OREGON ADMINISTRATIVE RULE
PUBLIC EMPLOYEES RETIREMENT BOARD
CHAPTER 459
DIVISION 005 - ADMINISTRATION

OAR 459-005-0055 is amended as follows:

459-005-0055 Actuarial Equivalency Factors

(1) Experience Study. The Board’s consulting actuary shall present the
Experience Study required by ORS 238.605 to the Board by September 1 of each
even numbered year.

(2) Actuarial Equivalency Study. Pursuant to ORS 238.630(3)(g), the Board’s
consulting actuary shall present an Actuarial Equivalency Study to the Board as
soon as practicable, but no later than the December 15 next following the
presentation of the Experience Study described in section (1) of this rule. Such
Actuarial Equivalency Study shall review the assumptions and the actuarial factors
used to:

(a) Convert account balances to monthly allowances;

(b) Convert the standard form of benefit (ORS 238.300) to elective options with
various survivorship features (ORS 238.305); and

(c) Reduce service retirement allowances for early retirement (ORS 238.280).

(3) Adoption of actuarial equivalency factors.

(a) In computing the retirement allowance of members and alternate payees
with retirement dates from July 1, 2003, to January 1, 2005, the Board shall use
actuarial equivalency factor tables that are based on the mortality assumptions of
the actuary’s 2001 experience study adopted by the Board on September 10, 2002.

(b) Beginning effective January 1, 2005, the Board shall adopt actuarial
equivalency factor tables to be effective for January 1 of each odd numbered year.
Actuarial equivalency factor tables adopted under this section shall comply with the
standards set forth in OAR 459-005-0060.

(4) Calculation of retirement allowance.

(a) The provisions of this section apply to any member or alternate payee with
an effective date of retirement on or after July 1, 2003, except for a person who is a
judge member on June 30, 2003, and who makes an election under ORS 238.565(4).

(b) PERS shall establish years of service, an account balance and final average
salary as of June 30, 2003, for each person described in (a) above. The years of
service, account balance and final average salary shall be determined as provided in

(c) For each person described in (a) above, the Board shall perform the
following two calculations:

(A) “Regular” calculation. The Board shall calculate the retirement allowance
using:

(i) The years of service, account balance and final average salary as of the
effective date of retirement;

(ii) All calculations applicable to the member under ORS 238.300(2);

(iii) The optional form of retirement allowance selected by the member at
retirement under ORS 238.300, 238.305, 238.320 or 238.325; and
(iv) The actuarial equivalency factor tables in effect on the effective date of retirement.

(B) “Look-back” calculation. The Board shall calculate the retirement allowance using:

(i) The years of service, account balance and final average salary described in subsection (b) of this section;

(ii) All calculations applicable to the member under ORS 238.300(2); and


(d) The retirement allowance shall be the higher of the amounts described in paragraphs (c)(A) and (c)(B) of this section, payable as of the effective date of retirement.

(5) Death benefit payments. Any monthly payments to be made to a beneficiary under ORS 238.390, 238.395 or 238.405 shall use the actuarial equivalency factors in accordance with section 4 of chapter 68, Oregon Laws 2003 (Enrolled HB 2004).

(6) Judge members. The actuarial equivalency factor tables in effect on June 30, 2003, shall be used to calculate the retirement allowance and surviving spouse pension of a person who is a judge member on June 30, 2003, and who makes an election under ORS 238.565(4), whether that election is made before, on or after June 30, 2003.

[(1) Pursuant to ORS 238.630(3)(g), the Board's consulting actuary shall perform an Actuarial Equivalency Study following the completion of any Experience Study, pursuant]
to ORS 238.605, that results in a change in the mortality or interest assumption used to fund PERS. Such Actuarial Equivalency Study shall review the assumptions and the actuarial factors used to:

(a) Convert account balances to monthly allowances;
(b) Convert the standard form of benefit (ORS 238.300) to elective options with various survivorship features (ORS 238.305); and
(c) Reduce service retirement allowances for early retirement (ORS 238.280)

(2) The consulting actuary's report on the Actuarial Equivalency Study shall be presented to the Board not later than 90 days, or as soon as practicable thereafter, following the Board's formal acceptance, at a regularly scheduled meeting of the Board, of an Experience Study that results in a change in the mortality or interest assumption used to fund PERS.

(3) The consulting actuary's report shall recommend to the Board assumptions, factors and the rationale for any recommended changes to the actuarial equivalency factors used by the Public Employes' Retirement System (System).

(4) The Board shall adopt, reject, or modify and adopt as modified the consulting actuary's recommended changes to the actuarial equivalency factors used by the System within 60 days of receipt of the actuary's report on the Actuarial Equivalency Study, or as soon as practicable thereafter, at a regularly scheduled meeting of the Board.

(a) Any changes to the System's actuarial equivalency factors shall be on the date established by the Board upon adoption of the changes. Upon adopting any changes, the Board shall establish the date those changes are effective.
(b) All changes to the System's actuarial equivalency factors shall be prospective only for
that portion of an allowance attributable to service as an active member beginning on or
after the effective date of the change.

(5) Notwithstanding subsection (4)(b) of this rule, for members who established
membership in PERS before January 1, 1999, as described in Oregon Laws 1995,
Chapter 654, Section 2, the Board shall not change a factor that would produce a lower
periodic or single benefit payment, and any change of factor(s) shall apply to the total
allowance payable.

(6) For members who establish membership in PERS on or after the date designated in
section (5) of this rule:

(a) Benefits shall be based on the set of actuarial equivalency factors in effect for each
segment of a member's active membership in PERS effective with the date of each new set
of actuarial equivalency factors.

(b) The calculation of benefits using different sets of actuarial equivalency factors as
described in subsection (4)(b) of this rule shall be as follows:

(A) For benefit calculations based on the Full Formula method (ORS 238.300(1)) and

(2)(a):

(i) The pension portion of the calculation which is provided by employer contributions
shall use the Service Pro-Rate Method defined in section (7) of this rule; and

(ii) The annuity portion of the calculation which is provided by employee contributions
shall use the Segment With Interest Method as defined in section (7) of this rule.

(B) For benefits based on the Money Match calculation (ORS 238.300(2)(b)(A)), the
annuity which is provided by employee contributions shall use the Segment With Interest
Method as defined in section (7) of this rule and that annuity shall be matched by a like annuity provided by employer contributions.

(7) For purposes of this rule:

(a) "Service Pro-Rate Method" means that a benefit is pro rated based on an active member's service time before and after an event.

(b) "Segment With Interest Method" means the member's ultimate account balance at retirement is allocated into segments based on when the contributions were made.

Stat. Auth: ORS 238.630 & ORS 238.650
Stats. Implemented: ORS 238.630(3)(g)
Hist.: PERS 1-1993, f. 4-14-93, cert. ef. 5-1-93; PERS 6-1996, f. 8-13-96, cert. ef. 1-1-99