

Employer Announcement #63

The Federal Census and Positions Exempt from Retiree Work-Hour Limits

Several exceptions to the 1,040-hour limitation for Tier One/Tier Two retired members who return to work for a PERS-covered employer are based on population data from the latest federal decennial census and are likely to be affected by the results of the 2010 census. PERS has received inquiries from employers and retired members as to the effective date of the 2010 census data for the exceptions, seeking to avoid employment disruptions and inadvertent violations. Census data is expected to be released to the states by March 2011.

OAR 459-017-0060 establishes as the operative date for federal census data the first day of the second calendar year following the census year. For the 2010 census, the operative date will be January 1, 2012. This accommodates the mid-year release of data in 2011, avoiding retroactive application to the census date in 2010 and shifting standards during calendar year 2011. Employers and retired members can then make informed decisions about employment for calendar year 2012.

The PERS website contains a [link to the 2000 decennial census](#). Those census figures will remain the basis for exceptions to the 1,040-hour limitation through December 31, 2011. Updated census data will be posted on the PERS website when available in 2011 for use beginning January 1, 2012.

Further questions on this subject should be directed to your ESC account representative or e-mailed to: pers-employer.info.services@state.or.us

In compliance with the Americans with Disabilities Act, PERS will provide this document in an alternate format upon request. To request this, contact PERS at 888-320-7377 or TTY 503-603-7766.