

DEPARTMENT OF ADMINISTRATION
Bureau of Human Resources

February 25, 1991

HUMAN RESOURCES MEMORANDUM 7-91

(SEE ADDENDUM 03/12/91)

TO: Agency/Department Heads, Personnel Officers and
Directors of Administrative Services

FOLLOWS

SUBJECT: RECALL RIGHTS OF EMPLOYEES WHO RETIRE

The purpose of this Memorandum is to clarify the effect of retirement on an employee's recall rights.

Employees who are notified of layoff or who are laid off may retire and continue recall eligibility in accordance with the following policy:

1. An employee who is notified of layoff or who is on layoff may file an application for retirement between the date of layoff notice and no later than thirty days after the layoff termination date without losing eligibility for the health and life insurance benefits provided to retirees. Provided the employee does not resign before the layoff date or while on layoff status, the employee will continue eligibility for recall even if retired.

Note 1. An employee must have been a member of the State's life insurance program for ten years to be eligible for life insurance upon retirement; and

Note 2. An employee must have been a member of the State's group health program for the year immediately preceding retirement to be eligible for group health insurance upon retirement.

2. In accordance with requirements of the Maine State Retirement System, an employee must file an application to retire within thirty days of termination in order to be eligible for health and life insurance upon retirement.

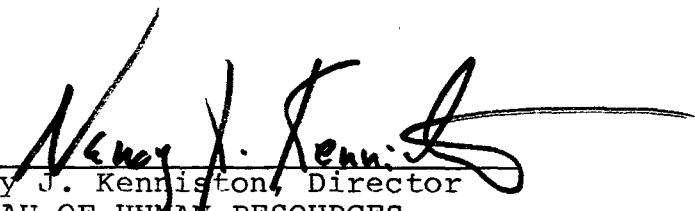
3. In accordance with Civil Service Rules and contractual agreements, an employee who resigns loses seniority and recall rights.

4. An employee who retires more than thirty days after the layoff termination date will lose eligibility for health and life insurances, but will continue recall rights for the balance of the three-year layoff period provided the employee does not resign from State service while on layoff.

5. An employee who is recalled as the result of this policy may choose to come out of retirement and become a contributing member again.

6. Questions concerning retirement eligibility and the procedure for filing an application to retire should be directed to the Maine State Retirement System.

7. Questions concerning recall rights should be directed to the Bureau of Human Resources.



Nancy J. Kenniston, Director
BUREAU OF HUMAN RESOURCES

DEPARTMENT OF ADMINISTRATION
Bureau of Human Resources

March 12, 1991

ADDENDUM TO HUMAN RESOURCES MEMORANDUM 7-91

TO: Agency/Department Heads, Personnel Officers and
Directors of Administrative Services

SUBJECT: RECALL RIGHTS OF EMPLOYEES WHO RETIRE

The purpose of this addendum is to provide additional information concerning policy statement #5 of Human Resource Memorandum 7-91 issued on February 25, 1991.

Policy statement #5 is repeated below in regular type. The additional information that has been added is presented in bold type for emphasis.


5. An employee who is recalled as the result of this policy may choose to come out of retirement and become a contributing member again.

In accordance with Civil Service Law, a retiree of the Maine State Retirement System may return to employment in Maine State service. Retirees who continue to receive a monthly retirement benefit in addition to earnings from reemployment are subject to an earnings limitation that is required by Retirement Law. The earnings limitation requirement is based on earnings over a calendar period. If the limitation is exceeded, the retiree's yearly earnings will decrease and may eliminate the retirement benefit and, if eliminated, the retiree will again become a contributing member of the retirement system.

Retirement Law provides that a retiree may elect to reduce or discontinue a retirement benefit by making a written request to the Executive Director of the Maine State Retirement System. However, if a retirement benefit is reduced or discontinued and the retiree returns to employment in Maine State Service, the retiree will still be subject to the earnings limitation requirement of Retirement Law and cannot become a contributing member of the retirement system any sooner than one year after reemployment.

Until a retiree is restored to membership, the retiree will not be eligible for such ancillary benefits as disability retirement, accidental death benefits and survivor benefits.

Questions concerning the limitation on earnings requirement, retirement status and retirement benefits should be directed to the Maine State Retirement System.



Nancy J. Kenniston, Director
BUREAU OF HUMAN RESOURCES