

STATE BOARD FOR TECHNICAL AND COMPREHENSIVE EDUCATION

PROCEDURE

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TITLE: RETIREE RE-EMPLOYMENT

POLICY  
REFERENCE NUMBER: 8-7-107

DIVISION OF  
RESPONSIBILITY: Human Resource Services

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DATE OF LAST REVISION: July 9, 2020

**DISCLAIMER**

**PURSUANT TO SECTION 41-1-110 OF THE CODE OF LAWS OF SC, AS AMENDED, THE LANGUAGE USED IN THIS DOCUMENT DOES NOT CREATE AN EMPLOYMENT CONTRACT BETWEEN THE EMPLOYEE AND THE SC STATE BOARD FOR TECHNICAL AND COMPREHENSIVE EDUCATION / THE SC TECHNICAL COLLEGE SYSTEM. THE STATE BOARD FOR TECHNICAL AND COMPREHENSIVE EDUCATION/THE SC TECHNICAL COLLEGE SYSTEM RESERVES THE RIGHT TO REVISE THE CONTENT OF THIS DOCUMENT, IN WHOLE OR IN PART. NO PROMISES OR ASSURANCES, WHETHER WRITTEN OR ORAL, WHICH ARE CONTRARY TO OR INCONSISTENT WITH THE TERMS OF THIS PARAGRAPH CREATE ANY CONTRACT OF EMPLOYMENT.**

The System Office/College may re-hire employees who have retired from any of the Public Employee Benefit Authority (PEBA) Retirement Systems, including, but not limited to, the South Carolina Retirement System (SCRS) and the Police Officer Retirement System (PORS). This section applies to SCRS and PORS PEBA retirees\*, including retirees that retired under the Teacher and Employee Retention Incentive (TERI) program. *The TERI program ended on July 1, 2018.*

PEBA retirees may be hired into any type of position (FTE position, Temporary Grant, Time-Limited, or Temporary) and shall be eligible for benefits as it relates to the position. Any decisions to re-hire PEBA retirees should be made in a non-discriminatory manner.

If, under normal hiring procedures, the previous PEBA retiree is selected to fill a vacancy the employee will be subject to the same policies governing new hires and the following will apply in conjunction with the PEBA Covered Employer Procedures Manual. The retiree will be:

- The employee will be considered a new hire for benefits purposes, and subjected to human resource regulations regarding initial employment or reemployment into a full-time equivalent position;

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- The employee will be exempt from the State Employee Grievance Procedure Act and therefore will not retain grievance or reduction-in-force rights;
- The employee will be subjected to a earnings limitation of \$10,000 if the employee retired on or after January 2, 2013, unless they were age 62<sup>1</sup> (SCRS) or 57 (PORS) at retirement;
- The employee will be required to pay the employee contribution to the S.C. Retirement System; and
- The employee will receive credit for all state service in a full-time equivalent position and for any time as a certified employee in a permanent position of a school district of this state for purposes of earning annual leave/faculty non-work days.

If a PEBA retiree is hired into a position that is eligible for benefits, the employee may earn annual leave or faculty non-work days at the rate in accordance with the annual leave/faculty non-work days procedure. If hired after June 30, 2005, PEBA retirees will not receive payment for unused annual leave/faculty non-work days. Additionally, the employee may elect active employee coverage, in lieu of retiree coverage, within 31 days of the hire date.

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<sup>1</sup> The age requirement under SCRS is 62 or older or age 57 or older under PORS at the time of retirement.