

Election of Coverage by a Labor Organization Employee

Minnesota Statute 352.029 permits state employees who are on a leave of absence to provide service as an employee or officer of a labor organization to choose MSRS coverage for those periods of service. The labor organization must be the exclusive bargaining agent representing state employees. Selection of MSRS coverage must be made within 90 days of being employed by the labor organization.

The cost of obtaining coverage for the General Employee Retirement Plan (GERP) and Correctional Employees Retirement Plan (CORR) is the total of your employee's contribution and your employer's contribution that are due based on your earnings with the labor organization. Employee contributions are deducted from your salary paid by the labor organization. The labor organization may agree to pay the employer's contribution. The complete statute text is on the reverse side.

The information you supply on the form is for MSRS use. You are not legally required to provide this information, but we cannot process your election without it.

I elect Minnesota State Retirement System (MSRS) coverage for my labor organization employment. I understand that it is my obligation to pay the full cost of the coverage, although the employing labor organization may pay the employer amount.

1. Information about you

Last name	First name	MI	Account ID or SSN
Mailing address			
City	State	Zip code	
Labor organization's name			
Labor organization's mailing address			
Organization's contact person		Telephone number	
Employment start date with labor organization			

2. Required signature

Signature _____ Date _____ / _____ / _____
Month Day Year



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352.029 Coverage for Employees Of Labor Organizations

Subdivision 1. Qualifications

Unless specifically excluded under section 352.01, subdivision 2b, a state employee on leave of absence without pay to provide service as an employee or officer of a labor organization that is an exclusive bargaining agent representing state employees may elect under subdivision 2 to be covered by the general state employees retirement plan of the Minnesota State Retirement System for service with the labor organization, subject to the limitations set forth in subdivision 2a and 2b.

Subdivision 2. Election

A person described in subdivision 1 shall be covered by the system if written election to be covered is delivered to the executive director before December 31, 1992, within 90 days of being employed by the labor organization, or within 90 days of starting the first leave of absence with an exclusive bargaining agent, whichever is later.

Subdivision 2a. Limitations on Salary for Benefits and Contributions

(a) the covered salary for a labor organization employee who qualifies for membership under this section or section 352.75 is limited to the lesser of:

- (1) the employee's actual salary as defined under section 352.01, subdivision 13; or,
- (2) 75 percent of the salary of the governor as set under section 15A.082.

(b) The limited covered salary determined under this subdivision must be used in determining employee, employer, and employer additional contributions under section 352.04, subdivision 2 and 3, and in determining retirement annuities and other benefits under this chapter and chapter 356.

Subdivision 2b. Earning Restrictions Apply.

A retirement annuity is only payable, if the person has met any other applicable requirements, upon the termination by the person who elected coverage under subdivision 1 of employment by the labor organization. The reemployed annuitant earnings limitation set forth in section 352.115, subdivision 10, applies in the event that the person who elected coverage under subdivision 1 retires and is subsequently reemployed while an annuitant by the labor organization or by any other entity employing persons who are covered by the Minnesota State Retirement System (MSRS) by virtue of that employment.

Subdivision 3. Contributions

The employee and employer contributions required by section 352.04, or by section 352.92 for employees covered by section 352.91, are the obligation of the employee who chooses coverage under this section. However, the employing labor organization may pay the employer contributions. Contributions made by the employee must be made by salary deduction. The employing labor organization shall pay all contributions to the system as required by section 352.04, or by section 352.92 for employees covered by section 352.91

Subdivision 4.

[Repealed, 1992 c 432 art 1 s 111]

Subdivision 5. Board Membership Excluded

Employees of a labor organization who become members of the system under this section are not eligible for election to the board of directors.

History

1997 c 429 s 13; ISp1985 c 7 s 5; 1987 c 229 art 6 s 1; 1990 c 570 art 10 s 3; 1992 c 432 art 1 s 2,3; 1994 c 528 art 4 s 1-3