



ABOUT RETURN TO WORK (RTW) AND YOUR RETIREMENT BENEFITS

Please NOTE: you are not eligible to return to work until the date indicated under the "NMERB Authorization" section of the Return to Work Application. **If you return to work prior to this eligibility date, you are in violation of NMERB's Return to Work rules and you will be required to pay back all retirement benefits received during your period of ineligibility, including interest.**

You may return to work with a local administrative unit after you receive approval from NMERB following the submission of a completed application to Return to Work. An approved or denied application, along with a copy of your original application, will be mailed to you within 5 to 7 business days.

NMERB will not accept return to work applications more than 30 days prior to completion of your layout period. Submissions more than 30 days prior to your eligibility date will be denied and returned as ineligible.

Return to Work Program – 36 months

NMERB retirees may return to employment under this Return to Work Program without affecting their retirement benefit if they maintain compliance with Section 22-11-25.1 and Rule 2.82.5.18 NMAC. A ninety consecutive day layout period is required and the retiree may work a maximum of thirty-six consecutive or non-consecutive months. There is no limit on earnings or FTE under this Return to Work Program. Retirees under this Return to Work Program shall make non-refundable employee contributions to the NMERB fund. Employers will continue to make the employer contributions for retirees who participate in the Return to Work Program as specified in the statute.

Return to Work Program Less Than \$15,000

NMERB retirees may return to employment earning less than \$15,000 per year without affecting their retirement benefit if they maintain compliance with Section 22-11-25.1 NMSA 1978 and Rule 2.82.5.17 NMAC. A ninety consecutive day layout period is required. Contributions (retiree or employer) are not required.

Return to Work .25 FTE or Less

NMERB retirees may return to employment (includes "substitution") at a level of .25 FTE or less without affecting their retirement benefit if they maintain compliance with Section 22-11-25.1 NMSA 1978 and Rule 2.82.5.16 NMAC. Working .25 FTE or less (FTE is combined with multiple employers) is required. A layout period is not required. Contributions (retiree or employer) are not required.

If you return to work and have not suspended your benefit, you will not earn additional service credit or be able to purchase service credit associated with Return to Work employment.

Please keep a copy of this application for your records.