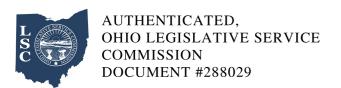# Ohio Administrative Code

Rule 3307:1-13-02 Retirement of a member pursuant to section 3307.351 of the Revised Code.

Effective: June 3, 2021

(A) For purposes of section 3307.351 of the Revised Code and this rule:

(1) "Active position" means a position a member worked in the month before retirement and for which contributions were being received by a state retirement system at the time of retirement pursuant to section 3307.351 of the Revised Code.

(2) "STRS annual compensation" means fiscal year earnings plus any unearned amounts covered by contract for that fiscal year or a consecutive twelve-month period.

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

(4) "Highest annual compensation" means the highest of the STRS annual compensation or the other retirement system annual compensation for an active position as determined by the paying system.

(5) "Position" means all employment with a single employer for which a member is covered and contributing to the same state retirement system.

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

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

(8) "Continuously held" pursuant to paragraph (E) of section 3307.351 of the Revised Code and effective July 1, 2014, means the position held by the member meets both of the following criteria:
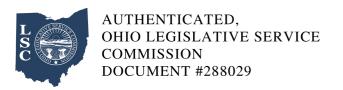
(a) The member was employed in a position and earned wages with the same employer during the first month of retirement and in each of the twelve months immediately preceding the effective date of retirement, where contributions on those wages were remitted to the same retirement system; and,

(b) The position described in paragraph (A)(8)(a) of this rule was not the member's highest annual compensation at the time of retirement for all positions covered by the state teachers retirement system, the public employees retirement system or the school employees 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 3307.351 of the Revised Code, the member shall:

(a) Apply for a benefit pursuant to section 3307.57, 3307.58, or 3307.60 of the Revised Code, for the active position which has the highest STRS annual compensation, 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 3307.57, 3307.58, or 3307.60 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 and the other retirement systems shall be used except that such total combined service credit shall not exceed one year of credit for any one year as defined in the statute governing the system making the calculation.

(D) Employment in any position covered by this system that begins subsequent to the effective retirement benefit date under section 3307.351 of the Revised Code shall be subject to section 3307.35 of the Revised Code, and rule 3307:1-13-01 of the Administrative Code.