



SALEM CONTRIBUTORY RETIREMENT BOARD

Working After Retirement

Summary of Chapter 32, Section 91

Pursuant to Massachusetts General Laws c. 32, § 91, there are limitations on the amount of time that a rehired retiree may work and the amount of money that he or she may earn.

There are two strict limitations on further public employment following a member’s superannuation retirement.

1. **Limit on hours worked:** Re-employment is limited to a period of up to 1,200 hours, in the aggregate in any calendar year (approximately 23 hours per week, for 52 weeks) and /or
2. **Earnings limitation (for superannuation retirees):** On a calendar year basis, a rehired retiree’s post-retirement earnings cannot exceed the difference between the current salary of the position from which the member retired, and the amount of his or her annual pension. After the member has been retired for at least one full calendar year (one full January-through-December year), this earnings limit is increased by \$15,000 (see below)

Date of Retirement	Date Eligible to Earn Additional \$15,000
1/1/2023 – 12/31/2023	1/1/2025
1/1/2024 – 12/31/2024	1/1/2026
1/1/2025 – 12/31/2025	1/1/2027

PLEASE NOTE: Employment must cease for the year when either limitation is reached

Example of earnings:

A member’s old position *currently* pays: \$50,000 per year

A member’s *current* retirement allowance equals: \$30,000 per year

\$20,000 difference

Earnings cannot exceed \$20,000 from public employment in the first 12 months immediately following the member’s effective date of retirement. Once that 12 month period has passed, the member in this example could earn up to \$35,000 from public employment *in the following calendar year.*

Signature

Signature of Benefit Recipient: _____ Date: _____

PLEASE NOTE: There are no such limitations for post-retirement employment in the private sector. A member may earn an unlimited amount and work as many hours as they like



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Statute

Massachusetts General Laws

Chapter 32, Section 91

(b) In addition to and notwithstanding the foregoing provisions of this section or similar provisions of any special law, any person who has been retired and who is receiving a pension or retirement allowance, under the provisions of this chapter or any other general or special law, from the commonwealth, county, city, town, district or authority, or any person whose employment, in the service of the commonwealth, county, city, town, district or authority, has been terminated, under the provisions of this chapter or any other general or special law, by reason of having attained an age specified in said general or special law or by the rules and regulations of any department or agency of the commonwealth, county, city, town, district or authority without being entitled to any pension or retirement allowance, may, subject to all laws, rules and regulations, governing the employment of persons in the commonwealth, county, city, town, district or authority, be employed in the service of the commonwealth, county, city, town, district or authority, including as a consultant or independent contractor or as a person whose regular duties require that his time be devoted to the service of the commonwealth, county, city, town, district or authority during regular business hours for not more than 1,200 hours in the aggregate, in any calendar year; provided that the earnings therefrom when added to any pension or retirement allowance he is receiving do not exceed the salary that is being paid for the position from which he was retired or in which his employment was terminated plus \$15,000; provided however that in the first 12 months immediately following the effective date of retirement, the earnings received by any person when added to any pension or retirement allowance the person is receiving shall not exceed the salary that is being paid for the position from which the person was retired or in which the person's employment was terminated.

(c) Each person referred to in paragraph (b) shall certify to his employer and the treasurer or other person responsible for the payment of the compensation for the position in which he is to be employed, the number of days or hours which he has been employed in any such calendar year and the amount of earnings therefrom, and if the number of hours exceeds 1,200, in the aggregate, he shall not be employed, or if the earnings therefrom exceed the amount allowable under paragraph (b), he shall return to the appropriate treasurer or other person responsible for the payment of compensation all such earnings as are in excess of said allowable amount. The amount of any excess not so returned may be recovered in an action of contract by the appropriate treasurer or other person responsible for the payment of the compensation of any such person.

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