



# OLR RESEARCH REPORT

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## TEMPORARY WORKER RETIREES

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You asked for a description of the state's practice of temporarily re-hiring retired state employees and any limits on the practice. You also asked for the number of state retirees re-employed by the state in each of the past four years and the number of these retirees who were re-employed as hazardous duty employees.

### SUMMARY

By law, the state may reemploy retired state employees for up to 120 days per year. These temporary worker retirees (TWRs) are also subject to certain restrictions on their salaries and the number of times that they can be reemployed. The number of TWRs hired in the last four years varied from a low of 342 in 2011 to a high of 771 in 2009. Hazardous duty TWRs ranged from 3 in 2011 to 10 in 2009.

### RESTRICTIONS

The legislature and Executive Branch have enacted several measures to regulate TWR use. Restrictions enacted by Executive Order apply only to Executive Branch employees.

CGS § [5-164a](#), as amended by the 1989 arbitration decision (aka SEBAC I), discourages retired state employees to returning to state employment for more than 120 days per calendar year. State retirees

who exceed that limit cannot receive their pension payments and must reimburse the retirement fund for the pension payments they received while working the first 120 days.

In 2009, Governor Rell issued [Executive Order 27-A](#), which prohibits state retirees from returning to state service for more than two 120-day terms. The order also (1) capped a returning worker's pay at 75% of his or her pay immediately prior to retirement and (2) required returning retirees to be approved by the Department of Administrative Services (DAS) commissioner, Office of Policy and Management secretary, and governor.

To help cover personnel gaps caused by changing administrations, Governor Malloy issued [Executive Order 3](#) in January 2011, which extends the 120-day limit by 60 days during a new administration's first year.

In January 2012, Governor Malloy also issued [Executive Order 18](#), which allows the DAS commissioner to grant the Department of Transportation commissioner exceptions to the two-term limit if (1) the retiree can provide snow removal and emergency operations functions during the snow season and (2) there is an insufficient pool of otherwise eligible retirees available. The order maintains the 120-day annual limit for such TWRs and prohibits them from returning for more than four annual terms.

## **NUMBER OF TWRs**

Table 1 shows the number of TWRs on the state's active payroll in each of the last four calendar years and the number of TWRs who were re-employed in hazardous duty positions each year, as provided by the comptroller's office. According to the comptroller's office, these numbers may not reflect the total number of TWRs because some agencies do not consistently code re-employed state retirees as TWRs.

**Table 1. Temporary Worker Retirees on the Active Payroll**

<b><i>Year</i></b>	<b><i>TWR Employees</i></b>	<b><i>Hazardous Duty TWRs</i></b>
2008	458	9
2009	771	10
2010	517	4
2011	342	3

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