



## State of New Jersey

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February 24, 2022

**TO:** Certifying Officers of the Teachers' Pension and Annuity Fund  
**FROM:** New Jersey Division of Pensions & Benefits (NJDPB)  
**SUBJECT:** **Chapter 296 and Chapter 408, P.L. 2021**

Governor Murphy recently signed two new laws, P.L. 2021, c. 296 (Chapter 296), and P.L. 2021, c. 408 (Chapter 408), which waive reenrollment into the Teachers' Pension and Annuity Fund (TPAF) for certain retirees hired for temporary employment.

### **Chapter 296**

Effective November 8, 2021, Chapter 296 permits a certified school nurse who is retired from the TPAF to return to employment as a certified school nurse without reenrollment in the TPAF. Reemployment must be on a contractual basis for a term of not more than one year; however, the board of education may renew the contract for one additional year provided that the total period of employment does not exceed a two-year period.

### **Chapter 408**

Effective January 18, 2022, Chapter 408 permits a teacher, or professional staff member who provides special services, and who is retired from the TPAF to return to employment without reenrollment in the TPAF. Reemployment must be on a contractual basis for a term of not more than one year; however, the board of education may renew the contract for one additional year provided that the total period of employment does not exceed a two-year period. *Chapter 408 further stipulates that reemployment of a teacher, or professional staff member who provides special services, must commence only during the 2021-2022 or 2022-2023 school year.*

### **SPECIAL RULES FOR REHIRING RETIREES**

To be eligible for temporary employment without reenrollment, the retiree must have a complete severance from his or her former employer for at least 30-days from the date of retirement or the date of Board of Trustee approval, whichever is later.

The retiree and the employer cannot have engaged in any pre-planning prior to retirement for a return to employment.

In the case of a retiree reemployed with the same employer from which he or she retired, there must also be a complete severance from his or her former employer for at least 180 days.

Employers are required to submit the *Notification of Employment After Retirement* whenever hiring a retired public employee. The notification must be completed and returned to the NJDPB within 15 calendar days after the employee's date of hire. The employer must also notify the NJDPB when the employee's services have been terminated.

### **ADDITIONAL INFORMATION**

For additional information on retiree return to employment and the rehiring of retirees, see our fact sheet, *Employment After Retirement Restrictions*. The fact sheet and the *Notification of Employment After Retirement* can be found on the NJDPB website at: [www.nj.gov/treasury/pensions](http://www.nj.gov/treasury/pensions) and then selecting Publications from the blue navigation bar.

If you have questions regarding any of the information provided in this letter, contact the NJDPB's Office of Client Services at (609) 292-7524, or email the NJDPB at: [pensions.nj@treas.nj.gov](mailto:pensions.nj@treas.nj.gov)

Encl.

*Notification of Employment After Retirement* form  
*Employment After Retirement Restrictions* fact sheet