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Tier One/Tier Two Disability Retirement Work/Income Guidelines

Notifying PERS of your return to work

If you are receiving disability retirement benefits and return to work, you must notify PERS immediately.

This notification should include the date you started working; the name, address, and phone number of your employer; and whether you work part-time, full-time, or are self-employed.

Once you have notified PERS, we will send you a written acknowledgment outlining PERS monthly reporting requirements.

Return-to-work program for a PERS-covered employer

Qualifying employment 90-day trial

The return-to-work program is designed to enable disabled members who have not been medically released to return to the work force without losing benefits for which they may be entitled.

If you have not been released by your medical provider but wish to try to return to PERS-qualifying employment, you may begin a 90-day trial. A qualifying position is a position with one or more PERS-covered employer(s) in which the employee is anticipated to work a total of 600 or more hours in a calendar year.

If you are re-employed by a PERS-covered employer, you will have a 90-day trial period during which your disability claim will be held open. Disability retirement benefits will **not** be paid during this 90-day trial period.

If you are unable to continue employment for the full 90 days due to your disabling condition, your disability retirement benefits may be reinstated without reapplying. Current medical documentation is required and should promptly be sent to PERS.

If you are able to continue employment beyond 90 days, your disability claim will be closed, and your account balance will be reinstated to the amount that was in your account at the time you became disabled.

Non-qualifying employment

You may return to work with a PERS-covered employer for non-qualifying work. Your position(s) with one or more PERS-covered employers must be under 600 total hours in a calendar year. (Over 600 hours in a calendar year is a qualifying position.) You and your employer must monitor your hours carefully. If you exceed 599 hours in a calendar year, your position will become qualifying, your disability benefits will be discontinued, and you will be invoiced for all benefits paid to you for the calendar year.

Your employer reports your wages to PERS. Your disability retirement benefits will be adjusted by any gross income paid to you which, when added to your gross disability retirement benefit, exceeds your gross monthly salary at the time you retired on disability.

Non-PERS employer (private industry employment)

You are required to submit copies of your pay records (e.g., check stubs, statements). Your disability retirement benefits will be adjusted by any gross income paid to you which, when added to your gross disability retirement benefit, exceeds your gross monthly salary at the time you retired on disability.

Self-employment

Self-employment is treated the same as being employed in private industry. You must provide a financial statement to PERS each month. Your monthly report must show your gross earnings, itemized expenses, and net earnings. Reporting is required regardless of earning level and/or loss. PERS may also require copies of income tax returns.

Income

This is defined as salary or wages from any full-time, part-time, or temporary employment with a PERS-covered employer, private industry employer, or self-employment from services industry, sales, assembly or manufacturing, consulting, property management, hobby income, or book advances.

Unemployment benefits

You must report unemployment benefits received to PERS and report your disability retirement allowance received from PERS to the Employment Department.

Please note that while receiving unemployment benefits you must certify weekly that you are physically and mentally able to work, available for work, and actively seeking work. If this is the case, this may affect your eligibility for continuing disability retirement benefits, which requires that a member be totally disabled and unable to perform any work for which you are qualified.

Income similar in compensation

If gross earnings are similar in compensation (80 percent) to your salary at the time of disability for a period of three calendar months in six consecutive calendar months, you are no longer eligible for PERS disability retirement. Overpaid benefits will be invoiced.

Overpaid benefits

Once you are no longer eligible for disability retirement benefits, PERS will invoice you for any overpaid benefits issued to you.

Normal retirement age

Members who have reached normal retirement age are no longer required to report income to PERS, and the disability retirement benefit payment shall no longer be adjusted by the amount of monthly income earned or paid.

If you return to work **for a PERS-covered employer** at any age and work 599 hours or more per calendar year, your benefits will be stopped, and you will be required to return any overpayment to PERS. The **entire** year would then be considered as qualifying employment.

Medical release for employment

If you have been medically released to full-time work without restriction, you are no longer eligible for PERS disability retirement benefits. Promptly notify PERS of your medical release to work.

Your disability retirement benefits will stop, and your account balance will be reinstated to the amount that was in your account at the time you became disabled. PERS will invoice you for any overpaid benefits issued to you.

You may be eligible for regular retirement or to withdraw your PERS account. For further information contact the Customer Service Center at 503-598-7377 or toll free 888-320-7377.

This fact sheet is not a legal reference and is not a complete statement of the laws or PERS administrative rules. In any conflict between this fact sheet and Oregon laws or administrative rules, the laws and administrative rules shall prevail.