

Return to Work Fact Sheet

“Return to Work” legislation (40 ILCS 5/15-139.5) was enacted in August 2012 and imposes financial obligations on universities that employ State Universities Retirement Systems (SURS) annuitant who become affected annuitants*. As such, current law and ISU Policy 3.1.28 limit the salary of SURS annuitants.

Additionally, individuals who separated from Illinois State University and are receiving retirement benefits, including through the Retirement Savings Plan, with SURS or who received a lump sum payout are subject to a 26-week break in employment before they are eligible for rehire.

Prospective and Current Employee must:

- Report if they qualify as a SURS annuitant including status as an affected annuitant on employment applications
- Provide HR with an earning limitation letter from SURS and any reciprocal institution(s)
- Report any post-retirement employment with any SURS-covered employer
- Report to HR any changes in annuitant status, earnings limitations, or post-retirement employment status with a SURS-covered employer

Departments must, prior to offering employment:

- Ensure the 26-week return to work timeframe has passed for those who separated previously from Illinois State University
 - This includes any former employees who are receiving a retirement benefit from SURS, including Retirement Savings Plan participants, and anyone who elected a lump sum payout.
 - The 26-week measurement refers to the time period between the person’s retirement or receipt of a lump sum with SURS and initial return to employment with Illinois State University. Subsequent rehires are not subject to a 26-week break.
- Coordinate with HR to verify that a prospective employee’s earnings are less than the applicable salary earnings limitation
- Obtain Vice Presidential approval prior to offering employment to a SURS affected annuitant*

Human Resources will coordinate by:

- Verifying a SURS retiree or lump sum recipient’s status
- Completing required SURS reporting
- Establishing the earning limitation in compliance with Policy 3.1.28
 - Any penalties incurred by earnings that exceed the HR established limitation will the responsibility of the employing department

*Affected annuitants are University employees who receive compensation during a SURS year that is in excess of 40% of the employee’s highest annual rate of earnings earned at a SURS-covered employer prior to retirement.