

PROCEDURE

Number: 3.4.6.1
Related Policy: 3.4.6
Title: Retiree Re-Employment
Responsibility: Vice President, Human Resources and Employee Relations

Date Approved: 07-28-2020
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President

DISCLAIMER

PURSUANT TO SECTION 41-1-110 OF THE CODE OF LAWS OF SC, AS AMENDED, THE LANGUAGE USED IN THIS DOCUMENT DOES NOT CREATE AN EMPLOYMENT CONTRACT BETWEEN THE EMPLOYEE AND THE AGENCY.

The College may re-hire employees who have retired from any of the Public Employee Benefit Authority (PEBA) Retirement Systems, including, but not limited to, the South Carolina Retirement System (SCRS) and the Police Officer retirement System (PORS). This section applies to SCRS and PORS PEBA retirees*, including retirees that retired under the Teacher and Employee Retention Incentive (TERI) program. The TERI program ended on July 1, 2018.

PEBA retirees may be hired into any type of position (FTE position, Temporary Grant, Time-Limited, or Temporary) and shall be eligible for benefits as it relates to the position. Any decisions to re-hire PEBA retirees should be made in a non-discriminatory manner.

If, under normal hiring procedures, the previous PEBA retiree is selected to fill a vacancy the employee will be subject to the same policies governing new hires and the following will apply in conjunction with the PEBA Covered Employer Procedures Manual. The retiree will be:

- The employee will be considered a new hire for benefits purposes, and subjected to human resource regulations regarding initial employment or reemployment into a full-time equivalent position;
- The employee will be exempt from the State Employee Grievance Procedure Act and therefore will not retain grievance or reduction-in-force rights;
- The employee will be subjected to an earnings limitation of \$10,000 if the employee retired on or after January 2, 2013, unless they were age 62¹ (SCRS) or 57 (PORS) at retirement;

- The employee will be required to pay the employee contribution to the S.C. Retirement System; and
- The employee will receive credit for all state service in a full-time equivalent position and for any time as a certified employee in a permanent position of a school district of this state for purposes of earning annual leave/faculty non-work days.

If a PEBA retiree is hired into a position that is eligible for benefits, the employee may earn annual leave or faculty non-work days at the rate in accordance with the annual leave/faculty non-work day's procedure. If hired after June 30, 2005, PEBA retirees will not receive payment for unused annual leave/faculty non-work days. Additionally, the employee may elect active employee coverage, in lieu of retiree coverage, within 31 days of the hire date.