

**Title 27: Personnel**

**Part 210: PERS, Regulations for Retirement Plans Administered by the Board of Trustees**

**Chapter 15: Eligibility of employees not employed between February 1, 1953, and July 1, 1953 for Social Security and Retirement Annuity coverage**

**100 Purpose**

The purpose of this regulation is to establish eligibility for membership and prior service credit in state retirement annuity coverage for public employees covered for Social Security coverage as of July 1, 1952, and who worked in public employment any time between that time and February 1, 1953, but not between February 1, 1953 and July 1, 1953.

**101 Eligibility for certain prior service credit**

Public employees, who were properly reported for the retroactive Social Security coverage, and who were considered employed on the effective date of the Federal Security Administration - State Agreement (July 2, 1952), and who worked in covered public employment any time between July 2, 1952, and February 1, 1953 but who were not employed in covered public employment between February 1, 1953, and July 1, 1953, may join Article II (State Retirement Annuity, [now Article III beginning at Miss. Code Ann. §25-11-101 et seq. (1972, as amended)] of the System and obtain full prior years service credit, provided they apply to the System on PERS Form 1, on or before July 1, 1953, and provided their prospective employer certifies that a contract has been made for their services on or before July 1, 1953, even though such an employee does not actually commence work on July 1, 1953, but such an employee does commence work, at the regular rate of pay for that position, for the certifying employer within 90 days after July 1, 1953. Employees meeting these requirements shall not be required to work the additional five years to obtain prior years service credit.

To Illustrate: A teacher (or other public employee) who taught in the school fiscal year 1951-52 and who taught during the first quarter of the 1952-53 school year, but who for any reason, other than discharge for cause, had to retire from teaching prior to February 1, 1953, and who was unable to teach at any time during the remainder of the 1952-53 school term, but who obtained a contract to teach in the 1953-54 school year, and whose principal would so certify, and if this teacher would send this certification together with her membership application to the Public Employees' Retirement System on or before July 1, 1953, she would not lose her prior years service credit. If she does not meet these conditions she will lose her prior years service credit.

**(History: Adopted November 13, 1952, page 57; amended June 21, 2005, to be effective August 1, 2005; reformatted August 1, 2007)**