



Employer Update

Quarterly Publication ♦ Summer 2009

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Distribute this Publication to all Administrative, Payroll, and Human Resource Personnel

PERS to Offer Employer Training

The Public Employees' Retirement System of Mississippi (PERS) will host six Employer Training workshops this summer throughout the state.

Employer Training is held annually to provide information to personnel responsible for the administration of benefits and reporting of wage information for covered employees.

Topics will include the upcoming contribution rate increase (details on page 3), regulatory changes, reemployment, changes to WEB-ERS, reporting issues and legislative updates.

Each workshop will feature presentations by the Mississippi Department of Finance and Administration Office of Insurance and, with the exception of July 8, presentations on the Mississippi Deferred Compensation Plan & Trust.

These workshops, which will each run from 9 a.m. to 12 p.m. with sign-in beginning at 8:30 a.m., are free to employers but require pre-registration. Pre-register online at www.pers.state.ms.us or contact PERS Retirement Education at 601-359-3589 or 800-444-7377.

Details about the workshops, including location address, will be provided with confirmation of registration.



Jean Clark,
PERS Field Representative

Employer Training Dates and Locations

- July 8 - Pearl
Hinds Community College, Rankin County Branch
- July 9 - Greenville
Greenville Higher Education Center
- July 10 - Tupelo
University of Mississippi Advanced Education Center
- July 13 - Meridian
Mississippi State University/Meridian Multi-Purpose Room
- July 15 - Long Beach
University of Southern Mississippi Gulf Park Campus
- July 16 - Hattiesburg
Woodall Advanced Technology Center

PERS Q&A

- Q.** If a 240-day public school employee retires effective July 1 for the school year ending June 30, would his or her 45-day waiting period begin on July 1 or on the first day for students in August?
- A.** For a 240-day (i.e., 12-month) public school employee, his or her 45-day separation period starts with his or her effective date of retirement. Therefore, if the 240-day employee who works year-round terminates employment at the end of June for a July 1 effective date of retirement, he or she could return to limited employment as a retiree (i.e., half time/half pay or 25% of final average compensation) on or after Aug. 15. Conversely, the 45-day separation period starts at the beginning of the subsequent school year after the normal summer break for a less-than-12-month employee (e.g., 180-day employee) who works the regular school year and terminates employment at the end of the school year.
- Q.** If a retired teacher leaves retirement to return to full-time teaching, must he or she wait to be vested before retiring again?
- A.** A retiree who comes out of retirement and returns to full-time covered employment does not have to vest to be eligible to retire a second time since he or she would have already vested with his or her first retirement. If the retiree works six months or less, PERS will reinstate the benefit at the same amount that it was before the cancelation of benefits. If the retiree works in excess of six calendar months, he or she will be eligible for a recomputation of benefits upon his or her subsequent retirement.
- Q.** Form 4A, *Noncovered Employment Acknowledgment*, states that anyone employed only for summer employment should not be reported to PERS. How would this apply to an employee who works full time for three months each summer? And what is PERS' definition of "summer"?
- A.** Summer employment would generally be classified as temporary employment where the employment is not anticipated to exceed four and a half months and where the individual is not already covered for retirement through another position. PERS does not have a specific definition of "summer" other than it is less than four and a half months. At whatever point a temporary employee is hired as a regular employee on a half-time or more basis where the employment is anticipated to exceed four and a half months, his or her earnings should be reported to PERS.



Deneen Showers
PERS Senior Account Specialist

Employer Reporting Is Here for You

The PERS Employer Reporting Division is responsible for processing the monthly retirement reports and all enrollment forms submitted by the member agencies. It processes adjustments and corrections to member accounts, as well as monitors monthly reports for accuracy and works with agency representatives to correct errors or omissions. The staff also reconciles agency contribution payments to retirement report summaries to verify amounts due from or refundable to agencies; maintains joinder agreements between PERS and the state's political subdivisions; calculates and collects contributions due from fee-paid elected officials who are covered for retirement; and retrieves records from microfilm for conversion to electronic images.

Employer Hotline
601.359.2090



PERS Board of Trustees Regulatory Changes

These amendments to existing regulations were approved by the PERS Board of Trustees at their April meeting.

Regulation 35

Filing an Application for Monthly Benefits and Establishing an Effective Date of Retirement

- To clarify the effective date of benefits where a member applies for disability benefits and is also eligible for service retirement benefits;
- To address the time frame within which a member is eligible to claim service credit at no cost and to provide for extension of such time in the event of circumstances beyond the control of the member;
- To require that a disability applicant file an authorization to release certain information regarding income as part of the disability application packet; and
- To clarify that PERS has no authority to pay interest on benefits from the effective date on which benefits are determined to be payable and the date on which such benefits are actually paid.

Regulation 45A

Administration of Disability Benefits under PERS

- To reference the requirements in Regulation 35 for setting the effective date of benefits where a member applies for disability benefits and is also eligible for service retirement benefits and
- To clarify under what circumstances an inactive member who has been previously denied disability benefits may reapply.

To see PERS Board of Trustees Regulations, visit PERS online at www.pers.state.ms.us/employerservices/selectedregulations.html.

Reminder: PERS Employer Contribution Rate to Increase

Due to unfavorable actuarial experience for FY 2008, the PERS employer contribution rate will increase July 1 from 11.85% to 12.00%.

The PERS Board of Trustees took action at their April meeting to change Reg. 60 and amend the Optional Retirement Plan Document to reflect the new contribution rate.

While the 12.00% employer contribution rate is less than the 12.50% previously recommended by Cavanaugh Macdonald Consulting, LLC, as a part of a 2005 phased-implementation rate increase, employers should be aware that unless there is a significant market correction prior to June 30, the employer contribution rate will increase again July 1, 2010.

Employer Contribution Rates

Fiscal Year Beginning	Percentage of Covered Payroll
July 1, 2005	10.75%
July 1, 2006	11.30%
July 1, 2007	11.85%
July 1, 2009	12.00%
July 1, 2010	TBD



2009 Legislative Summary

PERS-Related Bill

S.B. 3052 - Bill to clarify that students participating in a paid internship program with a state agency under which they attend college on a full-time basis are not eligible for participation in PERS pursuant to Section 25-11-105II(b). *Approved by Governor on April 15, 2009. Effective from and after passage.*

Budget and Administrative-Related Bills

H.B. 681 - Bill to provide, in pertinent part, that from and after passage and until June 30, 2009,

- Authorizes agency heads to shift funds from one major budget object code to another.
- Freezes all personnel action to promote or otherwise award salary increases through reallocation, reclassification, realignment, education benchmark, career ladder or any other means unless it involves the immediate replacement of a departing employee with an individual from within state service or a new hire at a salary level equivalent to that of the

departing employee or emergency appointment of certain health care professionals.

- Prohibits a former employee receiving state retirement benefits from being hired under contract for an amount exceeding \$20,000 a year without prior approval of the agency's proper governing authority. Requires that, upon approval of such contract, a written report shall be submitted detailing the cost and need of such contract services to the chairmen and members of the Senate and House Appropriations Committees.

Approved by Governor March 12, 2009. Effective from and after passage.


S.B. 2745 - Bill to require state agencies to electronically transfer copies of annual reports to members of the legislature and elected officials unless a hard copy is also requested. *Approved by Governor March 16, 2009. Effective from and after July 1, 2009.*

Other Related Bills

H.B. 353 - Bill to increase the maximum value of a decedent's estate from \$20,000 to \$50,000 for purposes of payment of debts upon presentation of successor's affidavit. *Approved by Governor March 18, 2009. Effective from and after July 1, 2009.*

S.B. 2050 - Bill to authorize school districts to negotiate salary levels of certificated employees employed after July 1, 2009, who are receiving payments from the retirement system of another state. The annual experience increment provided in Section 37-19-7 shall not apply to such retired certificated employees. The bill also requires each school district to provide an annual report to the State Department of Education (SDE) on the number of certificated and non-certificated employees receiving a salary from the school district who are also receiving a retirement allowance from PERS. This report on a form provided by SDE must include the name of the employee, the hours per week for which the employee is under contract and the services for which the employee is under contract. *Approved by Governor April 7, 2009. Effective from and after July 1, 2009.*

To view bills in their entirety, visit the Mississippi Legislature online: billstatus.ls.state.ms.us



Summary of Recent Attorney General Opinion

This Attorney General Opinion modifies and corrects an Opinion issued to Stanley A. Sorey and dated June 13, 2008, which contained inaccurate information based on current law.

April 30, 2009 - *Pat Robertson*

Coroners/medical examiners receive direct payments from counties for services provided. In addition, they may receive fees from the general public under certain circumstances. They are authorized to receive expenses for mileage and out-of-pocket expenses. Fees paid under Section 41-61-75(1) are considered earned compensation for retirement purposes. However, mileage expenses and out-of-pocket expenses do not constitute earned compensation for retirement purposes. (See MS AG Op. Robertson [Sept. 4, 2007], PERS Regulation 33, and Section 25-11-127.)

The board of supervisors is responsible for employer contributions and interest on delinquent contributions for direct payments from the county. The coroner is responsible for employee contributions and interest on such delinquent contributions. The coroner also is responsible for the employer and employee contributions and interest on fees paid by private individuals. The board of supervisors may, in its discretion, elect to pay some or all of the interest on delinquent employee contributions.

Special Election Held for Board State Employee Representative

Eleven candidates are running for a position representing state employees on the PERS Board of Trustees. The election is to fill an unexpired term through June 30, 2014, created by the retirement of John L. Mulholland.

All candidates met qualifications in that they are state employees, have been PERS members for at least 10 years and have filed petitions for candidacy that were signed by at least 25 state employees who are also members of PERS.

Ballots, biographical information and candidate statements will be mailed to home addresses of PERS state employees by May 18. Members may vote by mailing completed ballots (no postage required), by phone or online. Information on voting will be included with material mailed to state employees. A state employee may only vote once, and the deadline for voting is 5 p.m. June 18.

If no candidate receives a majority of votes, there will be a runoff election between the two candidates receiving the most votes.

The next two Board elections will be for the county representative for a term beginning January 1, 2010, and the public school and community college representative for a term beginning May 1, 2010.

Election Schedule

May 18

Ballots mailed to state employees

June 18, 5 p.m.

Deadline for receipt of ballots

June 23

Board certifies election results at regularly scheduled meeting and determines need for runoff

Runoff (if necessary)

July 13

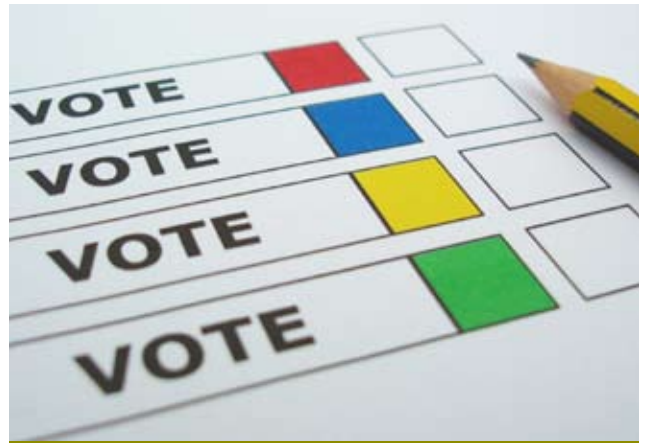
Ballots mailed to state employees for runoff

August 12, 5 p.m.

Deadline for receipt of runoff ballots

August 25

Board approves runoff election results at regularly scheduled meeting

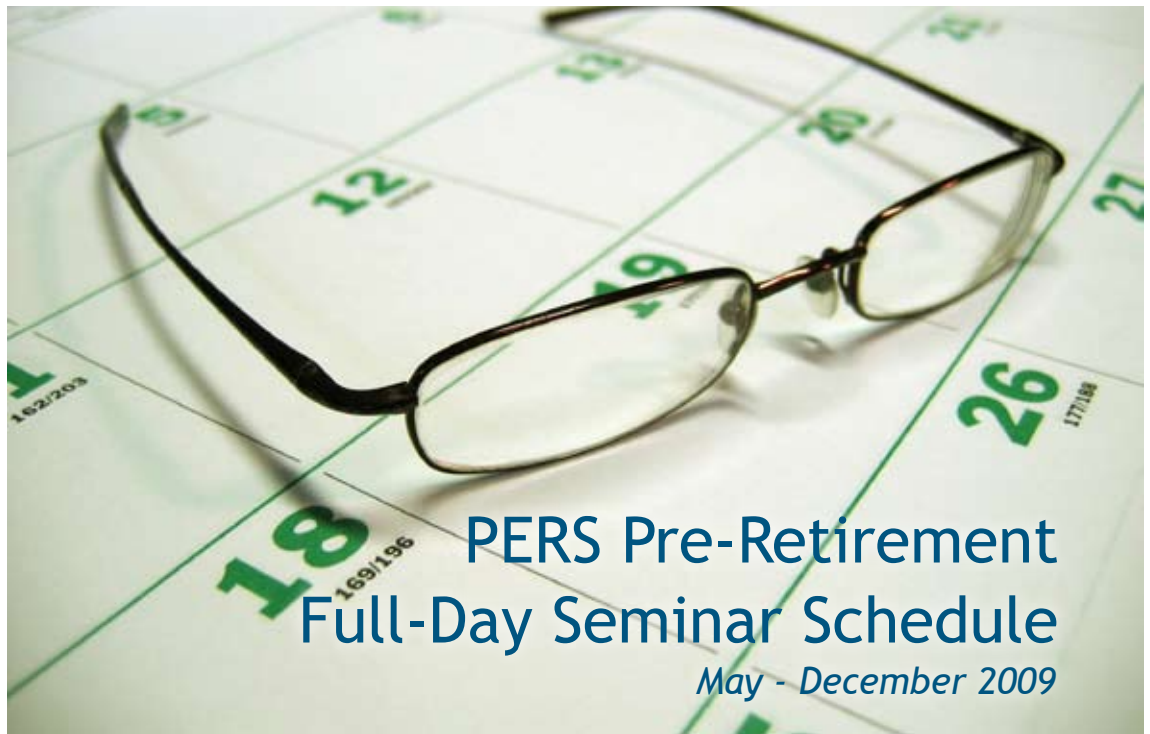


Candidates, *in alphabetical order*

- Tracy C. Byas of Canton, Department of Health district administrator
- Lynda Babin Dutton of Brandon, Division of Medicaid deputy administrator of administration
- Dr. Lanny B. Glover of Brandon, Office of State Aid Road Construction engineering administrator
- David Johnson of Flowood, Information Technology Services accounting/budget manager
- Harold Loftin of Tupelo, Department of Health branch director
- Steven W. McCoy of Hattiesburg, Youth ChalleNge Academy deputy director
- H. S. "Butch" McMillan of Madison, Department of Rehabilitation Services executive director
- Danada McMurtry of Brandon, Department of Transportation outreach director
- Don Richardson of Madison, House of Representatives clerk
- Patricia "Clarice" Sykes of Grenada, Forestry Commission administrative assistant IV
- James Walker of Natchez, Department of Health public health environmentalist

Clip & Post

Keep employees informed of upcoming PERS Pre-Retirement Full-Day Seminars. Clip this schedule of seminars and post it in a common area of the office.



PERS Pre-Retirement Full-Day Seminar Schedule

May - December 2009

The Public Employees' Retirement System of Mississippi (PERS) will offer Pre-Retirement Full-Day Seminars at no charge to any covered PERS member from 9 a.m. to 3:30 p.m. on the dates listed below.

Date	City	Date	City
May 20	Meridian	Sept. 16	Senatobia
June 3	Jackson	Sept. 30	Hattiesburg
June 17	Hattiesburg	Oct. 7	Grenada
June 24	Oxford	Oct. 14	Long Beach
July 1	Vicksburg	Oct. 21	Mississippi State
July 15	Booneville	Nov. 3	Jackson
July 29	Cleveland	Nov. 4	McComb
Aug. 12	Jackson	Nov. 18	Oxford
Aug. 19	Meridian	Dec. 9	Jackson
Aug. 26	Tupelo	Dec. 16	Meridian
Sept. 2	McComb		

Pre-registration of members and guests is required, and participants are asked to arrive by 8:30 a.m. for sign-in and packet allocation.

Seminar topics include:
Estate Planning, Mississippi Deferred Compensation Plan & Trust, Social Security Benefits and PERS benefits and options.

Seminars do not provide individual counseling sessions, though each registered member will receive an explanation of benefits.

To register for a seminar, visit PERS online at www.pers.state.ms.us.

To schedule an individual counseling session, call 601-359-3589 or 800-444-7377.



PERS Will Close for Memorial Day

To honor those who have served and given their lives for this country, the PERS office will be closed Monday, May 25, in recognition of Memorial Day. This holiday also marks the occasion of Jefferson Davis' birthday.

Contact PERS

601.359.3589 or 800.444.7377
www.pers.state.ms.us

PERS Employer Hotline

601.359.2090

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