

**OREGON ADMINISTRATIVE RULE
PUBLIC EMPLOYEES RETIREMENT BOARD
CHAPTER 459
DIVISION 005 – ADMINISTRATION**

459-005-0350

Membership Status of Persons in Concurrent Employment Eligible to Participate in an Optional or Alternative Retirement Plan

(1) For the purpose of this rule, concurrent employment means employment with two or more different employers participating in the Public Employees Retirement System (PERS) at the same time.

(2) If a person employed by a public university or by the Oregon Health and Science University is concurrently employed by another PERS or Oregon Public Service Retirement Plan (OPSRP) participating employer, eligibility for PERS or OPSRP membership shall be based on the following:

(a) If the person elects to participate in an Optional Retirement Plan offered by a public university under ORS 243.800, or an alternative retirement plan offered by the Oregon Health and Science University under ORS 353.250, and concurrently employed with other PERS or OPSRP participating employers in a non-qualifying position(s) as defined in OAR chapter 459, the person:

(A) Shall not be eligible to establish membership in PERS or OPSRP as an employee of a public university or the Oregon Health and Science University, and

(B) Shall not be eligible to establish membership in PERS or OPSRP as an employee of the other concurrent PERS employer or employers.

(b) If the person elects to participate in an Optional Retirement Plan offered by a public university under ORS 243.800, or an alternative retirement plan offered by the Oregon Health and Science University under ORS 353.250, and concurrently employed with other PERS or OPSRP participating employers is in a qualifying position(s) as defined in OAR chapter 459, the person:

(A) Shall not be eligible to establish membership in PERS or OPSRP as an employee of a public university or the Oregon Health and Science University; and

(B) Shall establish membership in OPSRP as an employee of the other concurrent PERS or OPSRP employer or employers.

(3) A member of PERS or OPSRP who is concurrently employed and establishes PERS or OPSRP membership under the provisions of paragraph (2)(b)(B) of this rule shall not be eligible to have the member's account transferred to an Optional or alternative retirement plan.

Stat. Auth: ORS 238.650

Stats. Implemented: ORS 238.015, 243.775 & 353.250