



NORTH CAROLINA
DEPARTMENT OF STATE TREASURER
RETIREMENT SYSTEMS DIVISION

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MEMORANDUM

TO: Boards of Trustees of the
Teachers' and State Employees' Retirement System,
Local Governmental Employees' Retirement System and
Consolidated Judicial Retirement System

FROM: Steven C. Toole, Director

DATE: January 9, 2013

SUBJECT: Increase in Reemployment Earnings
Before Suspension of Retirement Allowance

Question

What percentage increase should the Boards authorize, effective January 1, 2013, in the amount of compensation a reemployed beneficiary may earn from an employer that participates in the same Retirement System under which the beneficiary is retired?

Background

G.S. § 128-24(5)c. and G.S. § 135-3(8)c. provide as follows:

"Should a beneficiary who retired on an early or service retirement allowance under this Chapter be reemployed, or otherwise engaged to perform service by an employer participating in the Retirement System on a part-time, temporary, interim, or on fee-for-service basis, whether contractual or otherwise, and if such beneficiary earns an amount during the 12-month period immediately following the effective date of retirement or in any calendar year which exceeds fifty percent (50%) of the reported compensation, excluding terminal payments, during the 12 months of service preceding the effective date of retirement, or twenty thousand dollars (\$20,000), whichever is greater, as hereinafter indexed, then the retirement allowance shall be suspended as of the first day of the month following the month in which the reemployment earnings exceed the amount above, for the balance of the calendar year. The retirement allowance of the beneficiary shall be reinstated as of January 1 of each year following suspension. The amount that may be earned before suspension shall be increased on January 1 of each year by the ratio of the Consumer Price Index to the Index one year earlier, calculated to the nearest tenth of a percent (1/10 of 1%)." [Emphasis Added]

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The above law was enacted with an effective date of January 1, 1995. Based on the Consumer Price Index, as published by the United States Department of Labor (DOL), which increased by 3.0%, from January 1, 2011 to January 1, 2012, the Boards of Trustees increased the 50% of compensation amounts by 3.0% and increased the adjusted amount of \$29,280 to \$30,160, both effective January 1, 2012.

The increase in the Consumer Price Index as of January 1, 2013, for the period from January 1, 2012, as published by the United States Department of Labor (DOL) is scheduled to be released on January 16, 2013.

Recommendation

The staff recommends that the Boards authorize an increase in the amounts provided for in G.S. § 128-24(5)c. and G.S. § 135-3(8)c., effective as of January 1, 2013, equal to the increase in the Consumer Price Index as published by the United States Department of Labor, and increasing the 50% of compensation amount by the percentage increase in the Consumer Price Index effective January 1, 2013.