

**OREGON ADMINISTRATIVE RULE  
PUBLIC EMPLOYEES RETIREMENT BOARD  
CHAPTER 459  
DIVISION 010 – OPSRP PENSION PROGRAM**

1 **459-075-0150**

2 **Retirement Credit**

3 (1) For purposes of this rule:

4 (a) “Active member” has the same meaning as provided in ORS 238A.005.

5 (b) “Major fraction of a month” means any calendar month in which an active member  
6 is employed for more than one-half of the total calendar days in the calendar month, being  
7 paid a salary by a participating public employer, and for which benefits under ORS Chapter  
8 238A are funded by employer contributions.

9 (2) Except as provided in OAR 459-005-0015 ~~((3))~~, an active member accrues one month of  
10 retirement credit for each month in which the member *(performs service or)* is employed  
11 for the major fraction of the month and receives salary as described in OAR 459-005-  
12 0001, or paid leave as described in OAR 459-010-0011 *(for the major fraction of the*  
13 *month)*.

14 (3) An active member is presumed to have been employed *(performed service)* for a major  
15 fraction of a month if:

16 (a) The member performs at least 600 hours of service in the calendar year and the  
17 member’s employer(s) reports salary and hours for a pay period occurring within the  
18 calendar month;

19 (b) The member starts employment on or before the 15th day of the calendar month and the  
20 employment continues through the end of the month;

21 (c) The member starts employment on or before the first day of the calendar month and  
22 ends employment on or after the 16th day of the month; or

23 (d) The member starts employment on or before the first day of the calendar month and  
24 ends employment before the 16th day of the month, but is reemployed in a qualifying  
25 position before the end of the month.

26 (4) A member or employer may seek to rebut the determination of creditable service based  
27 on the presumptions in section (3) by providing to PERS records that establish that the  
28 member *(did or did not perform service for a major fraction of a month)* was or was not

1 employed for the major fraction of the month, and/or did or did not receive salary as  
2 described in OAR 459-005-0001 as defined in subsection (1)(**b(c)**) of this rule.

3 (5) An active member who is a school employee will accrue six months of retirement credit  
4 for each half of the school year if they are employed for the major fraction of each  
5 month during that half of the school year that school is normally in session, and  
6 receive salary as described in OAR 459-005-0001, for each of those school months *(if*  
7 *the member performs service for a major fraction of each month of a school year when*  
8 *school is normally in session that falls between January 1 and June 30, and six months of*  
9 *creditable service if the member performs service for a major fraction of each month of a*  
10 *school year when school is normally in session that falls between July 1 and December 31.)*

11 (a) The first half of the school year falls between July 1 and December 31; the second  
12 half of the school year falls between January 1 through June 30.

13 (**b**) School is presumed to be in session during the following dates:

14 (A) For non-Higher Education employment, the first half of the school year is presumed to  
15 begin on or before September 15 and end on or after December 16;

16 (B) For Higher Education employment, the first half of the school year is presumed to  
17 begin on or before September 26 for Higher Education employment and end on or after  
18 December 16;

19 (C) For all school employment, the second half of the school year is presumed to begin on  
20 or before January 7 and end on or after May 26.

21 (**c(b)**) If the school year falls outside the presumed dates described above, PERS must  
22 receive acceptable certification from the employer of the actual begin and end dates for  
23 each half of the school year.

24 (**d(c)**) An active member who is a school employee on leave of absence without pay may  
25 accrue retirement credit as follows:

26 (A) If the period of leave of absence without pay falls outside the dates when school is  
27 presumed to be in session, the active member may accrue six months of retirement credit as  
28 described above.

29 (B) If the leave of absence without pay falls within the dates when school is presumed to be  
30 in session, the active member may only accrue six months of retirement credit if the leave

1 of absence constitutes less than the major fraction of the month, as provided in OAR 459-  
2 ~~005(10)~~-001~~5(0(3))~~.

3 (C) If the leave of absence without pay falls within the dates when the school year is in  
4 session, the active member may not accrue six months of retirement credit if the leave of  
5 absence constitutes the major fraction of the month, as provided in OAR 459-~~005(10)~~-  
6 001~~5(0(3))~~. Such member may accrue one month of retirement credit for each month in  
7 which the member (*performs service*) is employed for the major fraction of the month,  
8 or receives paid leave, as described in section (2) of this rule.

9 (6) A member may not accrue more than one month of retirement credit for any calendar  
10 month and no more than one year of retirement credit for any calendar year.

11 (7) Credit for the six-month waiting period required by OAR 459-075-0010(2).

12 (a) Upon establishing membership in the pension program, a member shall receive credit  
13 for the waiting period required to establish membership under OAR 459-075-0010(2).

14 (b) If the member’s waiting period before establishment of membership included an  
15 interruption of service as described in OAR 459-075-0010(2)(b), no credit shall be awarded  
16 for the period of employment before the interruption.

17 (8) For purposes of calculating retirement credit accrued under ORS 238A.155, the period  
18 of disability for a member who receives workers’ compensation payments under ORS  
19 Chapter 656 and later returns to work with a PERS participating employer shall be deemed  
20 to end upon the earlier of:

- 21 (a) The date on which the member’s workers’ compensation payments end;
- 22 (b) The date on which the member returns to work with a PERS participating employer; or
- 23 (c) The date on which the member attains normal retirement age as defined in ORS  
24 238A.160

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26 **Statutory/Other Authority:** ORS 238A.450

27 **Statutes/Other Implemented:** ORS 238A.140

28 **History:**

29 [PERS 18-2025, minor correction filed 12/11/2025, effective 12/11/2025](#)

30 [PERS 16-2025, amend filed 12/05/2025, effective 12/05/2025](#)

31 [PERS 3-2025, amend filed 03/31/2025, effective 03/31/2025](#)

32 [PERS 2-2023, amend filed 02/03/2023, effective 02/03/2023](#)

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- 1 PERS 3-2010, f. & cert. ef. 5-28-10
- 2 PERS 17-2007, f. & cert. ef. 11-23-07
- 3 PERS 6-2004, f. & cert. ef. 2-18-04
- 4