

EMPLOYER Notice

Ohio Public Employees Retirement System • 277 East Town Street • Columbus, Ohio 43215

New rules and amendments effective Jan. 1, 2010

Who should read this notice

Finance directors, payroll professionals and human resources professionals

Situation overview

At a recent OPERS Board of Trustees meeting, the following amendments to the Ohio Administrative Code (OAC) rules were approved. All became effective January 1, 2010.

Following are substantive amendments to rules:

- **Confidential records**, (Amended Rule 145-1-61) Changed to include members' electronic mail addresses as confidential element of *Personal History Record*.
- **Division of property orders** (Amended Rule 145-1-72) Minor changes made to *Division of Property Order* form in coordination with other public retirement systems; new form should be used beginning January 1, 2010.
- **Beneficiary benefit changes** (Amended Rules 145-1-76, 145-2-47, 145-2-48) Clarifies that if retirement benefits have begun, a retiree's option to change plan payment or beneficiary is void immediately upon the death of the retiree, if the retirement system is not in receipt of the retiree's change form on the date of death.
- **Pension plan choices** (Amended Rules 145-2-18, 145-3-40) Amendment defines the beginning of the 180-day period during which a member can transfer service credit to the Traditional Pension Plan for participation in Combined Plan or Member-Directed plan or service credit in the Combined Plan for participation in the Member-Directed plan.
- **Beneficiary payment percentage** (Amended Rule 145-2-46) Change requires members choosing Life with Selected Percentage to Survivor plan payment to select whole percentages.
- **OPERS Board of Trustees abstention votes** (Amended Rule 145-1-01) Clarifies how majority vote is achieved when a Board member abstains from voting on an action.
- **Name change for boards** (Amended Rule 145-1-49) Name of mental health and developmental disability boards changed for consistency with Senate Bill 79.

Following are technical amendments to rules:

- Amended Rules 145-2-39, 145-2-49 and 145-1-24: Changed to add reference to public safety division in compliance with Senate Bill 267.

More rules on back

More information?

View exact rule verbiage on the OPERS Web site at www.opers.org.



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- Amended Rule 145-3-38: Deletes references to ORC 145.2912 as Combined Plan does not coordinate benefits with Cincinnati Retirement System.

Repealed rule:

- Rule 145-3-04 reviewing the submission of employer contributions and reports was repealed because it was duplicative with Rule 145-1-27.

What you need to do

OPERS is required to notify public employers of any amendment or change to the Ohio Administrative Code. Please review any letters, forms or publications you produce or distribute and make the necessary changes to ensure accuracy with the new and amended rules.

Of special interest to employers, as a result of these amendments:

- The revised *Division of Property Order* form is effective as of January 1, 2010 and is available on the OPERS website, www.opers.org.
- E-mail addresses listed on the *Personal History Record* are classified as confidential information.

This Employer Notice is written in plain language for use by public employers who are subject to coverage under the Ohio Public Employees Retirement System. It is not intended as a substitute for the federal or state law, namely the Ohio Revised Code, the Ohio Administrative Code, or the Internal Revenue Code, nor will its interpretation prevail should a conflict arise between it and the Ohio Revised Code, Ohio Administrative Code, or Internal Revenue Code. Rules governing the retirement system are subject to change periodically either by statute of the Ohio General Assembly, regulation of the Ohio Public Employees Retirement Board, or regulation of the Internal Revenue Code. If you have questions about this material, please contact our office or seek legal advice from your attorney.



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