



Determination of Entitlement to Purchase Pension Service Credit under the Veteran's Reemployment Rights Laws

Form 25D – Revised 12/1/2013

Please print or type in black ink. Completed form should be mailed or faxed to PERS. See bottom of form for contact information.

1 Member Information – This form must be completed by an authorized employer representative, not the member. Only complete for active members.

First Name: _____ MI: _____ Last Name: _____
Social Security No.: _____

2 Employer Questionnaire –If the answer is “yes” to any question below, the employee is entitled to certain pension benefits depending on whether he or she makes required member contributions. If the answer is “no” to any question below, the employee is not entitled to purchase pension service credit.

- 1. Did the employee hold a permanent job (i.e., one that was not brief, temporary, or non-recurring)? Yes No
- 2. If the employee left public service to serve in the military after 1994, did the employee notify the employer that he or she would be leaving the job for military training or service? Yes No

Note: The employer should answer “yes” if extenuating circumstances prevented the employee from providing the employer with either advance verbal or written notice. The employee may be entitled to pension rights protection if he or she had no opportunity to give notice (i.e., if military necessity prevented the giving of notice or the giving of notice was otherwise impossible or unreasonable).

- 3. If the employee's period of absence from the job was prior to 1994, the allowable limitation under the law was four years, or five years if the fifth year of service was at the request or convenience of the federal government. If the employee's period of absence from the job was after 1994, the allowable limitation under the law is five years of cumulative service or the period of initial enlistment, if longer. Was the employee's period of absence from the job within the allowable limitations under the law? Yes No
- 4. Did the employee complete his or her service in a satisfactory manner, (i.e., did he/she receive an honorable discharge, general discharge, hardship discharge, or uncharacterized discharge)? Yes No
- 5. Did the employee make application or report back to the pre-service employer within 90 days from the date of discharge? Yes No
- 6. When requested by the employer, did the employee provide readily available documentation showing eligibility for reemployment (i.e., copy of discharge papers, DD214, etc.)? Yes No
- 7. Upon timely reapplication for reinstatement, did the employer timely reinstate the member to his or her escalator position (i.e., the position which he or she would have attained with reasonable certainty had he or she remained continuously employed)? Yes No

If yes, provide the following: Last date employed before leaving military service *mm/dd/ccyy*: _____
Dates of military service *mm/dd/ccyy*: _____ Date of Reemployment *mm/dd/ccyy*: _____

3 Employer Determination and Certification

If you answered “yes” to all the questions in Section 2, the employee must be accorded reemployment protection under the Uniformed Services Employment and Reemployment Rights Act (USERRA) and its predecessor, the Veteran's Reemployment Rights Act. This protection includes giving the employee the opportunity to make any required retirement contributions in a timely fashion. If the employee chooses to make those contributions in a timely manner, the employer is also required to make the required employer contributions, as well as complete and submit PERS Form 25A, *Acknowledgement of Veteran's Right to Purchase Service Credit*. The right to purchase service credit under this provision expires after the employee has returned to work for a period of three times the length of time that the employee was away from employment due to qualified military service not to exceed five years. The employer must certify the following:

- The employee does not meet the criteria for purchasing qualified military service.
- The employee does meet the criteria for purchasing qualified military service for the period specified above.

Employer Name: _____ Employer No.: _____ - _____
Employer Representative's Name: _____ Employer Representative's Title: _____
Employer Representative's Phone: _____ Fax: _____ E-Mail: _____

As the employer's authorized representative, I acknowledge that the employer will be responsible for making the required employer contributions for this period. I understand that any person who makes a false statement or shall falsify or permit to be falsified any record of a retirement plan administered by PERS in an attempt to defraud the plan may be subject to criminal prosecution. With that understanding, I certify that the above information is true and correct. Attached are the completed Statement of Qualified Military Service and a copy of the employee's DD214 or other discharge papers.

Employer's Signature: _____ Date *mm/dd/ccyy*: _____