

## **Legislation Signed to Partially Modify Annual Earnings Limits for Work by Public Retirees During State of Emergency**

Governor Baker has signed into law Chapter 53 of the Acts of 2020, which includes language excluding from the annual limits earnings and hours worked by public retirees for service provided in the public sector during the period of the COVID19 state of emergency in Massachusetts.

Section 14 outlines the changes being made. The hours worked and earnings received during the emergency period, which began March 10, 2020, will not count against the 2020 limits, **but the other service before and after the emergency period would count toward the annual limits.**

The current annual limits that apply to public retirees who work in public sector positions at the state or local level in Massachusetts include:

- Employment may not exceed 960 hours per calendar year; and/or
- Total earnings per calendar year cannot exceed the difference between the retirement allowance and the current salary of the position from which you retired. As a retiree, you must cease employment whenever either one of the above two conditions are met. If you wish to continue working, then you may waive your retirement allowance. (See M.G.L. c.32, §91)
- After you have been retired one full calendar year, you may earn an additional \$15,000 per year beyond the limitations listed above; however, you are still limited to the maximum 960 hours per year.

***Retirees should consult with their employers regarding their earnings limits and how the legislation will impact it. Retirees should also check directly with the appropriate bargaining unit if you are working in a union benefitted position as a retiree as restrictions may apply.***

It should be noted that the legislation does not apply to disability retirees who must continue to comply with the annual earnings limitations of Section 91 and Section 91A.

The exclusion only applies to public retirees who are seeking to or already work in a public position (e.g., State, county, or municipality). Those who work in the private sector, government jobs outside of Massachusetts, or the federal government are not impacted by the limits of MGL Chapter 32, Section 91.