

**OREGON ADMINISTRATIVE RULE  
PUBLIC EMPLOYEES RETIREMENT BOARD  
CHAPTER 459  
DIVISION 080 – OPSRP INDIVIDUAL ACCOUNT PROGRAM**

**459-080-0050**

**IAP Optional Employer Account Contributions**

- (1) Employers shall not begin optional employer contributions under ORS 238A.340 to the employer account of a member under the OPSRP Individual Account Program (IAP) until the agreement by which those contributions will be made has been provided to PERS. The agreement must, at a minimum, provide the following information:
- (a) The date those contributions are to commence; and
  - (b) The percentage of salary to be contributed.
- (2) ORS 238A.340(1) allows participating public employers to agree to provide these optional employer contributions for specific groups of employees. The employer will be solely responsible for reporting which groups of employees are eligible for the optional employer contributions, so long as those employees are eligible for membership under ORS 238A.300 and OAR 459-080-0010. PERS will rely on the employer's records to determine whether an employee was in a group that should have received optional employer contributions.
- (3) Optional employer contributions made on behalf of a person who fails to meet the standards for IAP employee contributions under OAR 459-080-0150 will be returned pursuant to section (5) of that rule.
- (4) Optional employer contributions made in error for an employee who is not entitled to those contributions under the employer's agreement will be returned less any fees or losses incurred since the contributions were submitted. Any earnings on these contributions will be credited to the forfeiture account established under OAR 459-080-0150.
- (5) Whether contributions were erroneous will be based upon the employer's records as reported to PERS.

Stat. Auth.: ORS 238A.450

Stats. Implemented: ORS 238A.340