

# PERS Eligibility, Hire Intent and Waiting Time Requirements

## Who is eligible for PERS?

Most state of Oregon positions, regardless of position type such as temp, LD, job share, part-time, etc. are PERS eligible.

### Positions NOT eligible for PERS are:

- inmates of a state institution
- Noncitizens on a training or education visa
- Volunteers
- Student workers receiving school credit
- Board members (\*exceptions apply if other PERS employment, see below)

## Hire Intent (Qualifying vs Non-Qualifying)

Hire intent is based on the position, not the person. Hire intent must be determined on or before filling the position. Hire intent is a crucial part of the waiting time requirements. To determine the hire intent of the position, ask the following question:

Would any employee in this position normally be expected to work 600 hours or more in any calendar year?

If yes, the hire intent is qualifying

If no, the hire intent is non-qualifying

There are factors that will override a hire intent determination. This is applicable for both Qualifying and Non-Qualifying hire intent as follows:

- If an employee works **more than** 600 hours with one or more PERS covered employer in any full or partial calendar year, every position in that year becomes qualifying regardless of hire intent. Partial year exceptions may apply. See notes section below.
- If an employee works **less than** 600 hours with one or more PERS covered employer in any full calendar year, every position in that year becomes non-qualifying, regardless of hire intent.

## Waiting Time Requirements

The following four requirements **must** be met simultaneously to establish membership. If any of the requirements are not met, the wait time starts over.

1. Be employed in a **qualifying** position (See Hire Intent above).
2. Complete **waiting time** with one employer (the state of Oregon is considered one employer). Waiting time consists of:
  - Six full calendar months of employment
  - \*With no break greater than 30 consecutive working days.
3. The employee must be employed the day before their contribution start date (CSD).
4. The employee must be employed on their contribution start date.

\* An employee can work as little as .01 hours within a 30 consecutive working day period and maintain their CSD.

\* A leave of absence without pay that causes the employee not to work the greater portion of the month can impact the CSD.

Please contact CPERS for assistance if LWOP occurs during wait time.

### Notes:

- Due to partial year exceptions, employees may NOT have to work 600 hours within the six-month waiting time if they are hired later in the year. A qualifying hire intent will give an employee a qualifying position in a partial year of employment. Your CPERS analyst can assist you as there are exceptions to the rules if the employee was not employed for the full calendar year.
- It is common for seasonal employees to work seasonally in a qualifying position but not complete all the waiting time criteria.

- It is also common to have seasonal employees work seasonally in a non-qualifying position but end up meeting all PERS waiting time requirements. This happens when their hours worked for multiple PERS employers exceeds 600 in the calendar year. If they return the following year into a qualifying position, contributions are due. If they return the following year into a non-qualifying position, but then have 600 hours of total service with one or more PERS employers within the calendar year, contributions are due. If they return the following year into a non-qualifying position and remain under 600 hours of total service with one or more PERS employers, contributions are not due.

\*Board Members: When hiring a Board Member, a status check needs to be performed to determine if the individual is a PERS member with other PERS qualifying employment. If the individual is an active PERS member with a base PERS qualifying position, then wages earned as a Board Member will also be PERS subject unless otherwise exempted by statute. In this case, the PERS Class Plan in WD should be PERS qualifying, rather than Board Member) so that the wages report to PERS.

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