

BUFFALO STATE COLLEGE

DIRECTORY OF POLICY STATEMENTS

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Subject: Re-employment of Retired NYS Public Employees

Section 150 of the Civil Service Law of New York State mandates that retired state or local employees may not be rehired by the state or a political subdivision and receive pension benefits while employed. Sections 211 and 212 of the Retirement and Social Security Law of New York State do provide for exceptions to this rule. The following document sets forth guidelines to assist State University of New York campuses in complying with the New York State laws regarding the re-hiring of retired public employees.

The following information is found in the document that follows:

- Requirement
- Re-Employment with the Same/Different Employer – Limited vs. Unlimited Earnings
- Suspension of Pension Benefits
- Calculation of Earnings Limitation
- Pension Membership
- Effective Date of Re-Employment
- Procedures for Processing Form UP-211 for Unclassified Service Employees

Also included in the following document are the guidelines for re-employment of Classified Service Employees under Section 211. Approval of the re-employment of classified service employees under Section 211 rests with the NYS Civil Service Commission. University campuses should refer to the State Personnel Management Manual, Advisory Memorandum #99-06. Questions on procedures should be referred to the Department of Civil Service, which interprets Section 211 very strictly.

For more information: www.suny.edu/sunypp/documents.cfm?doc_id=572