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Study
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*G-134-0655 of the 134th
General Assembly*

May 24, 2022

Staff Recommendation

Staff Contact

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Summary of G-134-0655

G-134-0655 would modify the minimum earnable salary needed to be considered a “public employee” for purposes of PERS as it relates to poll workers. This threshold was last updated in 2015 in S.B. 42 and is being adjusted in the amendment to reflect 2022 having two primaries and one general election.

G-134-0655 Provides statutory authority for PERS to encompass the PERS combined plan within the PERS defined benefit plan for administrative purposes. The PERS combined plan is closed to new members.

Description of G-134-0655

Poll Workers—Current law provides that a poll worker is not a “public employee” for purposes of PERS coverage if the poll worker receives less than \$600 per calendar year. The amendment provides that, in a calendar year in which there is more than one primary election and one general election, the threshold for membership is \$600 plus “an amount not to exceed \$400 for that service.”

PERS combined plan—PERS provides a hybrid defined benefit and defined contribution plan that provides a benefit that is determined partly by contributions and earnings on those contributions made by the member, and partly by a defined benefit plan formula. Members of this PERS combined plan are eligible for survivor and disability benefits much as members of the traditional defined benefit plan. As of January 1, 2022, PERS closed the combined plan to new members as there was a declining number of participants.¹ PERS maintains a defined contribution plan and traditional defined benefit plan that are unaffected by the amendment.

The amendment provides statutory authority for PERS to encompass the existing members of the combined plan into the PERS traditional plan. *This is an administrative only change.* The amendment does not alter the benefits of any participants in the combined plan.

Staff Comments

Poll Worker—The poll worker provisions are designed to prevent temporary poll workers from being considered members of PERS, which would result in them receiving service credit and providing employee and employer contributions to PERS for service as a poll worker. The amendment expands the minimum earnings necessary for poll workers to be considered public employees in years, such as 2022, in which there is more than one primary election and also a general election. The policy of

¹ As of January 1, 2022, there were 10,246 combined plan participants. Gordon Gaten, PERS Director of External Relations, telephone conversation (May 20, 2022).

excluding temporary poll workers from PERS membership for their poll worker service is consistent with prior precedent and it will address the situation in 2022 or any other year with multiple primary elections and a general election.

PERS combined plan—The amendments to the PERS combined plan are administrative in nature and are anticipated not to have any substantive effect on any member.

Staff Recommendation

ORSC staff recommends approval of language related to poll worker earnings to address the multiple primaries in 2022.

ORSC staff recommend approval of language making administrative changes to the PERS combined plan.