

# Rulemaking: Average overtime cap for state employees under the Oregon Public Service Retirement Plan



## Rulemaking Advisory Committee Meeting Schedule

We'll be reviewing:

- Proposed rules to update [Chapter 105, Division 020](#)

#	Date*	Topic	Est. Length
1	July 29, 2025	Administrative Overview: RAC orientation and background	1 hour
2	Aug. 5, 2025	Review Draft Rules	2-3 hours
3	Aug. 19, 2025	Review Draft Rules	2-3 hours
4	Sept. 2, 2025	Review Draft Rules	2-3 hours
5	October 2025	Submit Proposed rules for filing and comment period	
<b>Rulemaking Comment Period (anticipated Fall 2025)</b> Prior to adoption, DAS will open a comment period for the proposed rule language and at least one public hearing will be held during the comment period.			

**Designating an alternate on the RAC:** RAC members may need to designate an alternate to fill in for them if a schedule conflict occurs. This ensures representation of diverse perspectives at all RAC meetings. Members must confirm that the alternate can provide that perspective and send notice to the facilitator at least 24 hours before the meeting. The alternate is expected to watch the recording of Meeting 1 “Administrative Overview” prior.

## Key Contacts for the RAC

Your primary contact will be the RAC facilitator, Carol Williams, [carol.williams@das.oregon.gov](mailto:carol.williams@das.oregon.gov). DAS staff coordinating the rulemaking include:

- **Rules Coordinator:** Janet Chambers, Rules Coordinator, [janet.chambers@das.oregon.gov](mailto:janet.chambers@das.oregon.gov)
- **Rules Writer:** Carol Williams, CHRO HR Administrator, [carol.williams@das.oregon.gov](mailto:carol.williams@das.oregon.gov)
- **Hearings Officer:** Carol Williams, CHRO HR Administrator, [carol.williams@das.oregon.gov](mailto:carol.williams@das.oregon.gov)

## Rulemaking Summary

For Oregon Public Service Retirement Plan (OPSRP) members, upon retirement PERS calculates an employee's final average salary. PERS will use one of the following as your monthly final average salary, whichever is greater:

- Your average gross salary\*\* or adjusted total gross earned over three consecutive years in which you earned the largest total salary from one or more PERS-participating employers, even if one of those years was less than a full calendar year.

**OR**

- Your total gross salary or adjusted total gross earned over the last 36 months in which you worked in a PERS-qualifying position, divided by the actual number of calendar months of active service within that 36-month period.

Additionally, the final average salary includes any amount of overtime that does not exceed the average number of overtime for the same class and geographic placement of state employees. Under the provisions of ORS 238A.130(4) the Oregon Department of Administrative Services shall establish by rule more than one overtime average for a class of state employees based on the geographic placement of the employees.

The PERS OT Cap rules advisory committee will define "class of state employees" and "geographic placement." The committee will also define the frequency and timeframe from which DAS will determine the average overtime hours.

*\*This is an estimated schedule.*

*\*\*Gross salary is what you earn before taxes and other deductions are taken out.*

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**About DAS:** *The Department of Administrative Services is the central administrative department of Oregon state government. Our mission is to lead state agencies through collaboration in service of Oregonians. Learn more at our [agency information page](#).*