




Date: July 15, 2016
To: Superintendents, Human Resources Directors, Business Managers, Transportation Directors
From: Charles P. Bujol, Executive Director 
Subject: September 1 Deadline for Hiring Due to a Certified Bus Driver Shortage

Friendly Reminder:

If your school system is experiencing a shortage of qualified bus drivers and this shortage has been certified to the Louisiana Board of Education and Secondary Education (BESE), state law allows the hiring of a retired bus driver to fill the shortage. There are, however, certain statutory requirements that the school system must meet in accordance with the provisions of La. R.S. 11:1007. They include:

1. Ensuring the retiree is a former full-time bus driver returning to work in a full-time bus driver position wherein a shortage has been certified to BESE, and
2. Submitting a declaration to LSERS before September 1 stating the school board's intent to rehire a former full-time bus driver. The declaration should include the name and date of birth of the retiree and it must be signed by both the school system and the retiree.

How does returning to work under La. R.S. 11:1007 affect the retiree?

The retiree's LSERS benefit will be suspended if hired within the 12-month period immediately following the effective date of retirement. The benefit will be suspended for the duration of such active service or the lapse of 12 months after the effective date of retirement, whichever occurs first. If the declaration is not submitted prior to September 1, the provisions of the earnings limit law (La. R.S. 11:1006) will apply. Under earnings limit, the retiree continues receiving retirement benefits, but would be subject to an earnings limit and possible overpayment of benefits if the retiree's salary exceeds 50% of the adjusted final average compensation.

While working as a return-to-work retiree under the provisions of La. R.S. 1007, both the school system and the retiree will pay retirement contributions. Upon the retiree's termination of employment, the retiree can request a refund of the contributions he paid while employed. LSERS retains the employer contributions.

More information about return-to-work retirees can be found in [Fact Sheet 18 - Retirees Who Return to Work](#) on our website located under Resources > Publications > Fact Sheets.

If you have any questions about the September 1 deadline or about the provisions governing retirees returning to work, please contact Chenfei Zhou, CPA, Accountant Manager, at czhou@lsers.net.