

Return to Work of Active/Former Member after June 30, 2006

	Previous Plan	Class Code	Refunded Prior to Return to Work	Years of Service at Termination	Return to Service	Required Plan Upon Return *	Status of Service Upon Return	Remarks	Status of Contributions upon RTW	HRS
(1)	Hybrid	H	No	≥ 5 years (vested)	Anytime	Hybrid (Class H)	All restored - credited as Hybrid service (Class H), except for any Noncontributory service (Class C) that was not converted which will remain Class C.	Class H service includes any Class A/B/C service that was converted to Class H. If mixed service, retire on a split benefit formula.	Combine new and previous accumulated contributions	88-47 88-341 88-343
(2)	Hybrid	H	No	< 5 years (not vested)	<u>Within</u> 4 calendar years	Hybrid (Class H)	All restored - credited as Hybrid service (Class H), except for any Noncontributory service (Class C) that was not converted which will remain Class C.	Class H service includes any Class A/B/C service that was converted to Class H. If mixed service, retire on a split benefit formula.	Combine new and previous accumulated contributions	88-47 88-340 88-341 88-342
(3)	Hybrid	H	No	< 5 years (not vested)	<u>After</u> 4 calendar years	Hybrid (Class H)	All restored - credited as Hybrid service (Class H) upon RTW, except for any Noncontributory service (Class C) that was not converted which will remain Class C.	New membership date. Class H service includes any Class A/B/C service that was converted to Class H. If mixed service, retire on a split benefit formula.	Combine new and previous accumulated contributions	88-47 88-340 88-341 88-342
(4)	Hybrid	H	Yes	N/A	Anytime	Hybrid (Class H)	All Hybrid (Class H) and any Noncontributory (Class C) service forfeited. Not able to buy back Class H service. Class C service that was <u>not</u> converted to Class H will be restored at no cost on a month-for-month basis as Class C service.	New membership date. Class H service includes any Class A/B/C service that was converted to Class H. If mixed service, retire on a split benefit formula.	N/A	88-47 88-342(e) – forfeited Class H service cannot be restored. 88-340

Hybrid Note: Unrefunded contributions + interest for nonvested Hybrid service (<5 years) will be refunded after attain age 62 for inactive members. [88-341(a)]

*The required plan upon return to work after June 30, 2006 is listed on chart unless by law must join Contributory Plan as Class A or B. (Refer to HRS)

The Noncontributory Plan was the required (standard) plan for an active/former member who returned to work prior to July 1, 2006.

An ERS member that terminated or resigned after a break in service of at least one (1) working day must be reenrolled as a returning active/former ERS member.

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	Previous Plan	Class Code	Refunded Prior to Return to Work	Years of Service at Termination	Return to Service	Required Plan Upon Return *	Status of Service Upon Return	Remarks	Status of Contributions upon RTW	HRS
(5)	Noncontributory	C	N/A	≥ 10 years (vested)	Anytime	Hybrid (Class H)	All restored - credited as Noncontributory service (Class C).	Not able to convert. Retire on a split benefit formula.	N/A	88-47 88-273(b) 88-321(b)(1)
(6)	Noncontributory	C	N/A	< 10 years (not vested)	<u>Within</u> 1 calendar year	Hybrid (Class H)	All restored - credited as Noncontributory service (Class C).	Not able to convert service. Retire on a split benefit formula.	N/A	88-47 88-273(a) 88-321(b)(1)
(7)	Noncontributory	C	N/A	< 10 years (not vested)	<u>After</u> 1 calendar year	Hybrid (Class H)	All forfeited, restored at no cost on a month-for-month basis as Noncontributory service (Class C).	New membership date. Not able to convert service. Retire on a split benefit formula.	N/A	88-47 88-273(a) 88-321(b)(1) 88-324(e)
(8)	Noncontributory <i>(Applies to former vested Contributory Plan members who returned to work or Act 276/1994 WSOs who:</i>	C	N/A	≥ 10 years (vested)	Anytime	Noncontributory (Class C)	All restored - credited as Noncontributory service (Class C).	Must remain in the Noncontributory Plan.	N/A	88-47 88-271(c)
				< 10 years (not vested)	<u>Within</u> 1 calendar year	Noncontributory (Class C)	All restored - credited as Noncontributory service (Class C).	Must remain in the Noncontributory Plan.	N/A	88-47 88-271(c)
				< 10 years (not vested)	<u>After</u> 1 calendar year	Noncontributory (Class C)	All forfeited, restored at no cost on a month-for-month basis as Noncontributory service (Class C).	New membership date. Must be enrolled in the Noncontributory Plan.	N/A	88-47 88-271(c) 88-324(e)

Noncontributory Note: Provisions under item (8) also applies to a returning Contributory Plan member. If the member was a former vested Contributory Plan member who returned to work or an Act 276/1994 WSO who previously made a voluntary election to join the Noncontributory Plan AND received a refund of any post 1987 contributions, the member must be enrolled in the Noncontributory Plan upon return to service.

*The required plan upon return to work after June 30, 2006 is listed on chart unless by law must join Contributory Plan as Class A or B. (Refer to HRS)

The Noncontributory Plan was the required (standard) plan for an active/former member who returned to work prior to July 1, 2006.

An ERS member that terminated or resigned after a break in service of at least one (1) working day must be reenrolled as a returning active/former ERS member.

Return to Work of Active/Former Member After June 30, 2006

	Previous Plan	Class Code	Refunded Prior to Return to Work	Years of Service at Termination	Return to Service	Required Plan Upon Return *	Status of Service Upon Return	Remarks	Status of Contributions upon RTW	HRS
(9)	Contributory	A or B	No	≥ 5 years (vested)	Between 7/1/06 to 6/30/08	Contributory (Class A or B) unless elects to transfer to Hybrid within 30 days of return	All restored (credited). If transfers, Class A/B service converted to Hybrid service (Class H), any Noncontributory service will remain Class C.	1.8% difference in contribution rate will not be refunded. Not able to convert Class C service to Class H.	Combine new and previous accumulated contributions	88-47 88-62(c) 88-97 88-321(b)(2)
					On or after 7/1/08	Contributory (Class A or B)	All restored - credited as Contributory service (Class A) unless mandatory Class B, any Noncontributory service will remain Class C.	Must remain in Contributory Plan. Act 41, SLH 2008 - effective 7/1/08	Combine new and previous accumulated contributions	88-47 88-62 (c) 88-97 88-321(b)(3) and (4)
(10)	Contributory	A or B	No	< 5 years (not vested)	Within 4 calendar years	Hybrid (Class H)	All restored - credited as Noncontributory service (Class C).	All contributions refunded. Not able to convert Class C service to Class H. Retire on a split benefit formula.	\$1,000 or less – refund >\$1,000 – retain until terminates, retires or age 62 if not refunded within 30 calendar days after RTW.	88-47 88-62(b) 88-321(b)(2)
					After 4 calendar years	Hybrid (Class H)	All forfeited, restored at no cost on a month-for-month basis as Noncontributory service (Class C).	New membership date. Not able to buy back as Class H. Retire on a split benefit formula.	\$1,000 or less – refund >\$1,000 – retain until terminates, retires or age 62 if not refunded within 30 calendar days after RTW.	88-47 88-62 (a) 88-321(b)(2) 88-324(e)
(11)	Contributory	A or B	No	< 5 years (not vested)	After 4 calendar years	Hybrid (Class H)	All forfeited, restored at no cost on a month-for-month basis as Noncontributory service (Class C).	New membership date. Not able to buy back as Class H. Retire on a split benefit formula.	\$1,000 or less – refund >\$1,000 – retain until terminates, retires or age 62 if not refunded within 30 calendar days after RTW.	88-47 88-62 (a) 88-321(b)(2) 88-324(e)
					Anytime	Hybrid (Class H)	All forfeited, restored at no cost on a month-for-month basis as Noncontributory service (Class C).	New membership date. Not able to buy back as Class H. Retire on a split benefit formula.	N/A	88-47 88-62 (a) 88-324(e)
(12)	Contributory	A or B	Yes	N/A	Anytime	Hybrid (Class H)	All forfeited, restored at no cost on a month-for-month basis as Noncontributory service (Class C).	New membership date. Not able to buy back as Class H. Retire on a split benefit formula.	N/A	88-47 88-62 (a) 88-324(e)

Contributory Note: Unrefunded contributions + interest for nonvested Contributory service (<5 years) will be refunded after attain age 62 for inactive members. [88-96(a)]

*The required plan upon return to work after June 30, 2006 is listed on chart unless by law must join Contributory Plan as Class A or B. (Refer to HRS)

The Noncontributory Plan was the required (standard) plan for an active/former member who returned to work prior to July 1, 2006.

An ERS member that terminated or resigned after a break in service of at least one (1) working day must be reenrolled as a returning active/former ERS member.

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		Class Code Upon Return to Work as Active Member							
Retirant Initial Retirement Plan	Retirant Class Code at Retirement	General (Group 1/2/3)	Appointed (Group 1/3)	Police/Fire (Group 4)	Judge/Elected/Legislative (Group 5/6)	Sewer/WSO/EMT (Group 7/8)	Investigators (Group 8)	ACO (Group 8)	HRS
(1)	Contributory	Class A	Class A	Class B	Class A	Class A	Class A	Class A	88-47 88-98
(2)	Contributory	Class B	Class A	Class B	Class A	Class A	Class A	Class A	88-47 88-98
(3)	Noncontributory	Class C	Class C	Class B	Class A	Class C	Class A	Class C	88-47 88-273(c) to (g)
(4)	Hybrid	Class H	Class H	Class B	Class A	Class H	Class A	Class H	88-47 88-344

NOTES:

- 1) All retirants who return to work contribute to Medicare Taxes.
- 2) Former retirant re-retires again under the same retirement plan, the same retirement allowance option and beneficiary designation, if irrevocable, that was initially selected on the first retirement.
- 3) Act 156, Session Laws of Hawaii 2008, authorizes the State and county governments (excluding the University of Hawaii) to hire retired State or county government employees to fill labor shortage and difficult-to-fill exempt or civil service positions under certain conditions without suspension of their retirement or health benefits. The rehired retirant must have been retired for a least one calendar year (12 consecutive months) from the date of employee's retirement to the date of the employee's re-employment, will not contribute to the Retirement System, or gain additional retirement benefits. Re-hired retirants subject to Act 156/SLH are **not "active"** ERS members.
 - Retirants receiving retirement benefits from ERS and reemployed in a position that is eligible for ERS membership and **NOT COVERED** by the State's agreement with the Social Security Administration (i.e. police officers & firefighter positions) – **Class Code "R"**.
 - Retirants receiving retirement benefits from ERS and reemployed in a position that is eligible for ERS membership and **COVERED** by the State's agreement with the Social Security Agreement (i.e. all other positions not included in class code R) – **Class Code "S"**.

Note that the recruitment & policy guidelines to implement Act 156/SLH 2008 would be developed by the director of human resources of the appropriate State jurisdiction or the human resources management chief executive of the respective county.

Retirants who are hired under Act 156/SLH 2008 & continue to work after June 30, 2013 (repeal date) will have their pensions suspended and will be reemployed as **"active"** ERS members.