



## Return to Work Limited Reemployment

### *Benefit FAQ for Law Enforcement (TCA § 8-36-809) and Emergency Medical (TCA § 8-36-811)*

The law allows retired TCRS members to return to work with a Tennessee Consolidated Retirement System ("TCRS") covered employer as a law enforcement officer or emergency medical services employee ("EMS") without the suspension of benefits if certain conditions are met. Through this reemployment opportunity for TCRS retirees, members will receive a salary and draw a retirement benefit; however, the member's monthly retirement benefit will be reduced to seventy percent (70%) while reemployed with a TCRS-covered employer.



*Note: The law allowing this limited reemployment ceases to be effective on June 30, 2025; provided, however any retiree who begins a one (1) year appointment prior to June 30, 2025 may continue until that one (1) year period ends.*

#### How does a retiree apply for reemployment as a law enforcement officer or EMS employee?

To begin the process, a retiree may obtain a form from [RetireReadyTN.gov](https://RetireReadyTN.gov) > Forms and Guides. The form needs to be completed by the retiree and the return-to-work employer then returned to TCRS. Once received, TCRS will review the retiree's eligibility and send a letter to acknowledge eligibility status.

Once the form has been approved for the qualifying retiree, TCRS will reduce the member's monthly gross benefit by 30%. While working under these Return-to-Work provisions, the member will not accrue additional TCRS service credit.

**Reminder:** once approved by TCRS, the thirty percent (30%) reduction will remain in place until the member separates from their return to work employment.

#### Who qualifies to return to work as a law enforcement officer under TCA § 8-36-809 or as emergency medical service personnel under TCA § 8-36-811?

Any retired member of TCRS may be reemployed as a law enforcement officer or emergency services personnel if certain requirements are met, except those receiving a disability benefit.

## How long does a member have to be retired before being eligible for return to work under these statutes?

The member must be retired with TCRS for at least sixty (60) days to be reemployed as a law enforcement officer or EMS personnel, in addition to all other eligibility requirements.

## For purposes of this law, what positions are included under the definition of “law enforcement officer”?

For return-to-work opportunities under TCA § 8-34-809, any retired member may be reemployed as a law enforcement, but the position **must** meet the definition of “law enforcement officer.” For reemployment purposes, “law enforcement officer” includes a 1) police officer (as defined in TCA § 8-34-101), 2) state police officer, 3) sheriff or 4) a sheriff’s deputy, whose primary responsibility is the prevention and detection of crime and apprehension of offenders.

Specifically, “police officer” means a person employed by a TCRS-participating political subdivision who is a member of the police department of such political subdivision and is trained in police work and actively engaged in such work.

“State police officer” means any commissioned member of the Tennessee Department of Safety & Homeland Security, and any agent of the Tennessee Bureau of Investigation.

## Are there eligibility requirements for returning to work as a law enforcement officer?

**Yes.** In order for a retired member to return to work as a law enforcement officer under TCA § 8-36-809, all of the following requirements must be met:

- The member must be retired with TCRS for at least sixty (60) days
- The member must have completed annual training required by title 38, chapter 8, part 1, and as required by the Tennessee Peace Officer Standards and Training (P.O.S.T.) Commission.
- The member must notify TCRS and submit the form found in [RetireReadyTN.gov](http://RetireReadyTN.gov) > Forms and Guides, completed by both the member and the employer.
- The employer must certify that the retired member has the requisite experience and training for the position and that no other qualified persons are available to fill the position.

**Note:** Law Enforcement Officers returning to work under this provision are not eligible for police pay supplements under TCA § 38-8-111.

### **For purposes of this law, who is defined as an emergency medical services employee?**

An “emergency medical services personnel” means individuals that are certified or licensed by the emergency medical services board pursuant to the Emergency Medical Services Act of 1983, compiled in title 68, chapter 140, part 3, to provide emergency medical services, as defined in TCA § 68-140-302.

### **Are there eligibility requirements for returning to work as an emergency medical service personnel?**

**Yes.** The following conditions apply to all emergency medical services employee returning to service under this program.

- The retired member returning to work as an emergency medical services employee must possess as of the date of reemployment, a current, valid license issued by the emergency medical services board through the Department of Health.
- The member must notify TCRS and submit the Return to Work with 70% of Retirement Benefits for Law Enforcement Officers and EMS form, completed by both the member and the employer.
- The employer must certify that the retired member has the requisite experience and training for the position and that no other qualified persons are available to fill the position.

### **For reemployment as a law enforcement officer or EMS personnel, do members have to submit a new return to work form every year?**

**Yes.** The retired member’s appointment to serve as a law enforcement officer or emergency medical services personnel cannot exceed one (1) year, but the member can re-apply annually.

### **How does a retiree have their full benefit reinstated?**

A retiree must be fully separated from the TCRS-covered employer to have their full benefit reinstated. Once the retiree separates employment with the return to work employer, Section 3 of the return to work form will need to be completed and returned to TCRS. Once TCRS processes the updated application, the 30% reduction to the member’s benefit will be removed in the month following the end of employment.

### **Does the 70% reduction apply to the member’s bridge benefit?**

Yes, during the reemployment, the retirement benefit payable to the retired member must be reduced to seventy percent (70%) of the retirement allowance the member would have otherwise been entitled to receive, which includes the member’s bridge benefit.

**Can a retiree returning to work switch between different Return to Work programs within a one (1)-year period?**

**No.** A retiree returning to work is not allowed to break their current contract. A retiree must finish their current one-year contract before switching. Additionally, a retiree cannot be simultaneously reemployed under more than one re-employment position.

**Are retirees returning to work eligible to accrue additional service or salary for the purposes of increasing their retirement benefit?**

No, retirees returning to work under these provisions do not accrue additional retirement benefits as a result of such employment.

**Are employer contributions required on the salary the retiree makes under TCA § 8-36-809 or TCA § 8-36-811?**

Payments by the employer are required. The retiree's employer must agree to report the member on the monthly contribution report as a Non-Participant under the Limited Re-Employment category.

While under these provisions, the employer must also agree to remit either: 5% of the retired member's compensation or the employer's Actuarially Determined Contributions (ADC) to TCRS annually, whichever is greater. Employers will be invoiced by TCRS when the retiree completes each year of reemployment as a law enforcement officer or emergency service personnel.

## Quick Reference Guide

In general, a TCRS member who retires from a TCRS-covered employer cannot return to work with a TCRS-covered employer while continuing to receive both 100% of his/her monthly retirement benefit from TCRS and 100% of compensation while returning to work with a TCRS-covered employer. Below is a quick reference chart outlining certain exceptions to this general rule for retired TCRS members to return to work for a TCRS-covered employer in a certain capacity while earning a salary and receiving a retirement benefit.

Classification	Reduction in Salary	Reduction in Benefit	Law
120-Day Temporary Employment	Yes—60% of salary plus 5% added annually (40% reduction)	No	TCA § 8-36-805
Limited Reemployment as Law Enforcement Officer	No	Yes—70% of retirement benefit (30% reduction)	TCA § 8-36-809
Limited Reemployment as Emergency Medical Services Personnel	No	Yes—70% of retirement benefit (30% reduction)	TCA § 8-36-811
Limited Reemployment of Retired Teachers*	Yes—85% of salary (15% reduction)	No	TCA § 8-36-821
Return to Work as K-12 Teacher, Bus Driver, or Substitute Teacher**	No	Yes—70% of retirement benefit (30% reduction)	TCA § 8-36-822

\* Please be advised that teachers may be reemployed under TCA §§ 8-36-805, 8-36-821, or 8-36-822.

\*\* Any retired TCRS member may be reemployed as substitute teachers under TCA §§ 8-36-805 and 8-36-822.

### Contact Us

Call (800) 922-7772 Monday through Friday 8:00 a.m. to 7:00 p.m. CT

Call (800) 253-9981 Retiree Insurance (Benefits Administration)

Website: [www.RetireReadyTN.gov](http://www.RetireReadyTN.gov)



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Please include your Member ID and your current address on any correspondence.