

# FLORIDA RETIREMENT SYSTEM PENSION PLAN TERMINATION AND REEMPLOYMENT AFTER RETIREMENT

Toll Free: 844-377-1888    Locally: 850-907-6500    Email: [Retirement@dms.fl.gov](mailto:Retirement@dms.fl.gov)

To begin receiving a retirement benefit, including the Deferred Retirement Option Program (DROP) payout, you must terminate all employment relationships with and cease providing services to all FRS employers. If you are dually employed with one or more FRS employers, you must terminate from all positions, even if one of those positions is not an FRS-covered position. You must terminate from all positions that include, but are not limited to:

- full time work
- part time work
- other personal services (OPS)
- election poll work
- substitute teaching
- adjunct instructing
- contractual services
- third-party companies providing services to FRS employers

Beginning July 1, 2023, Volunteer Services in accordance with section 121.091(15), Florida Statutes do not constitute employment by or provision of services to an FRS employer.

**You are subject to the following termination requirement and reemployment restriction in the first 12 calendar months from your service retirement effective date or following your DROP termination date:**

## **TERMINATION REQUIREMENT: 1st through 6th calendar months**

**During the first six calendar months** from your service retirement effective date or following your DROP termination date, you cannot be in an employment relationship with and must cease providing services to all FRS employers. An employment relationship with an FRS employer in any capacity during this six-calendar month period may void your retirement and you and your FRS employer may be held jointly and severally liable for repayment of all retirement benefits received, which include any DROP accumulation or payout. This means that each party can be held fully responsible for the repayment of the total amount of retirement benefits. **There are no exceptions to the six-calendar month termination requirement. Examples of violations:**

- You terminate from all FRS employment on June 10 and apply to begin receiving your monthly retirement benefit in July. Your service retirement effective date is July 1, and your six-calendar month termination requirement is from July through December. You become employed part-time with an FRS employer in September. This employment voids your retirement. Your retirement will be cancelled, and you and your employer will be held jointly and severally liable for repayment of any retirement benefits paid to you during that time.
- You are dually employed with two FRS employers and are in DROP. You work for your primary employer in a regularly established position, and with your other employer as an adjunct, a non-reported position. You terminate employment with your primary employer and exit DROP on August 31. You receive your DROP payout and begin receiving your monthly retirement benefit in September. Your six-calendar month termination requirement is from September through February. You never terminated your other position, an adjunct with an FRS employer. This employment voids your DROP. Your retirement will be cancelled, and you and your employer will be held jointly and severally liable for repayment of any retirement benefits paid to you, including your entire DROP payout.

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## REEMPLOYMENT RESTRICTION: 7th through 12th calendar months

**During the 7<sup>th</sup> through 12<sup>th</sup> calendar months** from your service retirement effective date or following your DROP termination date, you may engage in an employment relationship with or provide services to an FRS employer if, and only if, you suspend your monthly retirement benefits. If your benefits are not suspended, you and your employer will be held jointly and severally liable for repayment of all retirement benefits received during the months in which you were employed. An exception to the reemployment restriction is provided for retired law enforcement officers reemployed as school resource officers in accordance with section 121.091(9)(f), Florida Statutes. If you provide services to an FRS employer in any capacity, you **MAY** be determined to have an employment relationship.

### Example of a suspension of benefits:

- You terminate from all FRS employers on February 15 and apply to begin receiving your monthly retirement benefit in March. Your service retirement effective date is March 1. Your 7<sup>th</sup> calendar month of retirement is September, and your 12<sup>th</sup> calendar month is February. You become reemployed with an FRS employer in October. You notify the Division of Retirement (division) of your reemployment in October and the division suspends your monthly retirement benefits from October through February. Your retirement benefits will resume in March.

**If you are in an employment relationship with or provide services to an FRS employer during the 7<sup>th</sup> through 12<sup>th</sup> calendar months from your service retirement effective date or following your DROP termination date, you must notify the division by submitting a [Form FR-23, Florida Retirement System Pension Plan Notification of Reemployment for Suspension of Retirement Benefits](#).** You can obtain this form from our website, [frs.myflorida.com](http://frs.myflorida.com), or by contacting the division using the information provided above. If you are providing volunteer services to an FRS employer in accordance with section 121.091(15), Florida Statutes, you and your employer are both required to maintain adequate records to document adherence to the criteria listed in the statute.

Beginning with the 13<sup>th</sup> calendar month from your service retirement effective date or following your DROP termination date, there are no restrictions on working for an FRS employer.

If you retired under the disability provisions of the FRS and become employed with any employer, whether public or private, your disability benefit will be discontinued. There are no reemployment exceptions for disability retirees.

For more information about the effects of reemployment on your retirement benefits, visit our website, [frs.myflorida.com](http://frs.myflorida.com), where you can view our "[READY.SET.RETIRE.](#)" guide that further explains the FRS reemployment provisions.

### Disclaimer:

As much as possible, this guide is written in nontechnical terms, avoiding the formal language of retirement laws and rules. If questions of interpretation arise as a result of the attempt to make the retirement provisions easy to understand, Chapter 121 of the Florida Statutes, chapters 60S and 19 of the Florida Administrative Code, and applicable federal law remain the final authority.