

Retirement Board

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Memorandum

To: Retirement Liaison Officers

From: Kabrina Feser, Operations Officer

Date: February 28, 2024

Re: Implementation of Revised Public Employees' Retirement System
Official Policies

At their February 15, 2024, meeting, the Public Employees' Retirement Board approved policy revisions pursuant to NRS 286.200. This notice is to inform you of the revised policies that will become effective on July 1, 2024.

Attachment

- 286.200 1.20 IMMEDIATE FAMILY – The employee’s parents, spouse, children, regardless of age, brothers, sisters, grandparents, great-grandparents, uncles, aunts, nephews, grandchildren, nieces, great-grandchildren and stepparents.
- 286.200 2.5 If two or more persons are assigned to fill a single position of half-time or more, then each shall be enrolled in the System. If multiple employees share a single full-time position, part-time eligibility and wage augmentation do not apply to either member. A member employed in a full-time position receives service credit and eligibility which is tied to the days, months, and years that are worked. A retirement allowance is paid based on the actual service credit and compensation earned individually and is maxed/capped at one full-time equivalency.
- 286.297 2.9 The following persons are not eligible to become members of the System:
- a. Inmates of State, county, and municipal institutions.
 - b. Independent contractors.
 - c. Members of State and local boards or commissions that are advisory or directive and whose members are not compensated except for expenses incurred or for attendance fees.
 - d. Students employed by the institution they attend if the student is working in a position that can only be filled by a student.
 - e. Resident physicians.
 - f. District Judges and Justices of the Supreme Court who are not enrolled in the System at the time of election or appointment or who previously withdrew from membership while serving as a District Judge or Justice of the Supreme Court.
 - g. Members of the professional staff of the University of Nevada System who are not already enrolled in the System as a result of previous public employment with a participating employer.
 - h. Persons assigned to temporary positions of six months or less.
 - i. Persons assigned to intermittent positions unless the public employer can reasonably expect that the intermittent position will be filled half-time or more during a fiscal year.
 - j. Persons employed on or after July 1, 1981, as part-time guards at school crossings.
 - k. Nurses who do not work a regular work schedule, are paid on an hourly basis, and do not receive customary employee benefits.
- 286.802(2)
286.814

- 286.040 2.14 For purposes of determining whether a person is an employee or an independent contractor, the System will use the Internal Revenue Service's analysis (Treasury Regulation 26 C.F.R. §31.3401(c)-1).
- 286.200 3.27 ~~Subject to Policies 12.8 and 12.9, the System guarantees to each member mandated to contribute under the employer pay contribution plan, his beneficiary or estate, the return of the portion of the employer-pay contributions submitted on his behalf in either a distribution of contributions or a monthly benefit.~~
- 286.200 3.28 To receive a distribution of the portion of the mandatory employer-pay contributions submitted on behalf of the member, the member must also apply for a refund of any employee contributions credited to his individual employee account. An EPC distribution is only owed to the member, not their survivor/beneficiaries.
- 286.200 3.29 ~~For each person establishing eligibility to receive a distribution in accordance with Policy 3.26, prior to January 1, 1992, the System will pay simple interest at the actuarially determined rate per annum (presently 7.5%) on initial distributions of contributions to affected employees, from the time of termination of employment for which contribution is required until the distribution is paid, providing that period of time exceeds 1 month.~~
- 286.300 6.6 Members must pay the full actuarial cost of service as determined by an actuary of the System other than purchases pursuant to Policy 6.5. The cost to purchase service is calculated using the purchase percentage corresponding to the age and average compensation of the member at time of purchase. The actuarially developed purchase percentages for regular members are as follows:

Members Hired Prior to 1/1/2010:

See Appendix A

Members Hired Prior to 1/1/2010:

See Appendix B

Members Hired Between 1/1/2010 and 6/30/2015:

See Appendix C

Members Hired Between 1/1/2010 and 6/30/2015:

See Appendix D

Members Hired On or After 7/1/2015:

See Appendix E

Members Hired On or After 7/1/2015:

See Appendix F

These percentages apply even if service is purchased at time of retirement. Any and all service credit purchased after January 1, 2010, may only be credited to the tier in which it was purchased.

- 286.430 7.3 The System shall:
- a. Provide an initial refund of all contributions credited to the member's account as of the next refund date after receipt of refund request and termination. The refund will be considered ineligible if, at time of processing the refund, applicant is employed with a Nevada public employer in an eligible position at time of issuance.
 - b. After 90 days from the first refund check being issued, and if all contributions have been submitted by the public employer, issue a final refund of any balance remaining in the account.
 - c. Record any contributions received after the final refund, if less than \$10, and transfer that amount to the System. In the event of a subsequent return to the system by the member, this amount will revert to the member's account.
 - d. Should an initial refund check, or a remainder balance check, be lost or stolen, a replacement check will be reissued after 90 days from issuance.
- 286.620 8.1 A member who is vested with at least five years of eligibility and becomes totally unable to perform his current or any comparable job for which he is qualified by his training and experience because of injury or mental or physical illness of a permanent nature, is eligible to apply for a disability retirement allowance if:
- a. The member is in the employ of a public employer at the time of application for disability retirement;

- b. The member provides information that his disability renders him unable to perform the duties of his present position or of any other position he has held within the past year;
- c. The member files a notarized application for disability retirement with the System prior to termination of employment with the public employer; and
- d. His employment will be terminated because of such disability.

286.650(1) 8.34 Whenever a disabled retired employee returns to employment with a participating public employer in a position which would entitle membership:

- a. The disability retirement allowance must be discontinued.
- b. He shall again become a contributing member of the System.
- c. All previous service credit shall be restored.
- d. Employee contributions, less 15% of the total of the disability benefits paid, shall be returned to the member's account.

286.672 9.1 Eligibility for survivor benefits is established if:

- a. The deceased member had two years of service in the two and one-half years immediately preceding the member's death.
- b. The deceased member was employed in a part-time position at the time of death and had two or more years of service credit in a part-time position and at least one day of service within the six months immediately preceding death.
- c. The deceased member had ten or more years of accredited, contributing service.
- d. The death of the member was caused by an occupational disease or an accident arising out of and in the course of his employment regardless of service credit.
- e. The death of the member occurs within 18 months after termination of employment or commencement of leave without pay where a mental or physical condition required the termination or leave without pay.
- f. The death of member occurs while on leave of absence for training and the member met requirements of (a), (b), (c), or (d) at time such leave began.
- g. In the case of survivor benefits for an unmarried member, the deceased member had properly completed, signed, dated, and filed the approved form with the System designating a survivor beneficiary for receipt of the benefit before his or her death. Such filing must be evidenced by the System's records related to the

member's account. The System will accept an approved form if it has been mailed before the member's death, as evidenced by the date of the postmark dated by the post office on the envelope in which it is mailed. Benefits will not be paid unless eligibility is established in accordance with this provision.

- h. A fully executed Application for Survivor Benefits must be received in the System's office to initiate benefits.

286.674
286.67675
286.6769(2)

9.2 The spouse, registered domestic partner, or survivor beneficiary of an unmarried member of a deceased member with less than ten years of accredited, contributing service may elect one of the following:

- a. A cumulative monthly benefit of \$450. This benefit shall be paid until the end of the month in which the spouse, registered domestic partner or survivor beneficiary of an unmarried member dies. If the member has designated one or more payees in addition to the survivor beneficiary, the monthly allowance to which a survivor beneficiary is entitled must be divided between the survivor beneficiary and any additional payee in the proportion designated by the member. If an additional payee predeceases the survivor beneficiary, the payment made to that additional payee must be equally distributed to the survivor beneficiary and any other additional payees beginning the first of the month following the additional payee's death.
- b. If there are no other eligible survivors, the spouse, registered domestic partner or survivor beneficiary of an unmarried member may waive the \$450 per month benefit and receive a refund of:
 - 1. The deceased member's employee contributions.
 - 2. 50% of any employer-pay contributions made during the period of time for which the employee was not mandated under the employer-pay contribution plan.

286.676
286.6768

9.3 The spouse, registered domestic partner or survivor beneficiary of an unmarried member of a deceased member with ten or more years of accredited contributing service may elect one of the following:

- a. A cumulative monthly benefit of \$450. This benefit shall be paid until the end of the month in which the spouse, registered domestic partner or survivor beneficiary of an unmarried member dies.
- b. The benefit provided by Retirement Option 3 for a beneficiary, if the deceased member had less than 15 years of service credit at the time of his death. The benefit shall be calculated as if the deceased member retired on the day of death and named the spouse, registered domestic partner or survivor beneficiary of an

unmarried member as beneficiary with no reduction for the deceased member's age. This benefit shall be paid until the end of the month in which the spouse, registered domestic partner or survivor beneficiary of an unmarried member dies.

- c. The benefit provided by Retirement Option 2 for a beneficiary, if the deceased member had 15 or more years of service at the time of his death. The benefit shall be calculated as if the deceased member retired on the day of his death and named the spouse, registered domestic partner or survivor beneficiary of an unmarried member as beneficiary with no reduction for the deceased member's age. This benefit shall be paid until the end of the month in which the spouse or survivor beneficiary of an unmarried member dies. Benefits are subject to the applicable Internal Revenue Code limitations including IRC 401(a).
- d. The benefit provided by Retirement Option 2 for a beneficiary of a deceased member who was fully eligible to retire both as to service and age at the time of death. The benefit shall be calculated as if the deceased member retired on the day of death and named the spouse, registered domestic partner or survivor beneficiary of an unmarried member as beneficiary. This benefit shall be paid until the end of the month in which the spouse, registered domestic partner or survivor beneficiary of an unmarried member dies. Benefits are subject to the applicable Internal Revenue Code limitations including IRC 401(a).

SB 173 (1973) 286.200	9.4	A surviving spouse or survivor beneficiary of an unmarried member whose benefits were canceled before July 1, 1977, because of restrictions on the amount of permissible earnings, which were removed in 1975, is entitled to the reinstatement of monthly benefits as of the date of application if the refund of unused employee contributions is repaid to the System including interest at the actuarial rate per annum from the date of the refund.
286.67675, 286.6768, 286.67685, 286,5769, 286.67695	9.24	A recipient of survivor benefits may designate that his monthly benefit check be transmitted as follows: <ul style="list-style-type: none">a. Mailed directly to any residence address or personal Post Office box; orb. Through an electronic funds transfer (EFT) to his account at his financial institution. An Electronic Funds Transfer (EFT) Authorization form must be completed and signed before a notary public.
286.367(4)	10.9	The unmodified allowance for a volunteer firefighter shall be calculated upon the assumed wage and service time factor in that capacity. If there is also service in a regular position, that unmodified allowance shall be

calculated separately using the average salary calculated upon the 3 highest consecutive years, if the service in that employment exceeds 3 years. The weight given to the assumed wage and average salary, respectively, is proportionate to the length of service in each capacity.

- 286.470(1) 10.10 (a) The unmodified allowance for a County Commissioner, Councilman, or Mayor shall be calculated upon the average compensation and service factor for that service. Except as authorized in NRS 286.470(3) and Policy 10.10(b), if there is also service in a regular position, that unmodified allowance shall be calculated separately and then combined with the County Commissioner, Councilman, or Mayor unmodified allowance.
- (b) If a member who has service as a County Commissioner, Councilman or Mayor has an average salary for the entire period of elective service that is equal to or greater than the average salary of a member for regular service for the same period, the calculations required pursuant to NRS 286.470(3) and Policy 10.10(a) do not apply and the member must receive credit for regular service.
- (c) To be eligible for the calculation in accordance with NRS 286.470(3) and Policy 10.10(b), the average salary of a member for regular service is as follows:

Fiscal Year	Average Salary
1971*	\$ 9,000
1972*	\$ 9,500
1973*	\$ 9,750
1974	\$10,241
1975	\$10,962
1976	\$11,001
1977*	\$11,587
1978	\$12,174
1979	\$13,118
1980	\$14,062
1981*	\$15,940
1982	\$17,819
1983	\$18,974
1984	\$20,129
1985*	\$21,084
1986	\$22,039
1987*	\$23,103
1988	\$24,168
1989	\$25,004
1990	\$26,186

1991	\$27,650
1992	\$28,931
1993	\$30,383
1994	\$30,511
1995	\$31,190
1996	\$31,420
1997	\$32,149
1998	\$32,714
1999	\$33,397
2000	\$35,185
2001	\$36,615
2002	\$38,106
2003	\$39,193
2004	\$40,069
2005	\$40,901
2006	\$41,929
2007	\$43,355
2008	\$46,159
2009	\$48,151
2010	\$49,407
2011	\$49,248
2012	\$48,808
2013	\$48,626
2014	\$48,057
2015	\$47,840
2016	\$47,922
2017	\$49,502
2018	\$51,193
2019	\$52,007
2020	\$53,013
2021	\$54,572
2022	\$54,991
2023	\$57,108

*Estimated actuarial valuations not performed in odd-numbered years prior to 1988.

- 286.541(1) 10.18 In order to complete a retirement application, an applicant must elect
286.590(1-6) one of the following retirement plans:
- a. Unmodified retirement allowance, which pays full monthly benefit to the retired employee for life but provides no protection for the beneficiary.

- b. Option 2 - Actuarially reduced allowance for the lifetime of the retired employee. After the retired employee's death, the same allowance will continue for the lifetime of the beneficiary.
- c. Option 3 - Actuarially reduced allowance for the lifetime of the retired employee. After the retired employee's death, 50% of the allowance will continue for the lifetime of the beneficiary.
- d. Option 4 - Actuarially reduced allowance for the lifetime of the retired employee. After the retired employee's death and when the beneficiary reaches age 60, the allowance will continue for the lifetime of the beneficiary.
- e. Option 5 - Actuarially reduced allowance for the lifetime of the retired employee. After the retired employee's death and when the beneficiary reaches the age of 60, 50% of the allowance will continue for the lifetime of the beneficiary.
- f. Option 6 - Actuarially reduced allowance for the lifetime of the retired employee. After the retired employee's death, a specific sum per month, not to exceed the monthly allowance paid to the retired employee, will continue for the lifetime of the beneficiary.
- g. Option 7 - Actuarially reduced allowance for the lifetime of the retired employee. After the retired employee's death and when the beneficiary reaches age 60, a specific sum per month, not to exceed the monthly allowance paid to the retired employee, will continue for the lifetime of the beneficiary.
- h. Option 8 - Actuarially reduced allowance for the lifetime of the retired employee. After the retired employee's death, the beneficiary will continue to receive 6 months of benefits.

Benefits are subject to the applicable Internal Revenue Code limitations including IRC 401(a).

- 286.200 10.20 A retired employee may designate that his monthly benefit check be transmitted as follows:
- a. Mailed directly to any residence address or personal Post Office box; or
 - b. Through an electronic funds transfer (EFT) to his account in his financial institution. An Electronic Funds Transfer (EFT) Authorization form must be completed and signed before a notary public.
- 286.520(6) 10.25 The System may waive for one period of 30 days or less, a retired employee's disqualification under this section if the public employer certifies in writing, in advance of the retiree returning to employment, that the retired employee is recalled to meet an emergency and that no other qualified person is immediately available. The agency must make an individual request for each retiree and the request cannot be submitted prior to the employee's retirement.

286.520(7) 10.35 A retired employee who is employed by either house of the Legislature or by the Legislative Counsel Bureau; the Nevada Gaming Commission as a Commissioner appointed by the Governor; or the Nevada Court System as a senior justice, senior judge, senior justice of the peace or senior municipal judge, is exempt from the reemployment provisions for the duration of that employment or contract.

286.300 11.23 The member must pay the full actuarial cost to purchase service as determined by an actuary of the System. The cost to purchase service is calculated using the purchase percentage corresponding to the age and average compensation of the member at time of purchase. The actuarially developed purchase percentages for police/fire members are as follows:

Members Hired Prior to 1/1/2010:

See Appendix G

Members Hired Prior to 1/1/2010:

See Appendix H

Members Hired Between 1/1/2010 and 6/30/2015:

See Appendix I

Members Hired Between 1/1/2010 and 6/30/2015:

See Appendix J

Members Hired On or After 7/1/2015:

See Appendix K

Members Hired On or After 7/1/2015:

See Appendix L

These percentages apply even if service is purchased at time of retirement. Any and all service credit purchased after January 1, 2010, may only be credited to the tier in which it was purchased.

- 286.370(1) 12.24 Excluded public employers may obtain membership status by:
- a. Making written request to the Board for consideration for enrollment in the System.
 - b. Holding an election among all eligible employees in which at least two-thirds elect membership.
 - c. Providing applicable state statute or other authority which establishes the public employer as a state agency or political subdivision.
 - d. Receiving Board approval as a public employer.

- 286.370(1) 12.25 New public employers shall obtain membership status by:
- a. Making written request to the Board for enrollment in the System.
 - b. Providing applicable state statute or other authority which establishes the public employer.
 - c. Receiving Board approval as a public employer.
 - d. Any new public employer must be a choice agency.

Appendix A

Public Employees' Retirement System of Nevada
Service Purchase Factors for PERS Regular Members

Members Hired Prior to 1/1/2010:

<u>Age</u>	<u>Percent</u>	<u>Age</u>	<u>Percent</u>	<u>Age</u>	<u>Percent</u>
30	19.7	47	33.6	64	32.0
31	20.3	48	34.7	65	31.3
32	21.0	49	35.8	66	30.6
33	21.6	50	37.0	67	29.8
34	22.3	51	38.2	68	29.1
35	23.0	52	39.4	69	28.3
36	23.8	53	40.7	70	27.5
37	24.5	54	42.1	71	26.7
38	25.3	55	43.5	72	25.9
39	26.1	56	43.3	73	25.0
40	26.9	57	43.1	74	24.2
41	27.8	58	43.0	75	23.3
42	28.7	59	42.8	76	22.5
43	29.6	60	34.7	77	21.6
44	30.5	61	34.0	78	20.8
45	31.5	62	33.4	79	19.9
46	32.5	63	32.7	80	19.0

Effective until June 30, 2024.

Appendix C

Public Employees' Retirement System of Nevada
Service Purchase Factors for PERS Regular Members

Members Hired Between 1/1/2010 and 6/30/2015:

<u>Age</u>	<u>Percent</u>	<u>Age</u>	<u>Percent</u>	<u>Age</u>	<u>Percent</u>
30	18.4	47	31.5	64	30.0
31	19.0	48	32.5	65	29.3
32	19.7	49	33.5	66	28.7
33	20.2	50	34.6	67	27.9
34	20.9	51	35.8	68	27.2
35	21.5	52	36.9	69	26.5
36	22.3	53	38.1	70	25.7
37	22.9	54	39.4	71	25.0
38	23.7	55	40.7	72	24.3
39	24.4	56	40.5	73	23.4
40	25.2	57	40.4	74	22.7
41	26.0	58	40.3	75	21.8
42	26.9	59	40.1	76	21.1
43	27.7	60	32.5	77	20.2
44	28.6	61	31.8	78	19.5
45	29.5	62	31.3	79	18.6
46	30.4	63	30.6	80	17.8

Effective until June 30, 2024.

Appendix E

Public Employees' Retirement System of Nevada
Service Purchase Factors for PERS Regular Members

Members Hired On or After 7/1/2015:

<u>Age</u>	<u>Percent</u>	<u>Age</u>	<u>Percent</u>	<u>Age</u>	<u>Percent</u>
30	14.4	47	24.4	64	27.0
31	14.8	48	25.2	65	26.4
32	15.3	49	26.1	66	25.8
33	15.8	50	26.9	67	25.1
34	16.3	51	27.8	68	24.5
35	16.8	52	28.7	69	23.8
36	17.3	53	29.7	70	23.2
37	17.9	54	30.6	71	22.5
38	18.4	55	31.7	72	21.8
39	19.0	56	31.2	73	21.1
40	19.6	57	30.7	74	20.4
41	20.2	58	30.2	75	19.7
42	20.9	59	29.7	76	19.0
43	21.5	60	29.2	77	18.2
44	22.2	61	28.7	78	17.5
45	22.9	62	28.1	79	16.8
46	23.7	63	27.6	80	16.0

Effective until June 30, 2024.

Appendix G

Public Employees' Retirement System of Nevada Service Purchase Factors for PERS Police/Fire Members

Members Hired Prior to 1/1/2010:

<u>Age</u>	<u>Percent</u>	<u>Age</u>	<u>Percent</u>	<u>Age</u>	<u>Percent</u>
30	32.2	47	52.4	64	34.0
31	33.1	48	53.9	65	33.3
32	34.1	49	55.5	66	32.6
33	35.1	50	57.2	67	31.9
34	36.1	51	56.8	68	31.1
35	37.1	52	56.5	69	30.4
36	38.2	53	56.1	70	29.6
37	39.3	54	55.7	71	28.8
38	40.4	55	39.2	72	28.0
39	41.6	56	38.7	73	27.2
40	42.8	57	38.2	74	26.4
41	44.0	58	37.6	75	25.5
42	45.3	59	37.1	76	24.7
43	46.6	60	36.5	77	23.8
44	48.0	61	35.9	78	22.9
45	49.4	62	35.3	79	22.0
46	50.9	63	34.6	80	21.1

Effective until June 30, 2024.

Appendix I

Public Employees' Retirement System of Nevada Service Purchase Factors for PERS Police/Fire Members

Members Hired Between 1/1/2010 and 6/30/2015:

<u>Age</u>	<u>Percent</u>	<u>Age</u>	<u>Percent</u>	<u>Age</u>	<u>Percent</u>
30	30.1	47	49.1	64	31.8
31	31.0	48	50.5	65	31.2
32	31.9	49	52.0	66	30.5
33	32.9	50	53.6	67	29.9
34	33.8	51	53.2	68	29.1
35	34.7	52	52.9	69	28.5
36	35.8	53	52.5	70	27.7
37	36.8	54	52.2	71	27.0
38	37.8	55	36.7	72	26.2
39	39.0	56	36.2	73	25.5
40	40.1	57	35.8	74	24.7
41	41.2	58	35.2	75	23.9
42	42.4	59	34.7	76	23.1
43	43.6	60	34.2	77	22.3
44	44.9	61	33.6	78	21.4
45	46.3	62	33.1	79	20.6
46	47.7	63	32.4	80	19.8

Effective until June 30, 2024.

Appendix K

Public Employees' Retirement System of Nevada Service Purchase Factors for PERS Police/Fire Members

Members Hired On or After 7/1/2015:

<u>Age</u>	<u>Percent</u>	<u>Age</u>	<u>Percent</u>	<u>Age</u>	<u>Percent</u>
30	21.9	47	35.6	64	31.8
31	22.5	48	36.7	65	31.2
32	23.2	49	37.8	66	30.5
33	23.9	50	38.9	67	29.9
34	24.5	51	38.5	68	29.1
35	25.3	52	38.1	69	28.5
36	26.0	53	37.6	70	27.7
37	26.7	54	37.2	71	27.0
38	27.5	55	36.7	72	26.2
39	28.3	56	36.2	73	25.5
40	29.1	57	35.8	74	24.7
41	30.0	58	35.2	75	23.9
42	30.8	59	34.7	76	23.1
43	31.7	60	34.2	77	22.3
44	32.7	61	33.6	78	21.4
45	33.6	62	33.1	79	20.6
46	34.6	63	32.4	80	19.8

Effective until June 30, 2024.

