

We are getting many inquiries at FEA about DROP and Reemployment after Retirement. Some of the questions purportedly about DROP are really about reemployment.

A [Member Fact Sheet](#) on both issues **based on current law** is provided for your use. I also wanted to highlight two of the most frequently asked questions. Additionally, I am including information on two very important bills that have been filed and probably are the cause for many of the questions.

**Q: Is there legislation to prevent the added years (6-8) of DROP? (this is a K-12 instructional issue only).**

A: The added years of DROP are on an annual contract basis and are only for instructional personnel, exclusive of paraprofessionals. The granting of the added years is at the sole discretion of the school board. The first five years are at the discretion of the employee. With the budget crisis, most school boards are not granting the added years and that has caused the number of questions to increase. At this time, there is not legislation that impacts DROP participation or the added years for instructional personnel.

**Q: Is there legislation to change reemployment provisions?**

A: Yes, **SB 1182** by Fasano and Gaetz prohibits a retired person from receiving both a salary from an employer in the state-administered retirement system and retirement benefits. The bill allows reemployment by an FRS employer in a full-time or in a part-time capacity as in current law but disallows the collection of retirement pay during the second career. The employee will also not be allowed to earn a second retirement thus the FRS employer would not pay FRS contributions for the reemployed member. This bill, if passed, is prospective and not retroactive. It is intended to prevent "double dipping" as highlighted in some recent newspaper accounts. If there is any bright side to the bill, it may encourage a school district to rehire a retired teacher since they would not have to pay the FRS contribution rate. I have had inquiries that retired teachers may agree to reduced pay in order to be reemployed. This is currently possible by Florida Statutes if agreed to by the union. I would think that the existence of SB 1182 would be a deterrent to the union even considering such notion and may have those employees reconsidering that viewpoint. **FEA will oppose SB 1182 at least from the perspective of how it impacts our members.** We do not believe ESP and instructional personnel are the cause of concerns that have been written about in the newspapers.

Finally, there is pending legislation (**SB 534**) again by Fasano that limits the option of enrolling in the State Retirement System's defined benefit program or defined contribution program to public employees employed before January 1, 2010. The bill requires public employees employed on or after January 1, 2010, to enroll in the defined contribution program, **FEA will strongly oppose this bill!!**

NOTE: Currently, there is not a House companion to either bill but we expect there will be prior to March 3rd, the first day of the 2009 Session.