Update: Total Lump-Sum Retirement Option and Returning to Work

PERS is continuing to work with the Department of Justice (DOJ) regarding the effect of returning to work in a non-qualifying position (one of less than 600 hours per year) and whether that would require a member who retired with the total lump-sum option to return his/her total lump-sum benefit. We expect to have clarification from DOJ on or before March 19, 2004.

A PERS member who retires with the total lump-sum option and returns to work for a PERS-covered employer within the first six months of his/her retirement date must repay all benefits received if the member returns in a qualified position. A qualified position is one in which the employee works 600 or more hours in a calendar year, beginning the first hour worked. The member is subject to ORS 238.078.

The total lump sum option precludes the member from returning to work under the 1039 rule (ORS 238.082).

Members who retire under any option other than the total lump-sum option can return to work for a PERS-covered employer under the 1039 rule without having to repay benefits.

A member can cancel his/her retirement up to the date of the first benefit check.

The retirement option can be changed up to 60 days after the date of the first benefit payment.