hours by the conversion factor of 6.5454. If you work hours only (you work four hours or less per day), then you may work 720 hours in a calendar year without exceeding the limit (720 hours converts to 110 days). See example below of the calculation on this worksheet. (Note: A day is defined as more than four hours of work in a day. If you work four hours or less during a day, the limit is 720 hours per calendar year. If your work exceeds 110 days or 720 hours, PERA must reduce your benefit in a future month by 5% for each day in excess of the limit).

EXAMPLE:

Date(s) Worked	Employer	Number of Hours Worked (4 hours/day or less)	Number of Days Worked (more than 4 hours/day)
1/7/22	Douglas County SD	3.5	
1/9/22	Douglas County SD	4.0	
1/10/22-1/14/22	University of Colorado		5.0
1/18/22-1/20/22	Douglas County SD		3.0
	Grand Total =	7.5	8.0
		Δ	R





Working After Retirement Limit WorksheetColorado Public Employees' Retirement Association
PO Box 5800, Denver, Colorado 80217-5800 800-759-PERA (7372) • Fax: 303-863-3727 • copera.org



	Your SSN					
you did not excee within the Disclos	d your working aft ure section below, er Retirement bookl	er retirement limi and return this w	it for the applicator	able calendar year, ut submitting all da	d to Colorado PERA afto you may select the ap ys worked. See instruc g by logging into your a	propriate checkbox ctions on page 14
Your	Name					
Information		Last		First		MI
	Address	Street, Route, or Box				
		Street, Route, or Box	Number	City	State	ZIP Code
	Birthdate		_ 	Daytime Phone		
		Month/Day	y/Year			
	Email Address	i				
	Sign up for ele	ectronic delivery o	f PERA informat	ion? 🗖 Yes 🗖 No	0	
Disclosure	calendar year, day. This non-	you will be subject	t to an addition will be applied	al penalty for non-d	rking after retirement lisclosure above the 5% disclosure and is asset	for each working
	☐ I am self-di	sclosing ONLY day	s worked in exc	ess of the working a	fter retirement limit.	
	☐ I am requir Research T		form for the app	olicable calendar ye	ear as requested by PE	RA's Data
	☐ I did r	not exceed my wo	rking after retire	ement limit for the a	applicable calendar ye	ear; or
		exceeded my wo dar year.	rking after retir	ement limit, see bel	low for all days worked	d for the applicable
Days/Hours					Number of	Number of

Worked

Date(s) Worked	Employer	Number of Hours Worked (4 hours/day or less)	Number of Days Worked (more than 4 hours/day)

В Α 15 (Continued on reverse)



Working After Retirement Limit Worksheet (continued)
Colorado Public Employees' Retirement Association
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ur Name			Y	our SSN		
ays/Hours orked ontinued)	Date(s) Wor	ked	Employer		Number of Hours Worked (4 hours/day or less)	
				on this page		
				on front page Grand Total =		
					A	В
		7		Roun	d Box C up	
		÷ 6.5454	=	to n	ext whole day =	
	Box A Grand Total	_	Вох С			Box D
		+ [=		
	Box B Grand Total	J L	Box D		otal Number of Days Worked	I
ignature ertification	Failure to submit this benefit as well as to t	s form or provio	ding PERA with false	or misleading i	nformation is grou	nds for PERA to susper
	I certify that the infor	mation provid	ed on this workshee	t is correct.		
Sign Here →	Signature				Da	ate

Effective Month of Retirement Work Report

Colorado Public Employees' Retirement Association PO Box 5800, Denver, Colorado 80217-5800 1-800-759-PERA (7372) • Fax: 303-863-3727 • copera.org



Complete this form ONLY if you worked for any Colorado PERA employer during the month of your effective date of retirement and send this report to PERA. It must be sent within 10 days after the end of the month in which your PERA retirement was effective. Work performed during your effective month of retirement counts toward the working after retirement limits.

retiree nformation	Name	First	
	Mailing Address		IVII
	Street	City	State ZIP Code
	SSN	Telephone Number (
	Email Address		
	Sign up for electronic delivery of PERA	A information? Yes No	
ates Worked uring Effective onth of	If you worked during your effective mo	onth of retirement, please list the PERA er	nployers and the dates you
etirement	Name of Employer:	Position Title:	
	Dates Worked:		
	Name of Employer:	Position Title:	
	Dates Worked:		
	Name of Employer:	Position Title:	
	Dates Worked:		
	-		
		Position Title:	
	Dates Worked:		
Sign Here 👈	Signature		Pate Month/Day/Year
•			Month/Day/Year

Retiree Working for a PERA Employer

Colorado Public Employees' Retirement Association PO Box 5800, Denver, Colorado 80217-5800 1-800-759-PERA (7372) • Fax: 303-863-3727 • copera.org



Complete this form if you are a retiree returning to work for a Colorado PERA employer. If you return to work for more than one employer, complete this form for each employer. After completing this form, please send a copy to PERA and submit the original to your employer, who will determine if PERA contributions are required on your behalf. This form is intended only to determine whether employer, member, and working retiree contributions are due to PERA.

To be Completed	, 0		
To be Completed by Retiree	Name	First	
,	Mailing Address		
	Street	City	State ZIP Code
	SSN	Birthdate	Month/Day/Year
			Month/Day/Year
	Telephone Number ()	Email Address	
	Sign up for electronic delivery of PERA info	rmation? 🔲 Yes 🔲 No	
	Employer Name		·····
	Please check the paragraph below that ap	pplies to you:	
	□ I am a retiree and I currently receive a I PERA employer listed (above and below it is my responsibility to keep track of m submit a completed Working After Retire year in which I exceeded the limits. I am additional day worked, and a reduction a future month's benefit. I also understa (unless I work in a position covered by a) and I am aware of the working y time worked, and if I exceed to ement Limit Worksheet by March aware that one month's benef of more than 100% of my bene and working retiree contributio	g after retirement limits. I understand the limits in a calendar year I must a 31 of the year following the calendar it will be reduced by 5% for each will be carried forward to reduce ns will be deducted from my pay
	□ I am a retiree receiving a PERA monthly contractor. I understand that I must subrevery month that I perform services if the PERA employer are reported for tax purp working retiree contributions will be ded retiree contributions exceed the amount after receipt of the benefit to which the o	mit a Disclosure of Compensation wages paid to me or my composes under a tax identification ructed from a future PERA mont of my benefit, the excess must l	n form to PERA and the PERA employer any through an agreement with the number. I am aware that the associated hly benefit, and that if the working
	My company name		
	My company Tax Identification Number	(TIN):	
	☐ I have retired from a PERA employer ar a monthly retirement benefit. I am retu understand that the salary I earn will be will be deducted from my pay.	irning to work for the PERA em subject to employer contribut	ployer listed (above and below.) I ions and PERA member contributions
Sign Here →	Signature		
To be Completed by Employer	Employer No Employer N	Name	
	Employer Telephone Number ()	Date	Employment Began Month/Day/Year
	Retiree's Job Title	Salary \$	
	Contract ☐ Yes ☐ No Contract Pe	eriod	
_		Month/Year to Month/Yea	
Sign Here 👈	Signature of Certifying Official		Date Month/Day/Year 10

INFORMATION ABOUT COMPLETING THE DISCLOSURE OF COMPENSATION FORM

Complete the *Disclosure of Compensation* form on page 21 (or online at copera.org by logging into your account and using your User ID and password), if you are a PERA retiree performing services for a PERA employer and either of the following is true:

- » For tax purposes, the PERA employer reports compensation paid to you or your company under a tax identification number different from your Social Security number.
- » You are performing services for a company owned or operated by an affiliated party (see page 5).

If your working arrangement meets either of these definitions, you must disclose the amount of salary earned for services provided. The associated working retiree contributions from services rendered will be deducted from your PERA monthly benefit. If you fail to report compensation to PERA and the PERA employer, you may be required to pay the employer contribution amount plus interest, as well as the working retiree contribution at PERA's actuarial investment assumption rate.

If you are performing services for multiple PERA employers, a separate form must be submitted for each PERA employer. If you need additional copies of this form, go to PERA's website at copera.org or call PERA's Customer Service Center at 1-800-759-7372. You may also submit the forms at copera.org by logging into your account using your User ID and password.

If applicable, you may provide copies of invoices along with your *Disclosure of Compensation* form. See the example below.

(Note: If there is a discrepancy between your *Disclosure of Compensation* form and what was reported to PERA by your employer, please contact your employer to make a correction).

After completing the *Disclosure of Compensation* form, provide a photocopy of the form to the PERA employer and send the completed original form to PERA. (If you have completed the form online, you can print a copy of the PDF to submit to your employer.)

EXAMPLE:

Date(s) Worked	Date of Invoice (if applicable)	Type of Service Provided	Re	Compensation ceived by Retiree b be reported to PERA*	Rec	ompensation eived by Retiree I to be reported to PERA*
1/5/2022	2/11/2022	Consulting	\$	1,000.00	\$	
		Míleage	\$		\$	28.00
			\$		\$	
			\$		\$	
		Total:	\$	1,000.00	\$	28.00

^{*} Compensation reported to PERA should only include amounts paid for services rendered. Any amounts that were reimbursed for travel, materials, and other expenses should not be reported to PERA.



Disclosure of CompensationColorado Public Employees' Retirement Association
PO Box 5800, Denver, Colorado 80217-5800 1-800-759-PERA (7372) • Fax: 303-863-3727 • copera.org



			Total:	\$ If for services rendered. A	\$					
				\$	\$					
				\$	\$					
				\$	\$					
	σατοίο, ποιποα	(ii applicable)	Type or certice i rotiue	\$	\$					
	Date(s) Worked	Date of Invoice (if applicable)	Type of Service Provided	Compensation Received by Retiree to be reported to PERA*	Compensation Received by Retiree NOT to be reported to PERA*					
Received		Name of PERA Employer Enter the compensation received from the PERA employer listed above.								
Compensation	party is your spou	se, daughter, brot	ther-in-law, etc.)							
		Please specify the nature of the relationship between you and the affiliated party (For example: The affiliated								
		Name of owner of company								
	Company Tax Ider	Company Tax Identification Number (TIN):								
	If applicable: Name of company	providing service	es to the PERA employer							
	Sign up for electro	nic delivery of PE	RA information? Yes	□ No						
			Email Address							
	Mailing Address	Street	City	State	ZIP Code					
Retiree Information	Your Name	Last	First		MI					
account using your Retiree	User ID and password. Your Name	Last								

ACCESSING YOUR PERA ACCOUNT

Accessing your PERA account online puts all your PERA information right at your fingertips. You can see how much money you've contributed so far, estimate your future retirement check, update your contact information, and more. To create an online user profile, click the "Member/Retiree Login" button on copera.org, then click "Register as a new user." You will enter your personal information, verify your identity, and set up your User ID and password.

You will also be required to enroll in multifactor authentication. With multifactor authentication, you access your information online using not only your User ID and password, but also a security code or push notification sent to your home or mobile phone.

This booklet provides general information about working after retirement. Membership rights, benefits, and obligations are governed by Title 24, Article 51, Colorado Revised Statutes, and the Rules of the Colorado Public Employees' Retirement Association, which take precedence over any interpretations in this booklet.

2/55 (REV 4-23) 2M

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Contact PERA



Visit PERA's website at copera.org.



Call PERA's Customer Service Center at 1-800-759-7372.



PERA offices: Denver Lone Tree Westminster



Send mail to PERA at PO Box 5800 Denver, CO 80217-5800



Forms and publications can be found on PERA's website. Copies can also be requested by calling PERA's Customer Service Center.