



Ohio Administrative Code

Rule 145-1-78 Retirement of a member pursuant to section 145.383 of the Revised Code.

Effective: January 1, 2021

(A) For purposes of section 145.383 of the Revised Code and this rule:

(1) "Active position" means a position for which contributions were being received by a state retirement system in the month prior to and, for the active position described in paragraph (B)(1)(b) or (C)(1)(b) of this rule, the month of the member's effective date of retirement.

(2) "PERS annual earnable salary" means a member's earnable salary for each active position reported by a public employer to the public employees retirement system for a calendar year. If a member has held an active position for less than a calendar year this system shall convert the earnable salary to an annual amount.

(3) "Other retirement system annual compensation" means a member's annual compensation for an active position as certified to this system by the state teachers retirement system or the school employees retirement system.

(4) "Highest annual compensation" means the highest of the PERS annual earnable salary or the other retirement system annual compensation for an active position.

(5) "Position" means employment for which a member is covered and contributing to a state retirement system.

(6) "State retirement system" means the public employees retirement system, school employees retirement system or state teachers retirement system.

(7) "Other retirement system" means the school employees retirement system or state teachers retirement system.

(B)



(1) When a member holds more than one active position in this system, no active positions in an other retirement system, and is electing to take a retirement benefit pursuant to section 145.383 of the Revised Code, the member shall:

(a) Apply for a benefit pursuant to section 145.32, 145.33, 145.332, or 145.46 of the Revised Code, for the active position which has the highest PERS annual salary, and,

(b) Select which other active position or positions upon which the member shall continue to contribute to this system.

(2) In computing the benefit described in paragraph (B)(1) of this rule all service credit in this system shall be used.

(C)

(1) When a member holds one or more active positions in this system and one or more active positions in an other retirement system, and the active position which has the highest annual compensation is in this system, the member shall:

(a) Apply for a benefit pursuant to section 145.32, 145.33, 145.332 or 145.46 of the Revised Code, for the active position which has the highest annual compensation, and,

(b) Select which other active position or positions upon which the member shall continue to contribute to this system or an other retirement system.

(2) In computing the benefit described in paragraph (C)(1) of this rule all service credit in this system shall be used.

(D) Employment in any position covered by this system that begins subsequent to the effective retirement benefit date under section 145.383 of the Revised Code shall be subject to section 145.38 or 145.382 of the Revised Code, and rule 145-1-75 of the Administrative Code.