

FLORIDA RETIREMENT SYSTEM PENSION PLAN TERMINATION AND REEMPLOYMENT AFTER RETIREMENT

To receive a retirement benefit, including the Deferred Retirement Option Program (DROP) payout, you must terminate all employment, to include but not limited to: part-time work, other personal services (OPS), poll worker, substitute teaching, adjunct professor, or non-division approved contractual services with all employers participating under the Florida Retirement System (FRS). If you are dually employed with one or more FRS employers, you must terminate this employment as well.

After you retire without participating in DROP (service retirement), or terminate DROP participation, you are subject to the following Termination Requirements and Reemployment restrictions in the first 12 calendar months of your service retirement beginning with the month of your effective retirement date or following your DROP termination date:

Termination Requirements - During the first six calendar months of your service retirement beginning with the month of your effective service retirement date or following your DROP termination date, you cannot be reemployed in any capacity with any FRS participating employer. If you are reemployed with an FRS employer in any capacity during this six calendar month period, your retirement application will be cancelled and you will be required to repay all retirement benefits received including any DROP accumulation or payout. There are no exceptions to the six calendar month termination requirements.

Examples of six month termination requirement period:

- If you retire without participating in DROP and terminate your employment on June 10 and retire effective July 1, you cannot have any employment relationship with any FRS employer during the calendar months of July through December.
- If you terminate DROP on August 31, you cannot have any employment relationship with any FRS employer during the calendar months of September through February.

Reemployment Restrictions - During the seventh through the twelfth calendar months of your service retirement or following your DROP termination date, you may return to work for an FRS participating employer but your retirement benefits shall be suspended for the months you are employed in any capacity with a participating FRS employer. Exceptions for FRS retirees are outlined in Section 121.091(9), F.S.

There are no restrictions on working for an FRS employer after the twelfth calendar month.

If you retired under the disability provisions of the FRS and become employed with any employer whether public or private, your disability benefit will be discontinued. There are no reemployment exceptions for disability retirees.

When your name is added to the retired payroll, you will receive a "READY.SET.RETIRE." guide that further explains the FRS reemployment provisions.

If you have any questions about the effects of reemployment on your retirement benefits, you may contact the division toll free at (844) 377-1888 or the local number (850) 907-6500, e-mail retirement@dms.myflorida.com or write to:

Division of Retirement
Post Office Box 9000
Tallahassee, Florida 32315-9000

Independent contractors are self-employed individuals in the business of providing services to the general public. After retiring from the FRS Pension Plan you may enter into a contract with any FRS employer as an independent contractor without being subject to the reemployment after retirement provisions. Becoming a contract employee with an FRS employer who receives a Form 1099 instead of a W-2 is not becoming an independent contractor.

If you are considering providing independent contractor services to an FRS employer during the first 12 calendar months of your effective service retirement date or following your DROP termination date, you must complete the Employment Relationship Questionnaire (ERQ-1) and submit a copy of your contract to the Division of Retirement's Enrollment Section for a worker status determination.

CAUTION: DO NOT RETURN TO WORK AS A "CONSULTANT" OR INDEPENDENT CONTRACTOR WITH AN FRS EMPLOYER UNTIL THE DIVISION OF RETIREMENT HAS FIRST PROVIDED YOU A DETERMINATION OF YOUR WORKER STATUS.