

Retired member may be re-employed.

Sec. 145.381. A former member receiving a retirement allowance, other than a disability allowance, from this system, and hereafter referred to as a superannuate, may be employed, anything contained in sections 145.01 to 145.57, inclusive, of the Revised Code to the contrary notwithstanding, provided **** such superannuate *** has received a retirement allowance from this system for at least eighteen months ***. When a superannuate is employed in an appointive capacity the employer shall request the public employees retirement board to authorize such employment and shall certify that such superannuate has submitted a report by a medical examiner designated by such employer, that such superannuate is physically and mentally competent to perform the duties to be assigned. Any employer failing to comply with this provision shall pay to this system an amount equal to the pension payments made to such superannuate subsequent to the eighty-ninth work day of such employment; its equivalent; or earnings in excess of \$600, whichever is attained first, and during noncompliance thereafter.*

If such employment by *either an appointive employee or elective official* continues beyond the eighty-ninth work day; its equivalent; or earnings in excess of \$600, whichever is attained first, the pension portions of the retirement allowance shall be terminated on the ninetieth work day; its equivalent; or earnings in excess of \$600, whichever is attained first, of such employment, and thereafter shall be forfeited until the first day of the month after such superannuate ceases to be employed, at which time the retirement allowance shall be resumed. In addition thereto, the board shall pay in one sum the total of all suspended annuity payments. Any option selected as provided by section 145.46 of the Revised Code, shall not be affected by such employment.

When such superannuate is employed for a period longer than eighty-nine work days he shall become a new member of the public employees retirement system, except as otherwise provided in section 145.03 of the Revised Code, and shall have all the rights and privileges and be charged with all obligations of membership *except that *** such* new membership, beginning on or after July 1, 1955, shall not include the survivor benefit rights provided in section 145.45 of the Revised Code.

When a re-employed superannuate again ceases to be a public employee, the public employees retirement board shall resume as of the first day of the month after he ceases to be a public employee the exact retirement allowance which was granted him at the time he originally qualified as a superannuate.

The public employees retirement board may make rules and regulations to carry the provisions of this section into effect and to prevent abuse of the rights granted.