



WHAT IS THE SILVER STARS PROGRAM?

The Silver Stars Program offers retired City employees the opportunity to work part-time on project-based assignments at a City agency.

Through Section 212 of the New York State's Retirement and Social Security Law, a retired City employee under the age of 65 can earn up to \$35,000 per calendar year (January through December), while continuing to receive full pension benefits, health care insurance, and possibly Social Security benefits. Some exceptions may apply. Review your retirement system's website for detailed information on Earnings Limitations for retirees.

FAQS ABOUT THE PROGRAM

Why should I participate in the Silver Stars Program?

Silver Stars offers a retired City employee the opportunity to phase into retirement by allowing them to supplement their income and maintain a productive, social, and vibrant lifestyle without the demands of traditional full-time employment. Phased retirement also allows subject matter experts to support organizational growth by sharing their knowledge and experience with less experienced employees.

Who is eligible to participate in the Silver Stars Program?

To qualify for the program, a person must meet all of the following requirements:

- Be fully retired from City employment;
- Receiving a pension from a City retirement system;
- Have no remaining sick or vacation balance;

- Be a resident of New York City, unless the job posting specifies otherwise; and
- Retirees receiving a disability pension are not eligible to participate in the program. Disability retirees are subject to New York City Charter Section 1117 and the applicable New York City Administrative Code/BERS' Rules pertaining to disability retirement safeguards.

I retired as a manager; can I participate in the program?

The program is open to all City retirees; both managers and non-managers are encouraged to apply.

If I participate in the Silver Stars Program, should I contact my retirement system?

Yes. You must contact your pension system and complete the necessary forms to comply with Section 212 of the New York State Retirement and Social Security Law.

Can I seek a waiver of Section 211 of the New York State Retirement and Social Security Law in order to earn more than the \$35,000 limit?

The Silver Stars Program adheres to Section 212 of the New York State Retirement and Social Security Law; therefore, waiver requests will not be filed for Silver Stars participants.

HEALTH CARE AND PENSION BENEFITS

Can I receive pensionable credit if I return to work under Silver Stars?

No. You should not be rejoining the pension system and, therefore, will not be receiving pensionable credit. You will not be eligible to earn any additional pensionable credit of service.

What happens with my Social Security benefits if I return to work under Silver Stars?

You should consult with the Social Security Administration (<https://www.ssa.gov>) for assistance as there may be certain limitations on how much you can earn without impacting your benefits. If you are accepted into the Silver Stars Program, you may receive the following:

- A monthly check from your City pension system;
- A monthly Social Security benefit; and
- City of New York paycheck (from the Silver Stars Program).

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Can participants in the Silver Stars Program join the Deferred Compensation program?

Employees working 20-hours a week or more and receiving a City paycheck are eligible to participate in the Deferred Compensation program.

If I am not eligible for retiree health benefits upon returning, can I enroll in the City's health coverage?

Part-time employees working over 20-hours per week can apply for health insurance. Please note that being eligible for health insurance upon returning to City service as a Silver Stars would not change your retiree health coverage status.

Will there be interruptions to my retiree health insurance benefits when I return to work?

No. If you are currently receiving health insurance benefits, there will be no interruption to your retiree health coverage as long as you continue to receive a monthly pension check.

COMPENSATION

Will I accrue leave (annual and sick) when I return to work?

Yes, positions covered by the "Leave Regulations for Employees Who are Under the Career and Salary Plan" or the Managerial Leave Regulations can accrue leave.

Can I earn overtime as a part-time employee?

Your agency will compensate you for time worked according to applicable pay rates and Fair Labor Standards Act (FLSA) regulations. If overtime is earned, this will be counted toward the program salary maximum of \$35,000.

Are my work hours flexible?

Work hours are based on the business needs of the agency.

APPLICATION, ONBOARDING, AND PROGRAM PARTICIPATION

How can I apply?

Apply to positions with "Silver Stars" in the Business Title on NYCAPS/ESS website or the NYC Jobs website <https://www1.nyc.gov/jobs/index.page>.

What paperwork will I need to complete once I've been hired?

You will need to complete the typical hiring paperwork provided by your hiring agency. Most agencies use the eHire functionality of NYCAPS, the City's human resources system.

You will also be asked to sign a *Release of Information Form*. The form authorizes the hiring agency to share information about your placement with the New York City Department for the Aging (DFTA), the agency responsible for managing the Silver Stars Program.

Am I subject to the City's conflict of interest rules?

Yes, you will be subject to the City's conflict of interest rules.

Do I need to secure a waiver from the Conflicts of Interest Board (COIB) for dual employment?

Yes, you will need to receive COIB approval for any outside employment.

If the position is for six (6) months or less, it is considered part-time employment by COIB, regardless of how many hours worked per week. Any position that is 19 hours or less per week is also considered part-time, regardless of the length of the position. In these cases, you will only need COIB and agency approval for dual employment if the company has dealings with the **same agency you are working with** as a Silver Stars.

If the position is for a longer duration than six (6) months and for 20-hours or more per week, COIB considers you a full-time employee. If this is the case, you will need COIB and agency approval for dual employment if the company has dealings **with any** City agency.

In addition, you will be subject to the post-employment rules contained in Chapter 68 of the City Charter once you leave the Silver Stars Program.

You are strongly recommended to contact COIB for additional guidance.

Do I need to wait one year after retirement to participate in Silver Stars?

No. The waiting period only applies to former City employees communicating with their former City agency on behalf of a non-government entity within one year of leaving City service.

Can I work remotely?

All applicable City rules and regulations govern the Silver Stars position. The City does not have a telework policy.

Will returning staff be required to pay a fingerprint background check fee?

If there is a gap of greater than one year between the participant's retirement and their start with Silver Stars, they may need to pay a fee to have their fingerprints processed by the State Division of Criminal Justice Services and FBI.

What are the necessary steps if I wish to terminate my participation in the Silver Stars Program?

You should provide at least two (2) weeks written notification to your supervisor. In addition, you must contact your pension system to inform them that you are terminating your employment and to complete any necessary documents as required by the pension system.

Is there an opportunity for me to work at a different agency than the one I retired from?

Yes, you can apply for a position at any agency looking to hire a Silver Stars participant.

Where can I get more information about the program?

You can also go to the www.nyc.gov/aging/SilverStars or send an email to SilverStars@aging.nyc.gov. ■