

# FLETC Reemployed Annuitants

## What is a Reemployed Annuitant?

A Reemployed Annuitant is a person who is receiving a Civil Service Retirement System (CSRS) or Federal Employee Retirement System (FERS) retirement annuity and, at the same time, is earning a paycheck as a federal employee.

In most circumstances, a reemployed annuitant will continue to receive their retirement annuity during their period of reemployment. The law, however, requires that the reemployed annuitant's pay be "offset" by the amount of their retirement annuity unless a waiver is approved by the U.S. Office of Personnel Management (OPM). In other words, the amount of the paycheck that the reemployed annuitant receives is reduced (offset) by the amount of their retirement annuity. The amount that is offset from a reemployed annuitant's pay must be remitted to OPM for credit to the Civil Service Retirement and Disability Fund.

## What Reemployed Annuitant authorities are specific to FLETC?

In support of the FLETC law enforcement training mission, FLETC has been granted a Congressionally approved authority to hire law enforcement professionals who have retired either voluntarily or under mandatory requirements and not off-set their pay. Many of these retired individuals are interested in contributing their expertise and insight to the law enforcement training mission. FLETC is able to offer these retired individuals an opportunity to continue supporting the law enforcement mission by hiring them on a time-limited (excepted service), temporary, or term appointment, which can be on a full-time, part-time, or intermittent (i.e., while actually employed (WAE)) work schedule, and provide a Dual Compensation Waiver (DCW), which allows them to retain their full retirement annuity *and* earn a paycheck without off-set to their pay.

## For what positions does FLETC apply its Reemployed Annuitant authority?

FLETC was granted unlimited authority to hire Reemployed Annuitants for positions which accomplish the law enforcement training mission. These positions are normally classified in the 1800 job family and 905 Attorney-Advisor (Instructor) series. FLETC has been delegated the authority to waive salary offset under this provision to hire candidates with extensive experience and required critical skills.

## What is a Dual Compensation Waiver, and who is eligible for one?

FLETC has authority to hire retired federal employees with law enforcement/investigative experience to meet its mission. Individuals may be selected for time-limited positions with eligibility for the DCW. The DCW allows retirees to return to work, earning their full salary with no offset to their FERS annuity. However, this waiver does not exempt the FERS annuity supplement from being reduced.

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Therefore, FERS retirees receiving a FERS annuity supplement must be aware that, like social security benefits, the FERS annuity supplement is subject to an earnings test and may be reduced if the salary earned is more than the social security exempt amount of earnings.

FLETC's authority to offer a DCW only applies to those federal employees who retired under CSRS or FERS. It does not apply to individuals who retired from retirement systems outside of CSRS or FERS, such as the Department of State (DOS) Foreign Service Pension System (FSPS). DOS has their own DCW for FSPS retirees, which is dependent on the position being offered and must be requested and approved by DOS prior to appointment with FLETC.

Federal Law Enforcement Training Centers Reform and Improvement Act of 2015, Pub. L. No. 114-285, 130 Stat. 153-158 (2016)

Federal Law Enforcement Training Centers Reform and Improvement Act of 2015, 6 U.S.C. § 464(d)(11) (2016)

## At what age is the earnings adjustment discontinued for a rehired annuitant with a dual comp waiver?

Age 62. The retiree's annuity supplement is a benefit paid until age 62 to certain FERS employees who retire before age 62 and who are entitled to an immediate annuity. This supplement is separate from the FERS annuity. The supplement is payable through the earlier of (1) the last day of the month in which the retiree becomes age 62 or (2) the last day of the month before the first month for which the retiree would, upon proper application, be entitled to Social Security benefits. The annuity supplement stops whether the employee is entitled to or applies for Social Security at that time.

Before age 62, the retiree may receive a reduced annuity supplement or lose the annuity supplement if the earnings exceed the maximum permissible "exempt amount" of earnings established by the Social Security Administration. \*This amount changes each year. For 2023, the exempt amount is \$21,240/yr. The reduction for excess earnings does not apply to employees who retire under the special provisions for law enforcement officers until they reach their Minimum Retirement Age (MRA).

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## What are the limitations on appointments of Rehired Annuitants?

Reemployed Annuitants can be selected non-competitively for one term appointment (13-month initial appointment, and subsequent extensions up to 4 years of appointments\*) but would have to compete (apply and be selected from a DE certificate) for any additional appointments to ensure veterans are able to compete for these positions.

Due to the rules surrounding DE as well as the benefits afforded through DCW for reemployed annuitants, a reemployed annuitant may have **one non-competitive appointment, and then may only be subsequently appointed through competitive examining procedures**. There is no limitation on the number of appointments via competitive examining\*\*. This process stems from the OPM guidance regarding competitive hiring under the DE process. When positions are recruited, they are done in such a manner to afford veterans opportunities to be considered for vacant positions.

\*These appointments are made in 13-month and subsequent one-year increments due to FLETC's reimbursable funding model with its Partner/Participating Organizations. There is no requirement to extend a Rehired Annuitant's appointment.

\*\*Competitive examining must be conducted in accordance with the DE Handbook. Note that pass overs of veterans with a disability rating of 30% or more require the approval of OPM.

## What is the nature of employment for Reemployed Annuitants?

FLETC reemployed annuitants serve at the will of the agency and may be separated at any time.

## Are there options for Reemployed Annuitants beyond positions in the law enforcement training mission?

At present, FLETC has been able to use the current National Defense Authorization Act (NDAA) authority to offer DCWs to reemployed annuitants working in support (non-instructor) positions. For a complete discussion of the limitations on these types of appointments, please discuss with a FLETC staffing specialist.