

## NHRS Online Resources for Employers

The New Hampshire Retirement System (NHRS, the retirement system) has developed several publications summarizing 2011 legislative changes, many of which will continue to be updated in the coming months. All of these documents may be accessed from the NHRS Employer Notices page at: <http://www.nhrs.org/Employers/Notices.aspx>

Here is a summary of current material:

### **Summary of 2011 Legislative Changes**

A grid outlining 2011 legislative changes and how they apply to members vested prior to January 1, 2012, members not vested prior to that date, and members hired on or after July 1, 2011.

### **NHRS Employer Frequently Asked Questions About 2011 Legislation**

Answers to general questions regarding the implementation and interpretation of changes to RSA 100-A enacted in 2011. (Updated periodically)

### **FAQ on Part-time Employment of NHRS Retirees**

Answers to general questions regarding part-time employment of NHRS retirees. (Updated periodically)

### **FAQ on Employer Assessment**

Questions and answers to specific issues regarding the revised employer assessment (i.e. "spiking charge") contained in RSA 100-A:16,III-a. (Updated periodically)

### **FAQ on \$3.5 Million State Appropriation to Political Subdivisions**

Questions and answers related to the \$3.5 million state appropriation for Fiscal Year 2012 to offset political subdivision employer contributions to NHRS for Teacher, Police, and Fire members.

## Update: Employer Assessment Estimator

The New Hampshire Retirement System is issuing this notice to inform NHRS participating employers that the online estimator for employers to evaluate their potential costs under RSA 100-A:16, III-a, as amended, was, in some cases, underestimating the employer assessment.

The online estimator has been updated and can be found in the Employer Notices section of the NHRS website at: <http://www.nhrs.org/Employers/Notices.aspx>

**NHRS encourages employers that have used the estimator since it was posted on August 18, 2011, to re-input their member salary data into the updated estimator and compare the results to their initial estimates. If an employer downloaded the previous version of the estimator to a personal computer, that version should be deleted.**

House Bill 462 (Chapter 230, Laws of 2011) amended RSA 100-A:16, III-a, relative to the determination of employer assessments for excess benefits paid by employers in the retirement system ("spiking"). RSA 100-A:16, III-a, which was scheduled to take effect July 1, 2011, will become effective July 1, 2012.

For additional information:

Text of House Bill 462: <http://www.gencourt.state.nh.us/legislation/2011/HB0462.html>

NHRS FAQ on employer assessment: [http://www.nhrs.org/documents/NHRS\\_Employer\\_QA\\_HB462.pdf](http://www.nhrs.org/documents/NHRS_Employer_QA_HB462.pdf)

## NHRS Trustees Decide Not To Pursue Rate Recertification Lawsuit

The NHRS Board of Trustees will not pursue its lawsuit regarding the employer rate recertification language contained in Section 188 of House Bill 2 (Chapter 224, Laws of 2011). However, the Board of Trustees reserves the right to challenge future statutory changes relating to employer rate certification.

On July 12, NHRS filed a request for an injunction in Merrimack County Superior Court, seeking to halt the implementation of the section of House Bill 2 dealing with the recertification of NHRS employer contribution rates for Fiscal Years 2012 and 2013. The retirement system Board of Trustees voted June 28, 2011, to approve a motion "to file an immediate injunction seeking a review of the constitutionality of HB 2, section 188."

Because the Court did not grant the retirement system's request for an immediate injunction following a July 14 hearing, the Board of Trustees proceeded with the rate recertification process outlined in House Bill 2, and new employer contribution rates for Fiscal Years 2012 and 2013 were certified, effective August 1, 2011.

The Board does not retreat from the legal position it has taken in this action; it simply concluded that there is no relief it wishes the Court to order at this time. The retirement system's consulting actuary will soon be developing draft employer contribution rates for Fiscal Years 2014 and 2015, which the Board will certify in Sept. 2012.

## NHRS 2011 Law Book

NHRS is governed by statute (NH RSA 100-A) and the administrative rules promulgated by the NHRS Board of Trustees. Both the statutes and the administrative rules may be accessed through the NHRS website at [www.nhrs.org](http://www.nhrs.org).

As a courtesy to its participating employers, NHRS is providing each employer with a copy of the 2011 NHRS statutory provisions book ("law book"). Employers are asked to retain this copy of the law book as a reference.

The 2011 law book is on order from the printer and is expected to be available later this year.

## Reporting Extra or Special Duty Pay

Employers are requested to continue using the Extra or Special Duty Pay (ESDP) reporting spreadsheet to identify those earnings reported each month. While employers should also report these earnings as part of total wages in the monthly reporting file, this spreadsheet is necessary for NHRS to track ESDP correctly in member records.

Employers may access a copy of the ESDP reporting spreadsheet by visiting the NHRS website at: <http://www.nhrs.org/Employers/Resources.aspx>

## Retirement System Member Education Sessions

NHRS offers retirement education sessions to members throughout the state who are not yet retired. During these general information programs, members of all ages and in various stages of their career will be provided with information about NHRS benefits, including an overview of NHRS as a defined benefit plan; service, early, disability, and vested deferred retirement; pre-retirement and post-retirement death benefits; and other important aspects of NHRS retirement benefits. Employers are encouraged to let their employees know these sessions are offered.

**Note: These presentations have been updated to reflect 2011 legislative changes.**

Because retirement benefits differ between Group I (Employee and Teacher) and Group II (Police and Fire), separate sessions are scheduled for members of each group.

To register, members may go to [www.nhrs.org/Events/Member.aspx](http://www.nhrs.org/Events/Member.aspx) and click on the session they want to attend. Additional sessions will be listed online as they are scheduled.

The New Hampshire Retirement System (NHRS) is governed by New Hampshire RSA 100-A, rules, regulations, and Federal laws including the Internal Revenue Code. NHRS also implements policies adopted by the Board of Trustees. These laws, rules, regulations, and policies are subject to change. Even though the goal of NHRS is to provide information that is current, correct, and complete, NHRS does not make any representation or warranty as to the current applicability, accuracy, or completeness of any information provided. The information herein is intended to provide general information only, and should not be construed as a legal opinion or as legal advice. Members are encouraged to address specific questions regarding NHRS with an NHRS representative. In the event of any conflict between the information herein and the laws, rules, and regulations which govern NHRS, the laws, rules, and regulations shall prevail.