



**Employer Announcement 95  
2015 Legislation Affecting PERS-Participating Employers**

**In this announcement:**

- **Bills that apply to ALL PERS-Participating employers**

**House Bill 3495:** Standardization of contribution start date for new OPSRP members.

**Senate Bill 370:** Creates benefit for ex-spouses of OPSRP members who die pre-retirement under certain circumstances.

- **Bills that apply to Oregon Department of Human Services, Oregon Liquor Control Commission, and Oregon Department of Administrative Services**

**House Bill 2618:** DHS SACU staff eligible for PERS “Police” status.

**House Bill 3400:** Existing OLCC staff eligible for PERS “Police” status.

- **Tier One and Tier Two Return-to-Work Exceptions for Nursing Instructors, DPSST Instructors, and Career and Technical Education Teachers**

**House Bill 2684:** Extends return-to-work exception for nursing instructors and DPSST instructors until January 2, 2026.

**House Bill 3058:** Provides return-to-work exception for retired career and technical education teachers until June 30, 2018.

**Note about Expiring Return-to-Work Exceptions – Speech Pathologists**

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- **Bills that apply to ALL PERS-Participating employers**

**House Bill 3495 – Effective Date: January 1, 2016**

Defines when employer and member contributions are first due after a new OPSRP member establishes membership. Contributions are for “...wages attributable to services performed by the employee during the first full pay period following the six-month period.” Each employer pays employees on a different schedule (first of month, last of month, bi-weekly, etc.) and this legislation clarifies when contributions must begin for a new member within their pay structure.

**Effect of the legislation:** This bill applies to contributions made for new OPSRP members who establish active membership on or after January 1, 2016. This legislation does not affect OPSRP active membership established prior to January 1, 2016.

**Senate Bill 370 – Effective Date: June 19, 2015**

Allows certain death benefits to be paid to ex-spouses, as provided by a divorce decree or separation, upon pre-retirement death of an OPSRP member.

**Effect of the legislation:** The bill allows an ex-spouse of an OPSRP member to be eligible for a pre-retirement death benefit as directed in a judgment or order upon the pre-retirement death of the OPSRP member. This is a new benefit, and as PERS and employers gain experience, the new benefit will be reflected in employer contribution rate calculations. The new benefit is available to ex-spouses if the pre-retirement death of the OPSRP member occurred on or after June 19, 2015 and a judgment or order directed a benefit to the ex-spouse.

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- **Bills that apply to Oregon Department of Human Services, Oregon Liquor Control Commission, and Oregon Department of Administrative Services**

**House Bill 2618 – Effective Date: August 12, 2015**

For the purpose of PERS statutes, the definition of “police” was amended to include specific staff of the Oregon Department of Human Services – those who work in Stabilization and Crisis Units (SACU) and whose duties include care of residents of residential facilities that house individuals with intellectual or development disabilities.

**Effect of the legislation:** Current and future DHS employees performing the specified job duties on or after August 12, 2015 will receive service time as “police” and will be eligible for PERS police benefits, as Tier One, Tier Two, and OPSRP allow, for their service in these positions.

**House Bill 3400 – Effective Date: June 30, 2015**

Prior to passage of the measure, “liquor enforcement inspectors” of the Oregon Liquor Control Commission (OLCC) were included in the PERS definition of “police”. This measure exchanges the term “liquor enforcement inspectors” for “regulatory specialists.”

**Effect of the legislation:** This is a job title change for OLCC staff who were previously, and remain, eligible for the PERS police benefits as Tier One, Tier Two, and OPSRP allow. There is no change to the PERS police program due to the passage of this measure.

**NOTE – PERS will work with the Oregon Department of Administrative Services and affected state agencies to ensure that member data is reported accurately.**

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- **Tier One and Tier Two Return-to-Work Exceptions for Nursing Instructors, DPSST Instructors, and Career and Technical Education Teachers**

**House Bill 2684 – Effective Date: January 1, 2016**

This measure extends return-to-work exceptions for Tier One and Tier Two retirees who are employed by public employers as nursing instructors or as trainers for the Department of Public Safety Standards and Training (DPSST.) The exception was scheduled to expire January 2, 2016 but was extended to January 2, 2026.

**Effect of the legislation:** Tier One and Tier Two retirees re-employed as nursing instructors or DPSST instructors are exempt from the 1,040 hour limit on working while retired, and may work unlimited hours as nursing instructors or DPSST trainers without losing their retirement benefit.

**House Bill 3058 – Effective Date: June 18, 2015**

This measure establishes a new return-to-work exception for retired Tier One and Tier Two members who are re-employed by school districts or education service district as teachers of career and technical education (CTE). Qualified retirees may work unlimited hours in CTE teacher positions, without loss of retirement benefits. The exception is effective until June 30, 2018.

**Effect of the legislation:** Tier One and Tier Two retirees who are certified by the Teacher Standards and Practices Commission (TSPC), as teachers of CTE may be re-employed by school districts or education service districts, in those positions without loss of retirement benefits. The exception sunsets June 30, 2018 so district employers and exempt retirees will need to carefully consider their hiring and work hours in 2018.

**NOTE – A return-to-work exception will expire January 2, 2016 for retired Tier One or Tier Two members who are employed by school districts or education service districts to provide services as speech-language pathologists or speech-language pathologist assistants. See ORS 238.082 and OR Laws 2007 c. 774.**

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