

**WAC 415-02-173 How is my benefit affected if I return to work and am impacted by more than one annual hourly limit? (1) How is my benefit affected if I return to work in positions with two different employers that qualify for more than one annual hourly limit?**

If you return to work in more than one position, and the positions have different annual hourly limits, you will be limited to the highest annual hourly limit for all positions combined.

**Examples:** Don is retired from teachers' retirement system (TRS) 2 and returned to work as a teacher. Don's nonadministrative TRS position at a school district has an annual limit of 1,040 hours. While working at the school district Don also takes a position at a state agency. The state agency position is a public employees' retirement system (PERS) position and is subject to an annual limit of 867 hours. Don's annual hourly limit remains at 1,040 hours. Don later separates from the TRS nonadministrative school district position and Don's annual hourly limit of 1,040 hours remains in effect for the remainder of the current calendar year. Don's limit will be 867 hours the following year if he continues in the PERS position.

Pat is a 2008 ERF retiree, who returned to work as a driver for the department of transportation (DOT) in a PERS position with an annual limit of 867 hours. Pat gets a second job, working as a bus driver for a school district. The nonadministrative position in the school employees' retirement system (SERS) is subject to an annual limit of 1,040 hours. Pat's benefit is governed by the highest limit, in this case the SERS bus driver position at the school district. Pat's annual limit will be 1,040 hours in a calendar year.

**(2) If I receive pension payments from more than one DRS administered retirement system, and each system has different annual hourly limits, how will my benefit be affected?**

If you are retired from multiple DRS systems, each of your benefits will be affected according to rules of the respective system.

**Example:** Alex retired from two systems, PERS and SERS, and returned to work as a bus driver in a SERS-eligible position at a school district after the mandatory 30-day break. Alex's two benefits will be impacted differently.

- PERS - To qualify for the 1,040-hour annual hourly limit in PERS, you need a 100-day break in service. Alex only has a 30-day break before returning to work, so Alex's PERS benefit will be subject to an 867-hour limit.

- SERS - Alex's SERS benefit does not require the 100-day break. So, Alex's annual hourly limit for the SERS benefit will be 1,040 hours.

[Statutory Authority: RCW 41.50.050, 2022 c 110, 2023 cc 99 and 410. WSR 24-10-022, § 415-02-173, filed 4/22/24, effective 4/23/24; WSR 23-24-091, § 415-02-173, filed 12/5/23, effective 12/7/23.]