

Sec. 145.38 (486-63b). Employment of superannuate; resumption of retirement allowance; rules and regulations.

Until September 1, 1953, any employer *** may employ any person *** receiving retirement allowances under *** sections *** 145.32, 145.33, or 145.34 of the Revised Code, such retired persons *** to be referred to as superannuates, provided such superannuate supplies the employer with a certificate *** from a medical examiner appointed by the employer, of physical fitness to perform the services required of the position to which he is being appointed, and provided *** such employer *** formally *** declares that an emergency exists, and *** files with the public employees retirement board a copy of such declaration, together with the *** names of the superannuates who are to be employed. In any case of employment of such superannuates without having filed *** such declaration and notice of employment, such employer shall pay to the *** board an amount equal to the portion of the retirement allowance paid to such superannuates subsequent to the date of employment from funds provided by the employer. The retirement allowances being paid to such superannuates shall cease within a maximum period of thirty days following such acceptance of re-employment. In case of the death of a superannuate during a period of re-employment, the *** board shall pay to the estate or beneficiary of such deceased superannuate the total of all suspended annuity payments to which such superannuate was entitled from his accumulated contributions, with interest on such deferred amount at such rate as the *** board *** determines.

When a superannuate is re-employed ***, he shall become a new member of the public employees retirement system and shall have all rights and privileges and be charged with all obligations of such membership.

If a superannuate thus re-employed again ceases to be an *** employee, the *** board shall resume within thirty days of such separation the exact retirement allowance to which such person was formerly entitled. In addition thereto, the *** board shall pay in one sum the total of all suspended annuity payments to which such superannuate was entitled from his accumulated contributions, with interest on such deferred amount at such rate as the *** board *** determines.

The *** board *** may make rules and regulations, not inconsistent with *** this section, to carry this section into effect *** and to prevent abuse of the rights granted.