



**STATE OF DELAWARE
OFFICE OF PENSIONS**

**EMPLOYER ALERT
JULY 2022**

RETURN TO WORK EARNINGS LIMIT INCREASE

House Substitute 1 for House Bill 478 was signed by the Governor on June 30, 2022. This bill increases the annual earnings limit for pensioners in the State Employees' Pension Plan who return to work in a non-pension creditable position to \$40,000 annually beginning with earnings from calendar year 2021.



**Return to Work
Earnings Limit Increase**

**Legislation was just passed increasing the
annual earnings limit from
\$30,000 to \$40,000
for retirees working for a State agency or State school
district.**

This change is retroactive to 01/01/2021.



This applies to the following types of employees:

- Casual/Seasonal employees must work fewer than 30 hours per week.
- Temporary employees who are working more than 30 hours per week must work for a period of less than 12 months.
- Substitute employees must be working on a per diem basis.

The original garnishment calculations still apply:

\$1 for every \$2 over the earnings limit will be recouped from their pension in the fiscal year following the calendar year of the earning.

The notarized Certification statement on page 2 of the Pension Application is currently being updated to reflect the update.