

Retirement Board

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Memorandum

To: Retirement Liaison Officers

From: Tina Leiss, Operations Officer

Date: May 29, 2008

Re: Implementation of Public Employees' Retirement System Official Policies
Revision to

At their May 21, 2008, meeting, the Public Employees' Retirement Board approved policy revisions pursuant to NRS 286.200. This notice is to inform you of the policy revisions that will become effective on July 1, 2008. Please update your PERS' Official Policies to reflect the attached revisions.

Attachment

PUBLIC EMPLOYERS

- 286.110(4) 12.20 The respective participating public employers are not liable for any obligation of the System.
- 286.367(1) 12.21 The volunteers of a regularly organized and recognized fire department may, by the joint application of a majority of such volunteers addressed to the Board, become members of the System. A volunteer firefighter who joins the fire department in which he volunteers have become members of the System becomes a member of the System. The volunteers of a participating fire department may withdraw from the System by the joint application of a majority of such volunteers addressed to the Board.
- 286.370(1) 12.22 Excluded or new 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.
- 286.486 12.23 A public employer must withdraw from Social Security or any other retirement plan before it may become a member of the System.
- 286.288 12.24 On an approved form, the Chief Administrator of a public employer may select an employee to serve as Retirement Liaison Officer to certify retirement records, receive information, and coordinate matters pertaining to retirement between the System and members or the public employer. The employee selected must be a member of the System through his employment with a public employer.
- a. The Liaison Officer may designate on an approved form up to three employees as Deputy Liaison Officers to serve in the same capacity as a Liaison Officer.
 - b. The Liaison Officer may designate on an approved form additional employees who will have signature authority for the agency. These employees may only access information

provided from their public employer to the System, such as enrollment, termination and wage and contribution information.

- c. The Liaison Officer is ultimately responsible for all actions taken by any designated Deputy Liaison Officer, and any employee with signature authority, on all matters pertaining to retirement between the System and members or the public employer.

CERTIFICATION

286.015
286.200

- 12.25 Each public employer shall certify to the System the regular daily, weekly, and biweekly full-time work schedule for their employees, except that:
 - a. A school district may certify a separate full-time work schedule for teachers and non-teaching employees and classified employees.
 - b. The University may certify a separate full-time work schedule for classified employees and professional staff.
 - c. Employers, other than the University and school districts, may certify a separate full-time work schedule for regular employees, police and firefighters.
 - d. For employers who certify a standard full-time work schedule of at least 8 hours daily, 40 hours weekly, and 80 hours biweekly for regular employees under (c) above, but have employees who work greater than 8 hour daily schedules, their employer shall certify a second full-time work schedule if the employees who work greater than 8 hour shifts also work more than the regular weekly or biweekly hours in the given full-time work schedule. The base hours reported on the monthly report of wages and contribution shall be the same as for the standard workweek certified by the public employer with actual hours worked not to exceed base hours for the reporting period. The employer must report compensation at the straight time or base pay rate.
 - e. Employers may not certify a second full-time work schedule if the hours of employees who work other than the 8 hour day do not meet or exceed the hours of the regular work schedule as set forth above.

- 286.015
286.200
- 12.26 All public employers shall certify as part of their regular workweek, any hours worked for which overtime is paid in accord with the Fair Labor Standards Act (FLSA) if the overtime hours are not in excess of the full-time work period for the position as certified by the public employer to the System. All overtime hours payable as a result of the FLSA, which are not in excess of the normal full-time work period, must be reported and contributed on at the "base-pay" or "straight-time" rate.
- 286.421
- 12.27 The public employer shall certify the mechanism by which the member's portion of the employer pay contribution rate is being paid to the System no later than July 1 in a year when there is a contribution rate change to the employer pay plan.
- a. In the event of a contribution rate decrease, the public employer must certify that the member's portion of the decrease is reflected in the member's pay schedule.
- b. In the event of a contribution rate increase, the public employer must certify that the member's portion of the increase is 1) in lieu of equivalent basic salary increases or cost-of-living adjustments; or 2) counterbalanced by equivalent reductions in employees' salaries.

COORDINATION OF RETIREMENT MATTERS

- 286.015
286.200
286.425
- 12.28 The public employer shall timely and accurately complete and submit all forms necessary to enroll a new hire in the System. Prior to submission of an enrollment form, a public employer whose employees have a choice of contribution plan must confirm the member's eligibility to select the employee/employer contribution plan if that member has previously been enrolled in the System.
- 286.520
286.523
286.525
- 12.29 A public employer must develop and maintain procedures to ensure compliance with Policy 10.28 et. seq. prior to the employment of, or independent contract with, a retired employee, including but not limited to, procedures to notify the System of the employment or contract, monitoring of any applicable earnings limitations, and determining eligibility for enrollment.
- 286.460
- 12.30 A public employer must develop and maintain procedures to ensure all wage and contribution reports are timely, contain accurate information, and are in compliance with Policy 4.1 et. seq.
- 286.015
286.200
- 12.31 The public employer shall distribute communications from the System to the members employed by that agency, including but not limited to,

- 286.288 member newsletters, member statements, notification of informational programs, informational bulletins, and forms to be executed by the member. All such communications must be distributed within 15 days of receipt by the public employer.
- 286.200 12.32 The public employer shall post all notices from the System regarding proposed rules or policies of the System immediately upon receipt on a bulletin board or in a conspicuous place in or near its headquarters. The public employer shall post all other notices from the System in a similar manner.
- 286.015 12.33 The public employer shall timely and accurately complete and submit all forms necessary to change the status of a member, including but not limited to, contribution plan changes, fund changes, leave without pay, and terminations.
286.200
- 286.015 12.34 The public employer shall ensure that each employee designated as a liaison officer or a deputy liaison officer, or whose duties include completing and submitting wage and contribution reports, providing information or forms to the System, or providing information from the System to members has appropriate training within six months of designation or assumption of such duties. Appropriate training may include attendance at employer conferences sponsored by the System or training by System employees.
286.288

REVIEW OF EMPLOYER BY SYSTEM

- 286.015 12.35 Each public employer is subject to review by the System with or without prior notice on all matters pertaining to the Retirement Act and these Official Policies.
286.200
286.460
- 286.015 12.36 The public employer shall comply with all written requests for information pertaining to the Retirement Act and these Official Policies, including but not limited to, personnel forms and payroll records, within 15 days of request.
286.200
286.460
- 286.015 12.37 The public employer shall provide auditors employed or retained by the System with full and immediate access to all information pertaining to the Retirement Act and these Official Policies while such auditors are conducting field reviews at the public employer's location.
286.200
286.460
- 286.015 12.38 The public employer shall make all adjustments to wage and contribution reporting within 90 days of notice by the System to the public employer of the necessary adjustments, except all adjustments pertaining to retired employees must be made within 45 days of such notice.
286.200
286.460

12.39 Time periods contained in Policies 12.36 and 12.38 may be extended by System staff upon good cause being demonstrated by the public employer.