



8.12 – Retirement, Educational (ERB)

arp.nmsu.edu/8-12

PART 1: PURPOSE

To clarify retirement benefits offered and/or required of university employees by the New Mexico Educational Retirement Board (NM ERB).

PART 2: RULE ADMINISTRATOR

The Office of Human Resource Services administers this Rule, consistent with the New Mexico Retirement Act, and guidance from the NM ERB.

PART 3: DEFINITIONS

(See Also [ARP 6.15, Part 4](#))

NM ERB refers to the state of New Mexico’s Educational Retirement Board, the statutorily authorized administrator of the New Mexico Educational Retirement Act, NMSA 1978, 22-11-1 through 22-11-55, which governs the retirement rights of eligible employees.

PART 4: RULE STATEMENTS(S)

- A. **Membership:** As a condition of employment, all eligible employees are required to participate in the Educational Retirement and Disability Plan for educational institutions in the state of New Mexico as administered by the New Mexico Educational Retirement Board (NM ERB). Certain employees may qualify to participate in an Alternative Retirement Plan (an optional defined-contribution plan). Eligible employees have a limited period of time from the date of hire to exercise this option. While the alternative retirement plan is distinct from the defined benefit plan (directly

administered by the NM ERB), retirees under the alternative retirement plan are still considered NM ERB retirees. Details regarding this option are available by contacting the Office of Human Resource Services, or at the NM ERB Website. Employees who are not eligible to participate include the following:

- ~~1. NM ERB retirees who are re-employed under the NM ERB's Return to Work Provision Exception and earn (per fiscal year) LESS THAN the greater of (i) \$15,000, or (ii) work an amount equal to 0.25 FTE (i.e. 25% of the full-time equivalency) of annual salary of the position in which the retiree works after retirement;~~
 2. All employees, whether retired or not, who work .25 FTE or less per fiscal year and have not chosen to work under the NM ERB's Return to Work Program;
 3. All students enrolled in any public school, grades 1-12;
 4. Student employees (including graduate assistants);
 5. All personnel of the Cooperative Extension Service who are on federal appointment are required to participate in the Federal Civil Service Retirement Program. This group consists of county extension agents, extension home economists, and state office (supervisory) personnel who have the option of exempting themselves from membership in the New Mexico Educational Retirement Plan. This option must be determined by the employee within the first 6 months of employment by the university, after which time the employee may not exempt themselves, but may revoke the exemption;
 6. Public Employee Retirement Act (PERA) retirees who have not rescinded their PERA retirement. (Effective July 1, 2019, PERA retirees who work for an NM ERB employer will pay non-refundable contributions and will not earn service credit.)
 7. Employees deemed exempt prior to July 1, 1971; however, such employees may revoke their exemption at any future date by completing the necessary forms.
- B. **Contributions and Withdrawals:** Contributions are made according to the New Mexico Educational Retirement Act, and the NM ERB rules/regulations. Employees may withdraw their contributions upon termination of employment.
- C. **Request for Retirement and Options Elections:** Approximately 3 months prior to the desired retirement date, the employee should contact the Office of Human Resource Services to complete appropriate retirement application forms. The NM ERB will send the employee information regarding benefits to be received. The Office of Human Resource Services will provide information explaining the benefits available after retirement.

D. **NMSU Retiree Benefit Eligibility:** An employee will be considered eligible for certain university retirement benefits if the following criteria are met

(The university reserves the right to unilaterally increase, decrease or discontinue all or any retiree benefits and/or charges associated with available benefits.):

1. An employee has at least 10 continuous years of service, in the status of regular employee at .5 FTE or more, without a break in service during the 10 years prior to the date of retirement, and receives NM ERB benefits immediately upon termination of employment;
2. An employee is eligible for retirement under NM ERB rules/regulations at the time of termination of employment at the university.
3. An employee of the Cooperative Extension Service must be eligible for and receive federal retirement.

E. **Benefits Offered by NMSU to NMSU Retirees:** The following is a list of the university-provided, nontransferable benefits available to eligible NMSU retirees, and if indicated (*), to their spouse or domestic partner:

- ~~1.~~ Discounted admission to various Music Department concerts, [and plays, Natatorium, Activity Center and Tennis Center](#)*
- ~~1-2.~~ [Aggie Fit Membership](#)
- ~~2-3.~~ Discount Rates for Athletic Events (Season tickets only)*
- ~~3-4.~~ Discount Rates for the NMSU Golf Course*
- ~~4-5.~~ Receipt of university General Publications*
- ~~5-6.~~ Library privileges
- ~~6-7.~~ Bookstore 10 Percent Discount (Some Exclusions Apply)*
- ~~7-8.~~ Parking Permit (Subject to fees, depending on date of retirement)
- ~~8-9.~~ Remission of Tuition and Fees Up Through a Full Load of Classes (Spouse may enroll for one free course if the retiree is not enrolled*)
- ~~9-10.~~ Dependent Tuition Waiver
- ~~10-11.~~ Official university E-mail Address (username@nmsu.edu)

PART 5: PROCEDURAL GUIDELINES AND FORMS

Consistent with **RPM 1.10** and **ARP 1.10**, the Assistant Vice President for Human Resource Services may promulgate and post supplemental guidelines and/or required forms, to facilitate implementation, application or enforcement of this Rule.

Details

Scope: NMSU System

Source: ARP Chapter 8 | HR-Benefits

Rule Administrator: AVP Human Resource Services

Last Updated: 08/19/2013

Related

Cross-Reference:

RPM 1.10 - NMSU System Policies and Procedures

ARP 1.10 - Procedures to Revise NMSU Policies and Rules

ARP6.15 - Re-Employment of Retirees

See also:

ARP 8.65 - Emeritus Status

Revision History:

2017 Recompilation, formerly Rule 7.26

08/19/2013 Amendment approved by Board of Regents

06/20/2013 Amendment approved by Board of Regents

10/22/2007 Amendment approved by Board of Regents
