

Employers' Reference Manual- Chapter 2

Public School Employees' Retirement System

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Chapter 2: Membership – Mandatory, Optional, and Prohibited

Whether an employee's class has only the Defined Benefit (DB) component, or also has a Defined Contribution (DC) component, PSERS membership eligibility guidelines remain the same. This chapter contains information regarding the eligibility requirements for PSERS membership and the requirements and procedures for waiving PSERS membership. It also describes the various membership statuses that PSERS maintains and explains how membership status impacts eligibility requirements.

Membership Eligibility

Employment type (full-time or part-time) is a key element in determining PSERS membership eligibility for both the DB and the DC components of the retirement plans. For PSERS' purposes, full-time employment is classified

- Salaried = works at least 5 full days per week
- Hourly = works at least 25 hours per week not including overtime hours
- Per Diem = works at least 5 full days per week and is hired and paid on a daily basis
- Adjunct = works at least 30 credit hours in a fiscal year

Part-time employment is defined as:

- Salaried = works fewer than 5 full days a week
 - Works five (5) or more hours per day, but fewer than five (5) days per week
Example: works 3 days for 36 weeks and worked 5 full days (in service)
$$3 \times 36 = 108 + 5 = 113 \text{ days}$$
 - Works fewer than five (5) hours per day
Example: 3 hours for 180 days and worked an additional 3 full days (in service)
$$3 / 5 = .60 \times 180 = 108 + 3 = 111 \text{ days}$$
- Hourly (hired and paid on an hour-to-hour basis) = works less than 25 hours a week
- Per Diem (hired and paid on a day-to-day basis) = works fewer than 5 days a week. A workday must include a minimum of 5 hours to be considered a full day.
- Adjunct = work fewer than 30 credit hours in a fiscal year

Note: PSERS defines a full day as 5 hours worked in a day, even if an employer defines a full day differently. Employees must be reported to PSERS according to PSERS definition of full-time and part-time, which may not match the employer's definition, and the additional rules defined below.

DB Service Credits Vs DC Eligibility Points

For the DB component of the system, members earn service based on the days or hours worked within a fiscal year. A full year of service for salaried or per diem employees is based on 180 days and for hourly employees a full year is based on 1100 hours. Service is earned incrementally as days and hours are reported throughout the year. Partial years of service are earned by employees who work less than the minimum 180 days or 1100 hours.

For the DC component of the plan, participants earn eligibility points. To earn an eligibility point in a fiscal year, a participant must be qualified and contribute to the DC plan. Eligibility points are not earned incrementally. Even if a participant works one day and contributes one dollar to the plan, this employee has earned one eligibility point for that fiscal year.

For additional information about reporting service time, please see Chapter 9 Reporting—Service Time.

Mandatory (eligible) Membership

Membership in PSERS is mandatory for *all* full-time and salaried school employees unless one of the criteria listed under Optional or Prohibited Membership is met. Membership is mandatory for:

- Any full-time officer or employee of the Department of Education, State-owned educational institutions, community colleges, area vocational-technical schools, technical institutes, or the Pennsylvania State University who *is not* a member of the State Employees' Retirement System (SERS) or of an alternate retirement plan approved by the employer (e.g. TIAA CREF, etc.) *unless* one of the criteria listed below under Optional or Prohibited Membership is met.
- Any full-time Charter School Employee, whose charter school does not have a retirement program which covers the employees or the employee is not currently enrolled in another retirement program *unless* one of the criteria listed below under Optional or Prohibited Membership is met.
- Retirees who return to school service in a non-emergency or extracurricular position and do not meet the conditions identified in the PSERS publication *Return to Service Exceptions* (Publication #9682).

Employees in the mandatory membership category must be enrolled and reported to PSERS. Employee contributions must be withheld from the first day of paid service. Further details on how to enroll, report, and withhold contributions can be found in later chapters of this manual. If the employer is enrolling a retiree who is returning to active school service, who does not meet the allowable exceptions, the employer must complete a *PSERS Retirees Returning to Service* form (PSRS-1299). The form is accessible on the PSERS website or in ESS on the Home Tab under Forms.

Employees in the mandatory membership category must be enrolled and reported to PSERS. Mandatory Class T-G, Class T-H, and Class DC members must also be reported to the Third-Party Administrator for the DC component. Employee contributions must be withheld from the first day of paid service. Further details on how to enroll, report, and withhold contributions can be found in later chapters of this manual.

Part-Time Members Pending Qualification

Membership in PSERS is optional for the school employees categorized below:

- Part-time Employees **who are not already a PSERS member** and are either:
 - Hourly (hired and paid on an hour-to-hour basis) and work fewer than 25 hours a week, but work at least 500 hours in the school year.
 - Per Diem (hired and paid on a day-to-day basis) and work fewer than 5 days a week, but work at least 80 days in the school year. A workday must include a minimum of 5 hours to be considered a full day.
- Adjunct and work fewer than 30 credit hours in a fiscal year

Technically, until and unless a part-time hourly or per diem employee works *at least* 500 hours, 80 days, or an equivalent combination, the employee is *prohibited* from PSERS membership. Throughout the school year, however, as long as the employee is otherwise eligible, PSERS views part-time hourly and part-time per diem employees as “potentially eligible” members. This is true unless the employee requests to waive PSERS membership, in which case the employer should refer to *Determining if a Part-Time Employee may Waive Membership in PSERS* detailed later in this chapter. Employers are required to enroll and report all part-time employees. Withholding contributions for these part-time hourly and per-diem employees, however, is optional until and unless the employee meets the minimum service requirement (500 hours, 80 days, or an equivalent combination) and becomes a member of PSERS.

Throughout the school year, PSERS will monitor the service reported for these employees and determine if and when the service requirements have been met. Once the employee qualifies for PSERS membership, PSERS will notify each employer on the Change in Member Class / Rate or Obtaining Qualification (CROQ) report. (See Chapter 14: *How PSERS Responds to Work Reports and Payments* for more information about the CROQ report). At that point, employers are required to withhold DB and DC contributions.

If the employee qualifies for membership and the employer did not withhold DB contributions from the first day of employment, PSERS will automatically send a *Statement of Amount Due* to both the employee and the employer. The cost of this purchase will be the member contributions and the employer contributions due, respectively, plus 2 percent interest for the fiscal year the money was due PSERS.

Note: The above paragraph only refers to the DB portion of the retirement plan. Participant contributions can only be submitted to the DC plan upon reaching the qualification threshold. The contributions are submitted prospectively upon notification of qualification from PSERS. If contributions are withheld from the first day of employment for the DB component, but the employee does not qualify for membership during that fiscal (school) year, PSERS will credit the employer contributions to your account automatically after the fiscal year reporting cycle is complete for all reporting units. The employee will receive a refund directly from PSERS for the member contributions withheld and reported during this non-qualifying fiscal year. No interest accrues on non-qualifying contributions for either the school employee or the employer. PSERS will send you a letter listing all non-qualifying part-time employees and the amount of funds to be credited to your account.

Prohibited (Ineligible) Membership

Membership in PSERS is prohibited for the employees categorized below:

- Any officer or employee of the Department of Education, State-owned educational institutions¹, community colleges¹, area vocational-technical schools, technical institutes, or the Pennsylvania State University and who *is* a member of the State Employees' Retirement System (SERS) or of an alternate retirement plan through and approved by the employer (e.g. TIAA, etc.).
- Any retiree who returns to school service under the emergency situation that causes an impairment of services to the public, shortage of subject certified teachers or other personnel, or in an extracurricular position under separate written contact. Refer to the PSERS publication *Return to Service Guidelines and Clarifications* (PSRS-9682) for more information.
- A Student who is hired to render service that is part of the student's curriculum, if:
 - ✓ The position is part of a financial aid package.
 - ✓ The student receives a tuition waiver for the employment.
 - ✓ The service is part of the student's curriculum.
 - ✓ The student receives academic credit for the employment.
 - ✓ The employment is only available to students, and no one from the outside workforce could fill the position in the absence of student applicants for the position(s).
 - ✓ The position is that of a Graduate Assistant or a Resident Assistant.
- A person performing services as an independent contractor. If the employer is unable to determine membership eligibility, then the employer must submit a *Questionnaire to Determine PSERS Eligibility* (PSRS-349) form so that PSERS may make the determination.
- A person compensated on a fee basis.

- School Crossing Guards, as per an amendment made in 2000 to the (Pennsylvania) Township and Borough Codes, which expressly excludes school crossing guards as school employees and prohibits them from membership in PSERS.

Employers should not enroll, report, or withhold contributions for employees who are prohibited from PSERS membership.

The **only** exception is Pennsylvania College of Technology (PCT), an affiliate of PSU, which was recognized by separate legislation in 1989. The act does not allow PCT to offer PSERS as a retirement option for new employees, but does require that it continue to offer PSERS to employees who were participating members of PSERS when employed at the predecessor institution – the Williamsport Area Community College – and who continued to work at PCT.

Charter schools **may**, but are **not required** to offer PSERS as a retirement option; if not, they must offer an alternate retirement plan which must be approved by PSERS.

Membership Statuses

What is a member?

- Any person that is Active, Inactive, Vestee, or Retiree.
 - ✓ An eligible school employee must meet minimum service requirements to establish membership in PSERS and become an Active member.
 - ✓ Membership status for an inactive member is retained for two full school years from the last qualifying year (see Note 1).
 - ✓ A Vestee or retiree does not have their membership status expire.

Note 1: Inactive membership status is retained if a member was granted Multiple Service and is active with SERS; therefore, a break in membership does not occur while the member is active with SERS, unless the member refunds all contributions and interest.

There are four primary PSERS' membership statuses: Active, Inactive, Vestee, and Retiree. An employee in any of these statuses is considered a PSERS member. Specific definitions for each member status are as follows:

Active member

A school employee who has met the eligibility (qualification) requirements for membership and for whom pickup contributions are being made to PSERS or for whom such contributions otherwise required for current school service are not being made due to limitations under section 401(a)(17) or 415(b) of the Internal Revenue Code of 1986.

Inactive member

A member for whom no pickup contributions are being made, except in the case of an active member for whom such contributions otherwise required for current school service are not being made due to the limitations under section 401(a)(17) or 415(b) of the Internal Revenue Code of 1986 (Public Law 99-514, 26 U.S.C. § 401(a)(17) or 415(b)), who has accumulated deductions standing to his credit in the fund and for whom contributions have been made within the last two school years or a multiple service member who is active in the State Employees' Retirement System.

Vestee

A Class T-C or Class T-D member with five (5) or more years of service who has terminated school service on or after July 1, 2001, has left his accumulated deductions in the fund and is deferring filing of an application for receipt of an annuity. For Class T-E and Class T-F members, a member with ten (10) or more years of service who has terminated school service, has left his accumulated deductions in the fund and is deferring filing of an application for receipt of an annuity.

For the defined benefit component for a Class T-G or Class T-H members, a member with ten (10) or more years of service who has terminated school service, has left his accumulated deductions in the fund, and is deferring filing of an application for receipt of an annuity.

For the defined contribution plan for Class T-G, Class T-H or DC participants, a participant will always be 100% vested in, and eligible to receive, the balance in their PSERS DC Plan account that is attributable to their DC participant contributions, their after-tax voluntary contributions, and their rollover contributions. To be vested and eligible to receive the employer's DC contributions in their PSERS DC Plan account and the earnings on those contributions, if any, after termination of employment, the participant must earn three (3) eligibility points. A participant earns one eligibility point for each fiscal year in which the participant contributes to the PSERS DC Plan.

A retiree is any member on or after the effective date of retirement until the annuity is terminated.

Determining Qualification

- An eligible school employee must meet minimum service requirements to establish membership in PSERS. The Minimum Service Requirements are:
 - Full Time, regardless of Wage Type, and Salaried (both full time and part time) Employees:
 - ✓ First Day of Paid Service or Paid Leave
 - Part-Time Hourly and Per Diem Employees:
 - ✓ 500 Hours of Paid Service or Paid Leave
 - ✓ 80 Days of Paid Service or Paid Leave
 - ✓ Equivalent Combination of days and hours where the service credit calculation is equal to .44 (i.e., $\text{Actual days}/180 + \text{actual hours}/1100 = .44$)

Example: School Employee works 69 days and 130 hours within a fiscal year.
The service credit calculation would be as follows:

$$(69 / 180 \text{ days}) + (130 / 1100 \text{ hours}) = .50$$

In other words: $.38 + .12 = .50$

Note: If the employee works only hours or days, the service credit calculation of .44 year is irrelevant. The determination of .44 is based on the standard service credit calculation of:

- *Actual Days Worked divided by the Salary or Per Diem Service Bases of 180 days.*
- *Actual Hours Worked divided by the Hourly Bases of 1100 hours.*
- Once a member qualifies for membership all service earned after the initial qualification will be considered qualified unless there is a break in membership. Prior to the passage of Act 120-2010 (November 23, 2010), part-time hourly and per diem members had to qualify each year (500 hours or 80 days for hourly and per diem employees) (For more information on breaks in service and breaks in membership, see Chapter 7: *Reporting – Determining Member Contribution Rates*).
- Any **member** who works between 11/23/2010 and 06/30/2011 is considered qualified for FY 2011, regardless of whether or not the member met the current qualification rules, if the member:
 - Was vested (meets the vesting or superannuation rules) as of 11/23/2010 or earlier or Qualified in FY 2009 or 2010.
- Determining whether or not a person has qualifying time for 10/11 fiscal year, example:

<u>FY Ending</u>	<u>Status</u>
08/09	Qualified (700 hours)
09/10	Did Not Qualify (200 hours)
10/11	Qualified if worked one day on or after 11/23/10

- If a Vestee or superannuated member returns to service on or after November 23, 2010, the first day of service will be qualifying, regardless of the employment or wage type (i.e., full time or part time; salary, hourly or per diem).

Exception: A retiree working in an emergency return to service capacity or a return in an extracurricular position.

Determining Qualification-Class DC Participants

Once a member qualifies for membership, all service earned after the initial qualification will be considered qualified until their membership is broken. Members who break membership must re-qualify

to receive retirement credit for service upon their return. This requirement does not apply to Class DC members. Once a Class DC member attains three eligibility points, they will not need to requalify upon returning to service.

Impacts on All Members With a DB Component

Members who have a break in membership must re-qualify to receive retirement service credits upon their return. PSERS Membership is broken (terminated) when:

- A member terminates and refunds his contributions and interest,
- A non-vested member (see chart above) who terminates all public school employment without refunding his/her contributions and interest AND does not return to service prior to the expiration of Inactive status.

Note: Inactive membership status is retained if a member was granted Multiple Service and is active with the State Employees' Retirement System (SERS); therefore, a break in membership does not occur while the member is active with SERS unless the member refunds all contributions and interest (See definition of "Inactive" stated in section Membership Statuses above).

- A non-vested member is not reported as being employed by a public school employer for a period of two full fiscal years from June 30 of the last fiscal year of the member's last day of paid service, regardless of whether the member withdraws his/her contributions and interest.
- A non-vested disability retiree whose annuity is terminated.

Example: A person was employed as a full-time employee who had not earned five years of credited service, therefore the member is non-vested. The Member Status in FY 12/13 was Active. Member goes on unpaid leave September 15, 2012. The member stopped working and was no longer reported by an employer.

Fiscal Year	Member Status
12/13	Active Member until 9/15/12 and Inactive as of 9/16/12
13/14	Inactive Member
14/15	Inactive Member
16/17	Non-Member at start of fiscal year

Membership Class

PSERS Membership Class is defined by legislation and is used to determine the member’s benefit structure, including the Member Contribution Rate (For more information on Member Contribution Rate, see Chapter 7: *Reporting – Determining Member Contribution Rates*). A member may only have one ‘active’ Membership Class. Based on the provisions of legislation, a member may have the opportunity to elect to change their Membership Class.

Class	Time Period Covered	Rules for Eligibility	Associated Rate(s)
Class DC	July 1, 2019 and forward	The first day of qualifying school service is on or after July 1, 2019, if the member elects DC membership	7.50% to the DC Plan
Class T-H	July 1, 2019 and forward	The first day of qualifying school service is on or after July 1, 2019, if the member elects T-H membership	7.50%; 4.50% to DB Plan with Shared Risk/Shared Gain Provision and 3.00% to DC Plan
Class T-G	July 1, 2019 and forward	The first day of qualifying school service is on or after July 1, 2019, unless the member elected Class T-H or DC membership.	8.25%; 5.50% to DB Plan with Shared Risk/Shared Gain Provision and 2.75% to DC Plan
Class T-F	July 1, 2011 through June 30, 2019	The first day of qualifying school service is on or after July 1, 2011, if the member elected Class T-F membership.	10.30% with Shared Risk/Shared Gain Provision
Class T-E	July 1, 2011 through June 30, 2019	The first day of qualifying school service is on or after July 1, 2011, unless the member elected Class T-F membership.	7.50% with Shared Risk/Shared Gain Provision
Class T-D	July 1, 2001 through June 30, 2011	The first day of qualifying school service is after June 30, 2001 and before July 1, 2011	7.50%
	Prior to July 1, 2001	The first day of qualifying school service was prior to July 1, 2001,	6.50%

		and the member elected Class T-D membership	
	July 1, 2001 and forward	A person whose first day of qualifying school service was prior to July 1, 2011, but was not a school employee or a State employee on June 30, 2001, and July 1, 2001, and subsequently returns to service. Such a member shall not receive Class T-D service credit for school service performed before July 1, 2001, until the person becomes an active member or an active member of the State Employees' Retirement System and a multiple service member and earns three eligibility points by performing credited school service or State service after June 30, 2001.	7.50%
<p>Note: <i>Within the Membership Class T-D benefit structure, if a member purchased non-school service other than intervening or activated military service, the service must be classified as T-C even though the member has a Membership Class of T-D.</i></p>			
Class T-C	July 1, 1967 through June 30, 2001	The first day of qualifying school service is after June 30, 1967 and before July 1, 2001, unless the member elected Class T-D membership.	5.25% 6.25%
	Prior to July 1, 1967	The first day of qualifying school service is prior to July 1, 1967 and the member elected Class T-C membership	5.25% 6.25%
	July 1, 1967 through June 30, 2001	The first day of qualifying school service is prior to July 1, 1967 and the member leaves and then re-enters and subsequently re-qualifies for member-ship in	5.25% 6.25%

		PSERS on or after July 1, 1967, and does not elect Class T-D	
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Note: If a member has a break in service or a break in membership, then the Class and Rate are reset based on the rehire and subsequent PSERS qualification date. If an employee has had a break in service or other qualifying event, consult the Quick Reference chart displayed later in this chapter to see if the employee's contribution rate has changed.

Keep in mind, that once an employee has qualified for PSERS membership their Class within PSERS has been established. If there is a Break in Service, upon return the member will retain their previous class.

When hiring a school employee, verify the member's Member Class and Contribution Rate by one of the following actions:

- a. Enter the member's position information on the Contract Record (see Chapter 4: *Member Contract Records* for instructions). When the member's information is entered on the web site, the Member Contribution Rate will display on the Roster Tab under View/Edit Member Contract.
- b. Contact your PSERS ESC representative.

Note: It is important to determine the member's contribution rate early in the hiring process so that the correct contributions can be deducted from the first day of employment. It is critical that members who are qualified based on a full-time contract record or a salaried wage type are enrolled in PSERS prior to their start date. PSERS will transfer this information to the Third Party Administrator (TPA) of the DC plan. The enrollment by the employer and the transfer of this information by PSERS must be done prior to the new employee's first pay because without this information the TPA cannot accept contributions. After all of these actions have occurred, DC reporting can then commence to the TPA, on a per pay basis, on behalf of the member.

Election Options for Class T-G Members

- A Class T-G member will have a **one-time** option to elect Class T-H or Class DC within 90 days of receiving notification from PSERS.

Note: If a member is younger than age 18 at the time the member achieves the initial qualification date, the member will become eligible to elect Class T-H or Class DC following their 18th birthday. If such member is no longer in an 'Active' Member Status, the election will be offered when the member returns to 'Active' Member Status.

- Class T-G members can elect Class T-H and Class DC through MSS prior to the election due date.
- The decision to remain Class T-G, or elect Class T-H or Class DC is irrevocable.
- Election of Class T-H or Class DC
 - If a member elects to become Class T-H or Class DC, the employer will be notified via the CROQ Report. The Class T-H and Class DC elections are batched and processed weekly. It is your responsibility to review the CROQ Report weekly, each Monday. As soon as

you are notified, modify the member's PSERS Member Contribution deductions accordingly. The member will receive a *Confirmation of Class* letter when the election is approved. It is the employer's responsibility to review the CROQ report on a weekly basis and update rates as needed. The employer will be required to make contribution rate changes effective in their payroll software for the next payroll run date.

Part-Time Employee Waiving Membership in PSERS

Part time employees that have interest in and are eligible to waive PSERS membership **must first reach the qualification threshold for PSERS membership**. Any part-time employee (salaried, hourly, or per diem) has 90 days from notification by PSERS to choose to waive membership in PSERS.

To be eligible to waive membership the member must certify that they have sole ownership of one of the following types of Individual Retirement Accounts (IRA) as defined by section 408 in the Internal Revenue Code:

- Traditional IRA
- Roth IRA
- Simplified Employee Pension (SEP)
- Savings Incentive Match Plan for Employees of Small Employers (Simple) IRA

Note: A retiree who is returning to non-emergency or extracurricular service

New Part-Time Class T-G Members

If they choose to waive their membership with PSERS, they would do so through their membership class election tab in their PSERS Member-Self-Service (MSS) account at psers.pa.gov. At this time, Class T-G members can choose a class or waive membership. If the member elects to waive, the system will end-date the ACTIVE record and create an ACTIVW contract from that date forward. The employer will be notified through the following week's CROQ report. Please continue to report any work reporting that happened prior to notification that the person waived. If the member takes no action, or chooses to file a class election with PSERS, they will not be permitted to waive membership.

Returning Part-Time Members

Any returning part-time member, within 90 days of receipt of their Welcome Packet, is responsible for informing PSERS of their Intent to Waive PSERS Membership. Upon contacting PSERS the member will be sent a PSERS Membership Waiver (PSRS-51) form if they are eligible. The member will need to sign the form and return it to PSERS. The system will end-date the Active record and create an ACTIVW contract from that date forward. The member will be in a waived status until they decide they no longer wish to waive or obtain a full time position. Once approved, PSERS will notify you through the CROQ Report and the employee will **receive and enrollment waiver confirmation letter**.

Effects of the Enrollment Waiver:

- A member can **never** purchase or receive credit for previously waived service.
- If you waive membership and are subsequently enrolled by choice or mandated because of a change in employment status, your waiver is voided *prospectively* from the date of enrollment.
- If you hold multiple part-time positions and are eligible to waive membership, you must waive membership for *all* positions.

Employer’s Action if Membership Waiver is Denied

Before a member can be eligible to waive membership, they must reach the qualification threshold, meaning that they will be reported in the system using an ACTIVE contract record. If the membership waiver is denied, no action is required of the district. The district would continue to report against the ACTIVE contract record.

Employer’s Action if Membership Waiver is Terminated

Waived membership status will be terminated if the member obtains a full-time position or if they decide they no longer wish to waive. When an employer enters a full-time contract record, the system will automatically create a new ACTIVE record and end-date the existing ACTIVW record. If the member decides they no longer wish to be a waived member, they must contact PSERS in writing. PSERS will update the system with an ACTIVE record and manually end date the existing ACTIVW record.

In either situation, notification of the member’s status change will be on the next CROQ report. Because the member needed to qualify prior to electing a waiver and has established membership, member contributions for both the DB and DC components should be withheld prospectively.

Quick Reference Table for Enrolling and Reporting Employees

Type of Employment	Description	Action Required
Full-time employee	Works 5 hours or more a day/5 days a week or its equivalent (25 or more hours a week).	Enroll, report, and withhold contributions from the first day of paid service.
Part-time salaried employee	Is contracted to work fewer than 5 hours a day/5 days a week, or its equivalent (fewer than 25 hours a week).	Enroll, report, and withhold contributions from the first day of paid service.
Full-time employee with another Pennsylvania public school employer, part-time with you	Works full-time with another Pennsylvania public school employer, but only works part-time with you.	Enroll, report, and withhold contributions from the first day of paid service.


Full-time employee with the Commonwealth of Pennsylvania (state employee), part-time hourly or per diem with you, and pending Multiple Service	Employee elected Multiple Service status (pending approval) and is working full-time for the State and part-time for you.	Enroll, report, and optionally withhold DB contributions from the first day of paid service, unless the employee already maintains PSERS membership in which case DB and DC contributions should be withheld from the first day of paid service. If and when membership status is acquired, DB and DC contributions must be withheld.
Part-time hourly	Works fewer than 5 hours a day and is paid on an hourly basis.	Enroll, report, and optionally withhold DB contributions from the first day of paid service, unless the employee already maintains PSERS membership in which case DB and DC contributions should be withheld from the first day of paid service. If and when membership status is acquired, DB and DC contributions must be withheld.
Part-time per diem	Works fewer than 5 days a week and paid on a day-to-day basis with a minimum 5 hours a day.	Enroll, report, and optionally withhold DB contributions from the first day of paid service, unless the employee already maintains PSERS membership in which case DB and DC contributions should be withheld from the first day of paid service. If and when membership status is acquired, DB and DC contributions must be withheld.
PSERS Retiree - Employment under Return to Service provisions	A retiree returning to full-time and part-time under one of the Return to Service provisions for a public school, which include a shortage of personnel, emergency creating an increase in workload, extracurricular employment contract, independent contractor, employment with a third-party employer, or enrollment in an alternate retirement plan	Do not enroll, report or withhold DB or DC contributions.
PSERS Retiree - (Non-emergency – return to service or extracurricular service)	A retiree who becomes an active member. Retiree’s monthly benefit stops.	Complete a <i>PSERS Retirees Returning to Service</i> (PSRS-1299) form. Enroll, report, and withhold DB and DC contributions (if applicable) from the first day of paid service.
Tax Collector, Solicitor, Doctor, Dentist, Consultant, Psychologist	Certain positions may not meet the true employer-employee relationship for member eligibility.	See <i>Membership Eligibility Questionnaire</i> .

If you require further PSERS' assistance in determining whether PSERS membership for an employee is mandatory, optional, or prohibited, please complete the *Questionnaire to Determine PSERS Membership Eligibility* (PSRS-349) form.

To prevent enrollment of ineligible employees, you **must** complete a *Questionnaire to Determine PSERS Eligibility* (PSRS--349) for employees hired in classifications the same as or similar to those listed below:

- Consultant
- Dentist
- Doctor
- Psychologist
- Solicitor
- Tax Collector

Questionnaire to Determine PSERS Membership Eligibility (PSRS--349)

Commonwealth of Pennsylvania - Public School Employees' Retirement System	
5 N 5th Street Harrisburg PA 17101-1905 Toll-free: 1.888.773.7748 www.psers.pa.gov Fax: 717.772.3860 PSRS-349 (07/2019)	
Questionnaire to Determine PSERS Eligibility	
	
The application will be used to determine the applicant's eligibility for PSERS membership. If the applicant's situation requires different answers for different services and/or contexts, please elaborate as necessary. <u>Applicants with tax collection responsibilities should also complete questions 30 and 31. If elected or paid by commission or on a fee basis, applicant is NOT eligible to apply for membership.</u>	
A Employer (Reporting Unit) Information	
Employer	Employer #
Employer Contact	Employer Phone
B Applicant Information	
Name	SS#
Address	Date of Birth
	Phone
Position Title	
For what period(s) of time did applicant perform these services?	Mon/Yr _____ - Mon/Yr _____
1. Was this position an already existing position or was it newly created for the applicant?	<input type="checkbox"/> Existing position <input type="checkbox"/> Created for applicant
2. Is the applicant the first person to do these duties? If not, who did these duties prior to applicant?	<input type="checkbox"/> Yes <input type="checkbox"/> No, they were previously done by: _____
3. Does the employer provide any fringe benefits to the applicant?	<input type="checkbox"/> Yes (indicate) <small>___P/d Vacation ___P/d Sick ___Health Ins. ___Life Ins. ___Worker's Comp. ___Unemployment ___Other (list below)</small> <input type="checkbox"/> No
4. Are work hours assigned by employer? If yes, by whom?	<input type="checkbox"/> Yes, by _____ <input type="checkbox"/> No
5. How are the hours of the applicant determined?	<input type="checkbox"/> Works prescribed hours <input type="checkbox"/> Works own schedule <input type="checkbox"/> Other (list): _____
6. What procedure is followed if the employer wants to vary the applicant's work hours?	
7. Does the employer provide written instructions for this applicant?	<input type="checkbox"/> Yes <input type="checkbox"/> No - indicate who does: _____
8. If applicable, does applicant hire their own support staff?	<input type="checkbox"/> Yes <input type="checkbox"/> No
9. Does the employer supervise the applicant?	<input type="checkbox"/> Yes <input type="checkbox"/> No
10. Identify the supervisor's name and position title.	Name _____ Title _____
11. If applicable, is the supervisor enrolled in PSERS?	<input type="checkbox"/> Yes <input type="checkbox"/> No
12. Does the employer prepare a performance evaluation for the applicant?	<input type="checkbox"/> Yes <input type="checkbox"/> No

13.	Is the applicant's position covered by a currently active contract (used by other district employees) relating to these services?	<input type="checkbox"/> Yes <input type="checkbox"/> No																
14.	Does the employer have board minutes relating to the applicant's assumption of this position? (please provide)	<input type="checkbox"/> Yes <input type="checkbox"/> No																
15.	Is there a written job description? (please provide)	<input type="checkbox"/> Yes <input type="checkbox"/> No																
16.	Does the applicant provide these same services outside the school district?	<input type="checkbox"/> Yes <input type="checkbox"/> No																
17.	Where does the applicant perform their duties?	<input type="checkbox"/> Employer premises <input type="checkbox"/> Applicant's home/office <input type="checkbox"/> Other (list)																
18.	Is the individual engaged in a distinct occupation or business? (If yes, please indicate)	<input type="checkbox"/> Yes _____ <input type="checkbox"/> No																
19.	What percentage of the applicant's total income is derived as compensation from this employer?	<input type="checkbox"/> 100% <input type="checkbox"/> Less than 100% - explain:																
20.	Does the employer furnish supplies and equipment utilized by the applicant in the performance of their duties?	<input type="checkbox"/> Yes <input type="checkbox"/> No - Furnished by:																
21.	How is the applicant paid?	<input type="checkbox"/> Weekly/Bi-weekly <input type="checkbox"/> Upon completion of the job <input type="checkbox"/> Lump Sum <input type="checkbox"/> Fee Basis																
22.	What is the basis upon which the applicant's compensation is determined? Other? (describe)	<input type="checkbox"/> Hourly <input type="checkbox"/> Commission <input type="checkbox"/> Salary <input type="checkbox"/> Per Job																
23.	What does the applicant submit to employer for verification of time/service rendered?	<input type="checkbox"/> Time Sheet <input type="checkbox"/> Invoice <input type="checkbox"/> Other (list)																
24.	Does the employer have W-2s or Form 1099s for this period?	<input type="checkbox"/> W-2 <input type="checkbox"/> 1099 <input type="checkbox"/> Neither																
25.	Does the employer have the authority to hire or fire?	<input type="checkbox"/> Yes <input type="checkbox"/> No																
26.	Are the applicant's services being covered by any other retirement plans? If yes, please indicate which plan.	<input type="checkbox"/> Yes _____ <input type="checkbox"/> No																
27.	Who pays for any legal advice the applicant needs relating to the applicant duties?																	
28.	If applicable, is the applicant's solicitor also the employer's solicitor?	<input type="checkbox"/> Yes <input type="checkbox"/> No																
29.	Is the applicant required to be bonded/covered by liability insurance?	<input type="checkbox"/> Yes <input type="checkbox"/> No																
<i>This section to be completed only for Tax Collection Service positions.</i>																		
30.	Indicate what taxes the applicant collects and if they were (E) elected, (A) appointed, or (H) hired by the district to collect the tax indicated.	<table border="1"> <tr> <td><input type="checkbox"/></td> <td>School Tax</td> <td><input type="checkbox"/></td> <td>Real Estate</td> </tr> <tr> <td><input type="checkbox"/></td> <td>Per Capita</td> <td><input type="checkbox"/></td> <td>Occ. Privilege</td> </tr> <tr> <td><input type="checkbox"/></td> <td>Municipal Tax</td> <td><input type="checkbox"/></td> <td>Other</td> </tr> <tr> <td><input type="checkbox"/></td> <td>Earned Income</td> <td></td> <td></td> </tr> </table>	<input type="checkbox"/>	School Tax	<input type="checkbox"/>	Real Estate	<input type="checkbox"/>	Per Capita	<input type="checkbox"/>	Occ. Privilege	<input type="checkbox"/>	Municipal Tax	<input type="checkbox"/>	Other	<input type="checkbox"/>	Earned Income		
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<input type="checkbox"/>	Earned Income																	
31.	If both municipal and school taxes are collected, indicate what percentage of time each day is used for each tax.	<table border="1"> <tr> <td></td> <td>School</td> <td>Municipal/Other</td> </tr> <tr> <td></td> <td>%</td> <td>%</td> </tr> </table>		School	Municipal/Other		%	%										
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	%	%																
32.	Was applicant elected to this position?	<input type="checkbox"/> Yes (see above) <input type="checkbox"/> No																
C Employer Certification																		
I certify that all statements provided on this form are true and accurate to the best of my knowledge. I understand that any falsification of this certification may subject me to contempt of court or to criminal liability as an Unsworn Falsification to Authorities (18 Pa.C.S. Section 4924).																		
Employer Representative Signature		Date Signed																

PSERS will review the questionnaire and determine if the employee is eligible to be enrolled. The questionnaire should only be completed if you are unsure if an employee is or is not an actual employee of the district.