

Return-to-Work Checklist

Refer to this checklist as you counsel employees getting ready to retire, if you are planning to hire a retiree or if an employee who previously retired is retiring again. See also [Service Retirement Checklist](#) and [WTA Retirement Checklist](#).

✓ As You Counsel Pre-Retirees

- Are you considering bringing an employee back to non-covered employment after he or she retires? Be aware that before an employee retires, you cannot arrange, verbally or in writing, to hire the employee in a non-covered position, as certified on the [Application for Service Retirement \(VRS-5\)](#) , or the [Application for Disability Retirement \(VRS-6\)](#).
- Have you counseled the employee about the possible consequences of “un-retirement” on the subsequent retirement benefit? See [Retirees Returning to Covered Employment](#) .
- If an employee is applying for disability retirement, does the employee understand that disability retirement benefits will end if he or she returns to a position that requires the same or similar duties as those the employee performed before disability retirement? This includes positions with non-VRS participating employers as well as non-covered positions with VRS-participating employers.

✓ Before Hiring Returning Retirees

- If you are considering hiring a retiree in a covered position, does the retiree understand that if he or she is hired, retirement benefits must stop?
- Is the retiree returning to a non-covered position with the employer from which he or she retired? If so, has the retiree had a bona fide break in service? Note that the Commonwealth of Virginia, including all state agencies and public colleges and universities, is considered the same employer. School divisions and political subdivisions are considered separate employers.
- If you are hiring a retiree in a non-covered position, will the retiree be working on a part-time basis? Part-time employment typically requires less than 80 percent of the hours of a comparable full-time position.
- If the retiree will be working in more than one part-time position for the same employer, will the total number of hours be equivalent to a part-time schedule? *Note:* If the retiree works a part-time position with one employer and a part-time position with another employer, the total hours for each position must be less than 80 percent of its comparable full-time position.

- If you wish to appoint a retiree to an interim position, have you discussed the hire with your [Employer Representative](#)?
- If the retiree is on disability, will the retiree be returning to a position requiring the same or similar duties as those he or she performed before disability retirement? If so, disability retirement benefits will end, even if the retiree is returning to a non-covered position.
- Are you aware that employers may be liable for benefit overpayments if they do not comply with return-to-work provisions? Under Section 51.1-124.9(B) of the Code of Virginia, VRS is authorized to collect benefit overpayments from the employer, not the retiree, if:
 - You hire a retiree in a position that would be considered covered but you do not report the retiree to VRS; and/or
 - You hire a retiree in a non-covered position with the employer from which he or she retired and the retiree has not had a bona fide break in service.

✓ **Employees Retiring Again**

- Has the employee submitted a [Request for Estimate of Retirement Benefits \(VRS-60\)](#) to VRS to find out his or her estimated subsequent benefit amount? Note that subsequent retirement benefits cannot be calculated through *myVRS* or *myVRS* for Employers.
- Has the employee submitted [all retirement forms and required documents](#) and elected the same benefit payout option under which the employee retired previously?
- Does the employee understand that if he or she was receiving any COLAs before previously returning to covered employment, the COLAs will not resume upon subsequent retirement? The employee will become eligible for a COLA effective July 1 of the second calendar year after his or her subsequent retirement. The COLA will be calculated as if the employee is retiring for the first time.

Questions? Call VRS toll free at 1-888-VARETIR (1-888-827-3847) and ask to speak with your [Employer Representative](#).