Members that are approved for disability retirement from this System are subject to restrictions for returning to work while they receive disability payments. The restrictions for returning to work are listed below.

Returning to Work for an Employer That Participates in APERS

While you receive a disability retirement benefit, **you may not return to work in an APERS covered position**. If you return to work for an APERS-participating employer while you receive a disability benefit, you are no longer eligible for disability retirement and we will stop your benefit payments. If you have any questions regarding an employer’s participation in APERS, you should contact APERS before you begin working for that employer.

Returning to Work for an Employer That Does Not Participate in APERS

While you receive a disability retirement benefit, under certain circumstances you may return to work for an employer that does not participate in APERS. You may return to work for a non-APERS participating employer if your income does not exceed the level which Social Security considers “substantial.” The substantial earnings amount usually increases each year. For the current amount that Social Security considers substantial, visit their website at: www.socialsecurity.gov/work.

If you have any additional questions on disability or early retirement, contact APERS at 501-682-7800 or 1-800-682-7377.

As much as possible, this brochure has been written in non-technical terms, avoiding the formal language of the retirement laws, rules and regulations. Any conflict between the information contained in this brochure and those retirement laws, rules and regulations must be resolved pursuant to the governing statutes, rules and regulations.

If questions about interpretation arise as a result of the attempt to make the retirement provisions easy to understand, Chapters 2, 4, and parts of 7 of Title 24 of the Arkansas Code Annotated (1987), as amended, as well as APERS promulgated regulations, must remain the final authority.

The information provided in this brochure is based on the Arkansas Retirement System laws and rules in existence at the time this brochure was published and is subject to future modification based on changes in the law.
Although no one wants to face this personal situation, some APERS members have suffered total and permanent disabilities that force them to retire. APERS members with a disability may retire if they meet certain eligibility requirements.

Requirements
APERS members can retire with a disability if they:
1. Have at least 5 years credited service.
2. Have credited service for 18 of the 24 months immediately preceding the disability occurrence.
3. Must be ruled eligible for Federal Social Security Disability Benefits due to a total and permanent disability.

The Reduction
In the case of an early retirement, APERS determines what the monthly annuity will be and then applies the appropriate reduction to that amount. To determine the amount of reduction an active or deferred member will have, APERS looks at the amount of actual service that person has at the time of retirement. If the member has less than 25 years of actual service the reduction is ½ of 1% for each month before 65.

Less Than 25 years of actual service:
  ½ of 1% for each month before 65

An example of a reduction with less than 25 years of actual service would be a member who retires at age 62 with 5 years of service.

At age 62 you have 36 months until age 65, and ½ of 1% for 36 months is 18. The reduction is 18%.

If the member has at least 25 but less than 28 years of actual service the reduction is the lesser of:

- ½ of 1% for each month before age 65 or
- 1% for each month before 28 years of service.

25 to 28 years of actual service:

<table>
<thead>
<tr>
<th>The lesser of:</th>
<th>From Age 65</th>
<th>From 28 Years of Service</th>
</tr>
</thead>
<tbody>
<tr>
<td>½ of 1% for each month before 65</td>
<td>1% for each month under 28 years</td>
<td></td>
</tr>
</tbody>
</table>

Here is an example of a reduced benefit due to early retirement. An APERS member who is 60 years old with 25 years of service decides to retire. How will his benefit reduction be determined?

From Age 65 - At age 60 you have 60 months till 65, and ½ of 1% for 60 months is 30. The reduction based on age is 30%.

From 28 Years of Service - At 25 years of service you have 36 months until 28 years of service, and 1% for 36 months is 36. The reduction based on service would be 36%.

In the above example the reduction that would be applied to the monthly annuity would be the 30% based on age, as it is less than the 36% based on service.

Disability Retirement
Although no one wants to face this personal situation, some APERS members have suffered total and permanent disabilities that force them to retire. APERS members with a disability may retire if they meet certain eligibility requirements.

Requirements
APERS members can retire with a disability if they:
1. Have at least 5 years credited service.
2. Have credited service for 18 of the 24 months immediately preceding the disability occurrence.
3. Must be ruled eligible for Federal Social Security Disability Benefits due to a total and permanent disability.