



Employer Update

Quarterly Publication ♦ Summer 2010

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

PERS to offer annual employer training

PERS will host eight 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 member contribution rate increase, 2010 legislative and regulatory updates, reemployment information and reporting processes. Each workshop will feature a presentation by the Mississippi Deferred Compensation Plan & Trust.

These workshops are free to employers but require pre-registration. With the exception of July 15, all workshops will run from 9 a.m. to 12:30 p.m. with sign-in beginning at 8:30 a.m. Employer training for July 15 will run from 12:30 p.m. to 4 p.m. with sign-in beginning at 12 p.m.

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.

Check our website regularly for schedule updates.



Summer 2010 Employer Training Schedule

Date	Sign-In	City	Location
July 13	8:30 a.m.	Tupelo	University of MS, Tupelo campus
July 14	8:30 a.m.	Greenville	Greenville Higher Education Center
July 15	12 p.m.	Pearl	Hinds Community College, Rankin campus
July 16	8:30 a.m.	Pearl	Hinds Community College, Rankin campus
July 19	8:30 a.m.	Meridian	MS State University, Meridian campus
July 20	8:30 a.m.	Summit	Southwest MS Community College *
July 21	8:30 a.m.	Hattiesburg	Woodall Advanced Technology Center
July 23	8:30 a.m.	Gulfport	Handsboro Community Center

* Please note, this session was previously scheduled for McComb.

LaCarole Smith, PERS Retirement Education

PERS Board of Trustees

Regulatory Changes

The PERS Board of Trustees approved for final adoption the amendments below at the June Board meeting. View all regulations online at www.pers.state.ms.us/employerservices/selectedregulations.html.

Regulation 34, Reemployment after Retirement Amended, effective July 1, 2010

- Provides that a local elected official may retire and remain in office only if age 62 or older, or such other requirement as may be determined by the Internal Revenue Service to avoid a prohibited in-service distribution
- Provides that the county or municipality is required to pay employer contributions on the full amount of regular compensation for any covered local elected position occupied by a retiree

Regulation 38, Access to Public Records under Mississippi Public Records Act of 1983 Amended, effective July 1, 2010

- Changes the period within which a public body has to produce requested public records. The time frame for producing or denying production of such records has been reduced from 14 days to 7 days, except as otherwise provided
- Requires the public body to specify the exemption relied upon if access to the records is denied

Regulation 45A, Administration of Disability Benefits under PERS

Amended, effective August 1, 2010

- Clarifies the different vesting periods required to be eligible for regular (non-duty related) disability benefits
- Provides for an extension of the 90-day period for providing additional medical information
- Clarifies how long a disability retiree must submit federal income tax information
- Clarifies a disability retiree's status for reemployment purposes after the retiree reaches age 60 or the end of the temporary allowance period, as applicable

- Clarifies an eligible former disability recipient's ability to apply for service retirement benefits and his or her ability to select a new option upon service retirement
- Clarifies the applicant's responsibility to provide objective medical evidence upon which a determination of disability must be based
- Clarifies the term "objective medical evidence"

Regulation 51, Administration of Certification of Accumulated Unused Leave for Service Credit and Lump Sum Payments of Leave at Termination/ Retirement

Amended, effective July 1, 2010

- Provides that, upon the death of an active PERS member, no more than 30 days of paid leave can be reported to PERS and used in the calculation of average compensation for determining the survivor's retirement allowance. Thus, the same maximum number of days of paid leave will be used in determining the retirement allowance for service retirement, disability retirement and survivor benefits
- Allows each member of PERS credit for an additional one-half day of leave for each full fiscal year of membership service accrued after June 30, 2010

Regulation 62, Crediting of Interest on Member Accumulation Accounts

Amended, effective July 1, 2010

- Conforms the regulatory language to the statutory amendment to Miss. Code Ann. §25-11-121 as reflected in S.B. 3083 (2010 Legislative Session), which defines the term "regular interest" for purposes of determining the interest credited to member accounts

PERS 2010 Legislative Q&A



House Bill 1 (First Extraordinary Session of 2010) increases the employee contribution rate from 7.25 percent to 9.00 percent of earned compensation effective July 1, 2010, and adds two benefit enhancements. The first provides members who retire on or after July 1, 2010, an additional one-half day of leave credit toward retirement for each full year of service accrued after June 30, 2010. The second creates Option 4, a 75 percent joint and survivor annuity, and makes it available to members who retire on or after January 1, 2011.

Q. When a member retires, will the employer be responsible or will PERS be responsible for factoring in the additional one-half day of leave credit to that member's account?

A. PERS will determine what, if any, additional leave to credit toward retirement as authorized under House Bill 1. The employer need not keep such records.

Q. Will the one-half day of leave credit apply only to service retirement or will it also apply to disability and survivor benefits?

A. The one-half day of leave credit will be applied toward retirement for service, disability or survivor retirement, as applicable.

Senate Bill 3078 (Regular Session 2010) increases to 30 the number of years of creditable service required for retirement regardless of age and to 33 the number of years of creditable service required to select a partial lump sum distribution for those who become System members on or after July 1, 2011.

Q. Why was the increase made to 30 years?

A. The legislature increased the number of years of creditable service required to retire to 30 in recognition of the fact that individuals are living longer and to address retention of public employees who provide critical services to the state and its localities.

House Bill 957 (Regular Session 2010), effective July 1, 2010, requires a retiring municipal or county elected official to leave office unless they have reached the age of 62, in which case they may continue in office without a break in service. This bill also requires the employer to pay contributions for a reemployed elected official on the full salary in effect for the position. Also, effective July 1, 2011, this bill provides that a retiree must be retired for at least 90 consecutive days (previously 45) from his or her effective date of retirement before he or she may be reemployed on a limited basis. Finally, effective July 1, 2011, the employer of any retired member who is working after retirement under the limited reemployment provisions will pay the full amount of the employer's contributions on the amount of compensation received by the retiree as an employee or a contractual employee for his or her post-retirement employment.

Q. If a less-than-12-month employee of an educational institution retires at the end of the 2010-2011 school year, when do his or her 90 days begin?

A. If a less-than-12-month employee of an educational institution retires effective June 1, 2011, he or she may not return to work with an educational institution before 45 days after the start of the 2011-2012 school year. If that same employee instead retires effective July 1, 2011, he or she may not return to work before 90 days after the start of the 2011-2012 school year.

Q. If a college hires a retiree as an adjunct professor, will the employing college have to pay contributions on the position?

A. Yes, effective July 1, 2011.

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PERS Employer Hotline

601.359.2090

PERS Board IHL representative candidates sought

Candidate petitions for Institutions of Higher Learning employee representation on the PERS Board of Trustees will be mailed to IHL agencies July 8.

Candidates must be employed by IHL and active PERS members with at least 10 years of creditable service. Petitions must be signed by 25 or more active members working for IHL and will be due by 5 p.m. August 9.

Dr. Joseph S. Paul, vice president for Student Affairs at the University of Southern Mississippi, was elected to the Board in February 2009 to complete an unexpired term through December 31, 2010. The new representative term will run from January 1, 2011, to December 31, 2016.

The 10-member Board includes the state treasurer, a gubernatorial appointee who is a member of PERS, two retirees, two state employees and one representative each of public schools and community colleges, IHL, counties and municipalities. With the exception of the state treasurer and the gubernatorial appointee, Board members are elected to staggered six-year terms.

Lariviere Elected Board Chair



Lariviere

Tom Lariviere of Madison was elected June 22 as the new PERS Board of Trustees chair for fiscal year 2011, succeeding Lester Herrington.

Madison fire chief, Lariviere also serves as chair of the Board of Adjustment and Appeals for the Mississippi State Fire Code. He was first elected to the PERS Board in 2006 to complete an unexpired term. In 2008, he was elected by municipal employees to serve a second term.

New Agency Agreement

City of Byram - Social Security and retirement coverage for all employees with effective dates June 30, 2010, and July 1, 2010, respectively

PERS Holiday Closing

In recognition of the Fourth of July, the PERS office will be closed Monday, July 5.

