

EMPLOYER Notice

Ohio Public Employees Retirement System • 277 East Town Street • Columbus, Ohio 43215

Note:
Employer Reporting wants to help employers remain compliant with the law. Employers are encouraged to understand and follow these steps to avoid potential liabilities.

Hiring applicants that are receiving disability benefits

Who should read this notice

Those responsible for the recruiting of and processing paperwork for newly hired employees and re-hired employees

Situation overview

Employers need to be aware that hiring someone who is receiving a disability benefit from OPERS entails specific reporting responsibilities with tight deadlines. Lack of adherence to these requirements may result in significant liabilities—because failure to give OPERS timely notice of re-employment of a disability benefit recipient means you, as the employer, will be responsible for repayment of the overpaid benefits.

What you need to do

With all new hires, OPERS advises employers to:

- Determine if the individual is receiving a disability benefit from OPERS.

If they are,

- Complete the *Personal History Record* (PHR, form A), and forward immediately to OPERS. (ECS is the fastest method for submitting new hire information.)
- Also, complete and submit the *Notice of Re-employment of an OPERS Benefit Recipient* (form SR-6).
- Inform your new employee that the disability benefit will be immediately forfeited upon returning to public employment. The benefit terminates on the last day of the month following the date the individual returns to public employment. (So, an employee who returns to work on September 26 would have already received their last disability benefit payment on September 1.)

Special note:

If a disability benefit recipient begins employment within the last 10 days of a month (calendar days), call your Employer Outreach representative at 1-888-400-0965 to provide immediate notice of employment so that OPERS has adequate time to stop the next disability payment. If OPERS does not receive notice in time to stop the disability benefit payment, you (the employer) will be held liable for the overpayment. If you notify OPERS via a phone call, the PHR and the *Notice of Re-employment of an OPERS Benefit Recipient* are still required.



1-888-400-0965
www.opers.org

(More information on back)

Why this is important

OPERS wants to help employers remain compliant and avoid unnecessary liabilities. Compliance with Ohio law requires the employer be held responsible for the disability benefit overpayment—even if the newly hired employee fails to disclose their status as a disability benefit recipient.

Changes to the *Employer Manual*

There are no *Employer Manual* changes applicable to this *Employer Notice*.

Who to contact for more information

After you review this *Employer Notice*, contact your Employer Outreach representative with questions or comments at 1-888-400-0965 or via the Internet at employero Outreach@opers.org.

This Employer Notice is written in plain language for use by public employers who are subject to coverage under the Ohio Public Employees Retirement System. It is not intended as a substitute for the federal or state law, namely the Ohio Revised Code, the Ohio Administrative Code, or the Internal Revenue Code, nor will its interpretation prevail should a conflict arise between it and the Ohio Revised Code, Ohio Administrative Code, or Internal Revenue Code. Rules governing the retirement system are subject to change periodically either by statute of the Ohio General Assembly, regulation of the Ohio Public Employees Retirement Board, or regulation of the Internal Revenue Code. If you have questions about this material, please contact our office or seek legal advice from your attorney.

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