

Designation of state retirement systems; combining contributions and service credits.

Sec. 3307.41. For the purpose of further co-ordinating and integrating membership in the public employees retirement system and the school employees retirement system with membership in the state teachers retirement system for the purposes of retirement, the following provisions apply:

(A) State retirement systems are the public employees retirement system, the state teachers retirement system, and the school employees retirement system.

(B) At the option of a member, or of a beneficiary as provided in sections 3307.48 and 3307.49 of the Revised Code, total contributions and service credit in all state retirement systems shall be used in determining the eligibility and total retirement allowance for the purpose of superannuation, commuted superannuation, disability retirement, and other benefits. Where total contributions and service credit are so combined, the following provisions apply:

(1) Superannuation and commuted superannuation retirement are effective at the end of the quarter of the calendar year then current.

(2) "Total service credit" includes the total credit in all state retirement systems except that such credit shall not exceed one year for any period of twelve months. If such total service credit is ten or more years, he shall qualify for an indefinite extension of membership under the provisions of section 3307.38 of the Revised Code.

(3) The cost of the "basic annual pension" shall be shared by all systems but such annual pension shall not exceed one hundred eighty dollars and the portion payable by the state teachers retirement system shall be an amount equal to the ratio that total service credit in this system bears to the total service credit in all the state retirement systems.

(4) The member's accumulated contributions in all state retirement systems, based upon total salaries received from employment covered by all such systems, shall not exceed an amount which would have accumulated had contributions been made to one state retirement system. The total service credit in each state retirement system for each year shall be in the ratio that the contribution bears to the total contributions in all state retirement systems for such year and any excess contributions shall be refunded to the member.

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(5) Effective June 30, 1955, for the purposes of this section only, "final average salary" means the highest average annual compensation or earnings of a member during any five years of contributions within the ten years immediately preceding termination of contributions and shall be determined by dividing the total compensation or earnings during such period by the service credit granted to such member during such period. If a member was not a contributor during any five years within the ten-year period immediately preceding termination of contributions, then the final average salary shall be determined by dividing the total compensation or earnings during such period by the contributing service credit granted to him during such period. ***

(6) In determining eligibility for the disability retirement allowance, the medical examiner's report to the retirement board of any state retirement system, showing that the member's disability incapacitates him for the performance of duty and that he ought to be retired, may be accepted as sufficient for granting disability retirement.

(7) If the greater portion of the total allowance is payable by the state teachers retirement system, then payment of at least that portion shall be made by the state teachers retirement system directly to the annuitant.

When a member or beneficiary elects to combine total contributions and service credit in all state retirement systems for retirement purposes, the state teachers retirement board, together with the other retirement boards, shall decide all problems arising in connection therewith and their decisions are final.

Effective September 16, 1957