

IMPORTANT INFORMATION:

The Defined Contribution Plan 2025, Tier 3 has an employer match available to employees first enrolled January 1, 2025. The employer must match up to 3% of the employee's voluntary contribution in either the Defined Contribution Plan or the State of ND Deferred Compensation 457 Plans.

Two ways to get the match!

ACT IN THE FIRST 30 DAYS: The Defined Contribution 2025, Tier 3 match **MUST** be elected by the employee within the first 30 days of their hire date. The employee cannot contribute more than an additional, optional 3% to the Defined Contribution 2025, Tier 3.

ANYTIME: If the employee does not voluntarily elect to receive the Defined Contribution match in the first 30 days of their hire date, they may choose to participate in the State of ND Deferred Compensation 457 Plan to receive the match of up to 3%. The employee may choose to add additional funds to the State of ND Deferred Compensation 457 per IRS guidelines.

The employer must only match a **cumulative 3%** between the Defined Contribution 2025, Tier 3 and the State of ND Deferred Compensation 457.

If You Are Trying To:

Use This Form

Enrollment & Waivers

Enroll an eligible new permanent employee in the Defined Contribution Plan 2025	Defined Contribution Retirement Program Election SFN 62522 New Hire Guide and Forms
Enroll an eligible temporary/part-time employee in the Defined Contribution Plan 2025	Agreement/Waiver of Participation for Optional Defined Contribution Retirement Plan SFN 54366 New Hire Guide and Forms .
Notify NDPERS of an eligible temporary/part-time employee's election NOT to participate in the Defined Contribution Plan	Agreement/Waiver of Participation for Optional Defined Contribution Retirement Plan SFN 54366 New Hire Guide and Forms .
Waive participation for reemployed NDPERS Retiree	Retirement Plan Membership Waiver SFN 54286 (not available on the website - contact NDPERS)

Designations & Changes

Change a beneficiary for retirement benefits	Designation of Beneficiary for the Group Retirement Plan SFN 2560
Report a name, marital, or address change	PERSLink Member Self Service or Notice of Change SFN 10766
Report a leave of absence, leave of absence extension, or return from leave	Employment Change Request through Employer Self Service
Report an employee's classification change, reduction in hours or status change from permanent to part-time/temporary within agency	Employment Change Request through Employer Self Service
Report an employee transferring to another NDPERS	Notice of Transfer Guide and Forms

Purchases

Initiate purchase information on active military duty for a Defined Contribution Plan employee	Send the DD214 to NDPERS. NDPERS will provide Purchase Agreement for USERRA Covered Military Active Duty SFN 17758. More information
Verify the amount of employee contributions paid by a reservist that may require the employer to refund	Verification of Previous Public Employment (SFN 19397)

If You Are Trying To:

Use This Form

Separation of Employment

Notify NDPERS of an employee's separation of employment (for all circumstances)	Employment Change Request through Employer Self Service
Initiate a refund of a terminating employee's Defined Contribution Plan	Refund/Rollover Guide and Forms
Initiate a direct rollover of a terminating employee's Defined Contribution Plan	Refund/Rollover Guide and Forms
Initiate a deferred retirement benefit for a terminating employee's Defined Contribution Plan	Deferred Retirement Guide and Forms
Initiate a retirement benefit for a terminating employee's Defined Contribution Plan	Retirement Guide and Forms
Initiate a distribution due to disability for a terminating employee's Defined Contribution Plan	Disability Retirement Guide and Forms
Report the death of an active employee	Use the "Report A Death" functionality through Employer Self Service
Provide retirement benefits for a surviving spouse	Application for Surviving Spouse Benefits SFN 52254 & Beneficiary Distribution Information (not on website. Provided by NDPERS upon report of death)

DEFINED CONTRIBUTION RETIREMENT PLAN ENROLLMENT

Defined Contribution Retirement Plan Enrollment SFN-62522 found in the [New Hire Guide](#) and [Forms](#)

Eligible, permanent employees are automatically enrolled in the Defined Contribution 2025, Tier 3 Plan.

Employees MUST ACT within the first 30 days of hire to receive an **up to 3% match** in the Defined Contribution Plan. Get the match through [Member Self Service](#) or this form.

The Defined Contribution Plan 2025, Tier 3 has an employer match available to employees first enrolled January 1, 2025. The employer must match up to 3% of the employee's voluntary contribution in either the Defined Contribution Plan or the State of ND Deferred Compensation 457 Plans.

Two ways to get the match!

ACT IN THE FIRST 30 DAYS: The Defined Contribution 2025, Tier 3 match MUST be elected by the employee within the first 30 days of their hire date. The employee cannot contribute more than an additional, optional 3% to the Defined Contribution 2025, Tier 3.

ANYTIME: If the employee does not voluntarily elect to receive the Defined Contribution match in the first 30 days of their hire date, they may choose to participate in the State of ND Deferred Compensation 457 Plan to receive the match of up to 3%. The employee may choose to add additional funds to the State of ND Deferred Compensation 457 per IRS guidelines.

The employer must only match a **cumulative 3%** between the Defined Contribution 2025, Tier 3 and the State of ND Deferred Compensation 457.

See [the Defined Contribution Plan Handbook](#) for definition of mandatory participation.

[NDCC 54-52.6-01](#) defines an eligible employee who is first enrolled effective January 1, 2025 in the Defined Contribution Plan as having the same meaning as provided under section [54-52-02.15](#).

[According to 54-52.6-09](#), all eligible employees of a participating employer must be immediately enrolled in the NDPERS Defined Contribution Plan within the first month of employment. Per NDCC 54-52-02.15, "eligible employee" means a permanent employee who meets the following:

- Is at least eighteen years of age,
- Becomes a participating member after December 31, 2024, and
- Is not eligible to participate in the law enforcement plan, judges' plan, highway patrol plan, teachers' fund for retirement plan, or alternative retirement plan established under [section 15-10-17](#) for university system employees.

After December 31, 2024, under 54-52.6-02.1, eligible employees include the following:

- Temporary or Part-time employees within 180 days of beginning employment must complete the Agreement/Waiver of Participation for [Optional Defined Contribution Retirement Plan SFN 54366](#).
- Elected or appointed state officials enrolled for the first time, from and after the date that individual qualifies and takes office.
- Nonstate appointed officials of participating employers within the first month of taking office.

(Rev. 01-2025)

- County elected official of participating counties, at their individual option, may enroll within the first six months of their term.
- Employees, who were formerly enrolled in the Defined Contribution Plan and are employed with a participating employer will be grandfathered into the [Defined Contribution Tier](#) previously enrolled in.

FAILURE TO COMPLETE THIS FORM COULD LEAVE THE EMPLOYER VULNERABLE TO LEGAL ACTION.

FILING PROCEDURE: Original to NDPERS – Please retain a photocopy for your records.

AGREEMENT/WAIVER OF PARTICIPATION FOR DEFINED CONTRIBUTION OPTIONAL

Agreement/Waiver of Participation for Optional Defined Contribution Retirement Plan
SFN-54366 found in the [New Hire Guide](#) and [Forms](#)

This form must be completed within the first six- (6) months of hire for all

- **temporary and part-time** employees who previously elected to participate in the Defined Contribution Plan and **who do not qualify for mandatory participation.**
- employees who currently participates in the Defined Contribution Plan whose **job status is changing from permanent employment to temporary/part-time employment** to indicate whether they will participate or decline to participate in the Defined Contribution Plan.

Failure to enroll in NDPERS will result in an **irrevocable** waiver of participation.

See [the Defined Contribution Plan Handbook](#) for definition of mandatory participation.

Note: A part-time and temporary employee may not participate in NDPERS as an optional participant if he/she is actively contributing to another employer sponsored pension plan (public or private).

[NDCC 54-52.6-01](#) defines an eligible employee who is first enrolled effective January 1, 2025 in the Defined Contribution Plan as having the same meaning as provided under section [54-52-02.15](#).

[According to 54-52.6-09](#), all eligible employees of a participating employer must be immediately enrolled in the NDPERS Defined Contribution Plan within the first month of employment. Per NDCC 54-52-02.15, "eligible employee" means a permanent employee who meets the following:

- Is at least eighteen years of age,
- Becomes a participating member after December 31, 2024, and
- Is not eligible to participate in the law enforcement plan, judges' plan, highway patrol plan, teachers' fund for retirement plan, or alternative retirement plan established under [section 15-10-17](#) for university system employees.

After December 31, 2024, under 54-52.6-02.1, eligible employees include the following:

- Temporary or Part-time employees within 180 days of beginning employment must complete the Agreement/Waiver of Participation for [Optional Defined Contribution Retirement Plan SFN 54366](#).
- Elected or appointed state officials enrolled for the first time, from and after the date that individual qualifies and takes office.
- Nonstate appointed officials of participating employers within the first month of taking office.
- County elected official of participating counties, at their individual option, may enroll within the first six months of their term.
- Employees, who were formerly enrolled in the Defined Contribution Plan and are employed with a participating employer will be grandfathered into the [Defined Contribution Tier](#) previously enrolled in.

FAILURE TO COMPLETE THIS FORM COULD LEAVE THE EMPLOYER VULNERABLE TO LEGAL ACTION.

FILING PROCEDURE: Original to NDPERS – Please retain a photocopy for your records.

**RETIREMENT PLAN MEMBERSHIP WAIVER
SFN 54286**

If the employee is eligible, use this if the employee is receiving a NDPERS retirement benefit and returns to work with a participating NDPERS agency. The form is not on the NDPERS website and will be provided to the eligible employee.

This form must be completed NO EARLIER than 31 days after a severance of employment.

An employee who is eligible for normal retirement and who accepts a retirement benefit becomes reemployed with a NDPERS participating employer other than the employer with which the employee was employed at the time the employee retired may, before reenrolling in the retirement plan, elect to permanently waive future participation in the Defined Benefit or Defined Contribution plan and the retiree health insurance credit program. An employee making this election is not required to make any future employee contributions to NDPERS nor is the employer required to make any further contributions on behalf of that employee.

Under [N.D.C.C. 54-52-01\(8\)](#), a "Governmental unit" means the state of North Dakota, except the highway patrol for members of the retirement plan created under chapter 39-03.1, or a participating political subdivision thereof. Therefore, North Dakota state agencies are considered one employer group and any member retiring with one state agency and becoming reemployed with another state agency **would not be eligible** for the provisions of HB 1266. The following retired members may be eligible for the provisions of HB 1266:

<u>Past Employer</u>	to	<u>New Employer</u>
State		Political Subdivision
Political Subdivision		State
Political Subdivision		Political Subdivision

Each retired member that becomes reemployed who is eligible to decline future participation in the NDPERS defined benefit/defined contribution plan will be required to complete a "Retirement Plan Membership Waiver **SFN 54286**". **This form will only be available upon request from NDPERS and only after an employee's return to work has been reviewed.**

If a waiver of membership is received prior to reemployment, the retiree will be sent confirmation and notice that his/her retirement benefit payments will not be suspended nor will they receive retirement credit for subsequent employment.

If a retirement membership application is received, NDPERS will research the retiree's age, if the retiree retired on or after their normal retirement date, he/she will be contacted. The retiree will be given 30 days to waive enrollment in the defined benefit/defined contribution plan and continue receiving retirement benefit payments with no future contributions.

If NDPERS staff receives retirement contributions without an enrollment or waiver on file, the reemployed retiree's age will be researched. If the retiree retired on or after his/her normal retirement date, the contributions will be suspended and the retiree will be contacted. The member will be given 30 days to either waive or enroll in the defined benefit/defined contribution plan.

If a retiree, under either of the above scenarios, does not respond within 30 days, the default will be to enroll the retiree as an active participant in the plan in which they are eligible and contributions will be posted accordingly. The member will be sent notice that his/her retirement benefit payments will be suspended and a second account established. Upon termination of employment, the accounts will be combined and retirement benefit payments will resume.

FAILURE TO COMPLETE THIS FORM COULD LEAVE THE EMPLOYER VULNERABLE TO LEGAL ACTION.

**DESIGNATION OF BENEFICIARY FOR THE GROUP RETIREMENT PLAN
SFN 2560**

The Designation of Beneficiary form is used to designate and update beneficiaries for retirement benefits.

For **FURTHER** instructions on completing the form, please refer to the back of the form.

PART A: EMPLOYEE INFORMATION

TO BE COMPLETED BY THE EMPLOYEE

1. Enter all employee information as requested.

Designation of a primary beneficiary other than a spouse or in addition to the spouse is subject to the regulations set forth in Part D of the form.

2. Enter all spouse's information, if applicable.

PART B: PRIMARY BENEFICIARY DESIGNATION

1. List the name(s) of each primary beneficiary.
2. Indicate the beneficiary's relationship to the member, beneficiary's social security number, birth date, percent of shares designated, and address. **NOTE: If the primary beneficiary's social security number, date of birth, or designated percentage is not provided, the form will be returned.**

PART C: CONTINGENT (SECONDARY) BENEFICIARY DESIGNATION

1. The member may designate contingent beneficiaries who will receive the benefits if the primary beneficiary(ies) predeceases the member. Enter all information as requested. Shares for all contingent beneficiaries must equal 100%.
2. **DESIGNATED BENEFICIARIES:** All beneficiary designations shall equal 100% of the benefit. If the benefit is being divided amongst multiple beneficiaries and the total share does not equal 100% , NDPERS shall amend the designations in order to reach the 100% total, but in no circumstance will NDPERS amend the beneficiary designation by more than (1)%. If an amendment is necessary, the additional percentage shall be credited to the eldest beneficiary. If shares are not designated, NDPERS will distribute benefits equally to the named beneficiary (ies). As this distribution may not reflect the member's preference, we recommend the member be sure to designate the percent of share for each listed beneficiary.
3. The member must sign and date the form. The member's signature must reflect the name as entered in Part A. The designation will be effective when received and executed by the NDPERS office.

RE-EMPLOYMENT

Defined Contribution Retirement Plan Enrollment [SFN-62522] or Agreement/Waiver of Participation for Optional Defined Contribution Retirement Plan [SFN-54366] found in the [New Hire Guide](#) and [Forms](#)

This form is to be used to notify NDPERS of the re-employment of a NDPERS Defined Contribution Plan member. [NDCC 54-52.6](#) requires that a member that previously made an election to become a Defined Contribution Plan participant must remain a participant in this plan unless their new position requires them to be covered under the Teacher's Fund for Retirement (TFFR), Teacher's Insurance and Annuity Association College Retirement Equities Fund (TIAA-CREF), Judges Retirement System or the Highway Patrol Retirement System.

The information from the Defined Contribution Retirement Plan Enrollment [SFN-62522] or Agreement/Waiver of Participation for Optional Defined Contribution Retirement Plan [SFN-54366] must be received before retirement contributions can be credited. Please send this information to NDPERS by the end of the month for which they are being enrolled.

For instructions on completing the form, please refer to the back of the form.

[A Designation of Beneficiary for the Group Retirement Plan, SFN 2560](#), should accompany the Retirement Membership Application.

HOWEVER, DO NOT DELAY SENDING THE RE-EMPLOYMENT OF A DEFINED CONTRIBUTION PLAN MEMBER FORM IF YOU DON'T HAVE ALL OF THE INFORMATION REQUIRED FOR THE DESIGNATION OF BENEFICIARY FORM.

It is more important for NDPERS to get the Retirement Membership Application--the Designation of beneficiary may be sent later.

FILING PROCEDURE: Original to NDPERS – Please retain a photocopy for your records.

**PURCHASE AGREEMENT FOR USERRA COVERED MILITARY ACTIVE DUTY
SFN 17758**

This form should be used to notify NDPERS that an employee has returned from active military duty that interrupted NDPERS covered employment and is interested in receiving information about the cost to purchase the months missed during the approved leave of absence. A copy of the employee's DD214 or NGB22 Discharge Form is also required to verify the interruption of service qualifies under the Uniform Services Employment and Re-employment Rights Act (USERRA).

USERRA's Impact on the Defined Contribution Plan

An Employment Change Request for a leave of absence **must** be completed through Employer Self Service indicating the date the member leaves active employment. This should also be completed to notify NDPERS of the member's return to employment from active duty.

Upon return from active duty, the member may be entitled to have their credit while on active duty recognized by NDPERS for vesting in the employer contribution and benefit eligibility purposes in the retiree health credit (i.e. meeting Rule of 85). A reservist should make application to NDPERS by submitting a written request for the above along with a photocopy of their DD214 form.

In addition, a returning reservist has the option to purchase the service credit not accrued during the leave. Retirement credit may be granted for this purpose upon proper documentation and receipt of past contributions. If the employee elects to purchase the months of service, the credited service is only used in the retiree health credit benefit calculation as the Defined Contribution plan does not provide retirement benefits based on a benefit calculation. The service credit is also counted towards vesting in the employer contribution.

If application is made to the employer, the employer is required to pay the employer portion of the retirement contributions on behalf of a reservist that applies to purchase the missed service. The employer is also required to pay any portion of the employee contribution in the same manner that it would have been paid had the reservist not been activated. If the employer does not pay any or all of the employee contribution on behalf of its employees, the reservist is required to pay the employee contribution in order to receive the service credit.

The salary to be used in determining the cost to receive the credit must be based on the salary that would have accrued had the reservist not been called into active duty, rather than the salary the reservist is earning at the time of inquiry. If the salary can not be determined, the employee's average rate of compensation during the 12-month period immediately preceding their call to active duty should be used. The following applies to the payment of purchased credit:

- 1) The timeframe that the reservist has to pay any required employee contributions to the plan is 3 times the period of active duty or 5 years, whichever is less. If the reservist does not apply and/or purchase during this timeframe, then the employee will not have opportunity to purchase the service in the future as there are not purchase provisions within this plan.

- 2) If a reservist chooses to make installment payments to the plan to purchase the service, the plan can not charge interest on the unpaid balance.

- 3) If the reservist elects to make monthly payments through payroll deduction, then the employer will be required to submit the same amount of monthly payments towards the required employer contribution, as well as any employee contribution that the employer is required to pay. If the reservist elects any other type of installment payment or is not having payments payroll deducted, then the employer will be billed upon the completion of the purchase by the employee for all required employer paid contributions (employee or employer depending on reporting option).

Upon receipt of the Purchase Agreement for USERRA Covered Military Active Duty **SFN 17758**, NDPERS will compute the cost for the reservist to receive the credit and will send written notification to the reservist and/or employer.

For instructions on completing the form, please refer to the back of the form.

As a result of legislation, an employer is responsible for refunding employee contributions to a reservist who submitted payment to NDPERS to obtain USERRA covered active military duty if the employer would have paid the contributions on behalf of the individual had they not been activated. The law is retroactive to October 1, 1994.

1. The employee must complete Part A to authorize the sharing of this type of information between the employer and NDPERS.

2. The employer must complete Part B to provide NDPERS with notification of the reservist and employers intent. Also, they must answer the questions in Part B to assist NDPERS with determining if the provisions of NDCC 54-52.6-09.4 apply.

3. Upon receipt, NDPERS will review the member record and will complete Part C. A copy of the completed verification form will be provided to the member and the employer.

4. The employer is responsible for refunding the returning reservist based on the information provided by NDPERS.

FILING PROCEDURE: Original to NDPERS – Please retain a photocopy for your records

**NOTICE OF CHANGE
SFN 10766**

Use to notify NDPERS of:

- Name change
- Address change
- Marital Status change
- Telephone Number change
- E-mail Address change
- Contact Change

Whenever the [Notice of Change SFN 10766](#) is completed and sent to NDPERS, the accuracy of the information **must be certified by the authorized agent** or the member and the form must be dated. If someone other than the authorized agent or member signs the form, **it will be returned for the proper signature.**

For **FURTHER** instructions on completing the form, please refer to the back of the form.

1. Complete a marital status change whether there is a name change or not.
2. In cases of marital status change, it is necessary that the member complete a [new Designation of Beneficiary SFN 2560](#) and [Life Insurance Designation of Beneficiary SFN 53855](#)
3. Name changes should match the name the member has filed with Social Security.
4. The authorized agent or the member **must** sign Part F for this form to be valid.

FILING PROCEDURE: Original to NDPERS – Please retain a photocopy for your records.

**NOTICE OF TRANSFER
SFN 53706**

All instructions, terms and conditions are in the NDPERS [Notice of Transfer Guide](#) and [Forms](#)

If the employee will not begin employment with a new participating agency within 31 days from the date of employee's last regular pay check with your agency, a separation of employment guide must be completed by both the employee and the authorized agent.

Plan Document Article 6.1: "Termination of employment" means a severance of employment by not being on the payroll of a [covered](#) employer for a minimum of one month. Approved leave of absence does not constitute termination of employment.

Often employees will terminate their position with an employer participating in NDPERS and take a job with another employer who is also participating in NDPERS. Please note, if you have an employee who is transferring into or out of your agency during the month, it is required that you make a contribution for the partial month. Therefore, NDPERS will receive contributions from both employers during the month that the transfer occurs.

1. Retirement service record will transfer if new employer participates with NDPERS. A member will remain a participant of the Defined Contribution plan unless their new position requires participation in the ND Highway Patrol, Teacher's Fund for Retirement or the TIAA-CREF system through the ND University System.
2. In recognition of the fact that the current employer may not be aware of the circumstances regarding a departing employee's employment plans and subsequently a new employer will not receive any transfer information, NDPERS has developed a series of scenarios along with the required administrative procedures to follow depending on the particular situation. These procedures are designed to ensure transfers are processed consistently based on "what the employer knows at the time of separation of employment."

Situation: **Current employer knows the employee is transferring to another covered employer:**

1. Complete the Notice of Transfer Guide which contains the NOTICE OF TRANSFER FORM
2. Send the NOTICE OF TRANSFER FORM to the new employer

Situation: **Current employer has no knowledge that terminating employee is transferring to another covered employer:**

1. Current employer and employee completes the appropriate separation of employment Guide
2. Send the complete Guide to NDPERS
3. NDPERS will process accordingly in absence of any other information

Situation: **New employer receives a NOTICE OF TRANSFER FORM from a participating employer.**

1. Do not have transferring employee complete new enrollment forms for plans indicated in Part C of the NOTICE OF TRANSFER FORM
2. Set up employee with benefits according to the information provided in Part C of the NOTICE OF TRANSFER FORM
3. Have employee complete enrollment forms for programs not previously enrolled in through previous employer
4. Submit any enrollment forms to NDPERS

Situation: **New employer is not aware a new employee is a transfer from another participating employer. Previous employer processed as a separation of employment and employee does not provide the information.**

1. Have new employee complete all required enrollment forms
2. Send the enrollment forms to NDPERS
3. If there is an existing record, and the hire date is within 31 days of separation from previous employer, NDPERS will notify you that employee is a transfer from another participating employer and will:
 - a. Void the enrollment forms for any programs that employee previously participated in.
 - b. Complete Parts A-D of the Notice of Transfer form and send it to new employer.
 - c. Employer will set up benefit record according to information provided in Part C of transfer form
 - d. Employer must complete Parts E and F on the form and return it to NDPERS

Situation: **New employer is aware a new employee is a transfer but previous employer treated as a separation of employment and did not complete a Notice of Transfer Form**

1. Complete Parts A, E, and F of the NOTICE OF TRANSFER FORM.
2. Send the NOTICE OF TRANSFER FORM to NDPERS
3. If hire date is within 31 days of separation from previous employer, NDPERS will complete Part C based on existing record and return the form to the new employer
4. Have employee complete enrollment forms for programs not previously enrolled in through previous employer
5. Employer will set up the benefit record accordingly

See the FlexComp Plan and the Group Insurance Sections for further details.

For FURTHER instructions on completing the form, please refer to the back of the form.

FILING PROCEDURE: Original to NDPERS – Please retain a photocopy for your records

EMPLOYMENT CHANGE REQUESTS THROUGH EMPLOYER SELF SERVICE

Use to notify NDPERS of:

- Employee leave of absence/leave without pay
- Extending leave of absence/leave without pay
- Employee's return from leave of absence
- Employee's classification change within agency
- Employment type change
- Employee's reduction in hours/change from permanent to part time/temporary
- Employee's termination of employment

EMPLOYMENT STATUS CHANGES

LEAVE OF ABSENCE

1. NDPERS must be notified whenever an employee is taking a leave without pay and the reason for the leave.
2. A leave of absence cannot exceed one year without being recertified. If an employee is taking an unpaid leave in excess of two years, the employee's membership in NDPERS should be terminated unless the leave is due to an interruption of covered employment due to military activation. However, since the employee has not separated employment with the employer, the employee is not entitled to a distribution of their retirement benefits.
3. NDPERS must be notified of a return from leave prior to the employer resuming retirement contributions for the employee.

EMPLOYMENT CHANGES

1. Job Class (This may affect their eligibility for benefits, as well as, how the employee is reported to NDPERS.)
2. Employment Type (example: Temporary to Permanent)
3. Participation Status (example: Contributing to Non-Contributing)
4. Hourly or Seasonal Status

REDUCTION IN HOURS OR PERMANENT TO PART-TIME/TEMPORARY

Defined Benefit Plan: If notifying NDPERS of an employee's change from permanent to temporary service, have employee complete an Agreement/Waiver of Participation for Defined Benefit Optional Participants **SFN 17627**.

Defined Contribution Plan 2025: notifying NDPERS of an employee's change from permanent to temporary service, have employee complete an Agreement/Waiver of Participation for Optional Defined Contribution Retirement Plan **SFN-54366**.

SEPARATION OF EMPLOYMENT GUIDES

The employer or employee may obtain the following from the NDPERS website:

- [Deferred Retirement Guide](#) and [Forms](#)
- [Refund/Rollover Guide](#) and [Forms](#)
- [Disability Retirement Guide](#) and [Forms](#)
- [Retirement Guide](#) and [Forms](#)
- [Notice of Transfer Guide](#) and [Forms](#) (Transferring from one agency to another that has the NDPERS benefits)

APPLICATION FOR REFUND OR DIRECT ROLLOVER
SFN 53789

All instructions, terms and conditions are in the NDPERS [Refund/Rollover Guide](#).

The member must first complete and return the NDPERS [Forms](#) to NDPERS. The forms must be completed and on file with NDPERS at least 31 days prior to distribution. Processing of refunds or rollovers may take approximately 45 to 60 days from the employee's last regular paycheck.

The member must also contact [Empower](#) to apply for a refund/rollover. NDPERS will review the refund/rollover once the [NDPERS Application for Refund or Direct Rollover SFN 53879](#) is received in the NDPERS office in good order and at least 31 days prior to distribution.

[N.D.C.C Chapter 54-52.6-13 \(1\)](#): A participating member is eligible to receive distribution of that person's accumulated balance in the plan upon becoming a former participating member.

[N.D.C.C. Chapter 54-52.6-13 \(3\)](#): A former participating member or refund beneficiary may elect one or a combination of several of the following methods of distribution of the accumulated balance: a) A lump sum distribution to the recipient b) A lump sum direct rollover to another qualified plan, to the extent allowed by federal law c) Periodic distributions, as authorized by the board d) No current distribution, in which case the accumulated balance must remain in the plan until the former participating member or refund beneficiary elects a method or methods of distribution under this section, to the extent allowed by federal law.

Plan Document Article 6.1: "Termination of employment" means a severance of employment by not being on the payroll of a covered employer for a minimum of one month. Approved leave of absence does not constitute termination of employment.

A terminating employee **MUST** read the "Safe Harbor Explanation" regarding federal income tax on plan payments. Under Federal regulations, the "Safe Harbor Explanation" must be given to the terminating employee a **minimum of 30 days** prior to a refund or rollover, but **not more than 120 days** prior. The date that the terminating employee signs the Application for Refund or Direct Rollover SFN 53725 will be the start of the "minimum 30 day notification requirement."

A terminating member who has less than \$1,000.00 in their Defined Contribution account will be automatically **refunded** his or her retirement monies, unless a completed separation of employment guide is submitted to NDPERS.

FILING PROCEDURE: Original to NDPERS – Please retain a photocopy for your records.

**APPLICATION FOR DEFERRED RETIREMENT
SFN 59044**

All instructions, terms and conditions are in the [Deferred Retirement Guide](#) and [Forms](#)

[N.D.C.C. Chapter 54-52.6-13 \(1\)](#): A participating member is eligible to receive distribution of that person's accumulated balance in the plan upon becoming a former participating member.

[N.D.C.C. Chapter 54-52.6-13 \(3\)](#): A former participating member or refund beneficiary may elect one or a combination of several of the following methods of distribution of the accumulated balance: a) A lump sum distribution to the recipient b) A lump sum direct rollover to another qualified plan, to the extent allowed by federal law c) Periodic distributions, as authorized by the board d) No current distribution, in which case the accumulated balance must remain in the plan until the former participating member or refund beneficiary elects a method or methods of distribution under this section, to the extent allowed by federal law.

Plan Document Article 6.1: "Termination of employment" means a severance of employment by not being on the payroll of a covered employer for a minimum **of one month. An approved leave of absence does not constitute termination of employment.**

1. A member can leave his/her Member Account Balance intact with Investments and take a refund, rollover or periodic payment at a later date.

A terminating member who has less than \$1,000 in their Defined Contribution account will automatically be refunded his or her retirement monies, unless a completed separation of employment guide is submitted to NDPERS.

FILING PROCEDURE: Original to NDPERS – Please retain a photocopy for your records.

**APPLICATION FOR DEFINED CONTRIBUTION
PLAN PERIODIC PAYMENTS SFN 59045**

All instructions, terms and conditions are in the [NDPERS Retirement Guide](#) and [Forms](#).

The forms must be completed and on file with NDPERS at least 31 days prior to distribution.

The member must also contact [Empower](#) to apply for a distribution. NDPERS will review the distribution once the [NDPERS Application for Periodic Payments for Defined Contribution SFN-59045](#) is received in the NDPERS office in good order and at least 31 days prior to distribution.

N.D.C.C. Chapter 54-52.6-13 (1): A participating member is eligible to receive distribution of that person's accumulated balance in the plan upon becoming a former participating member.

N.D.C.C. Chapter 54-52.6-13 (3): A former participating member or refund beneficiary may elect one or a combination of several of the following methods of distribution of the accumulated balance: a) A lump sum distribution to the recipient b) A lump sum direct rollover to another qualified plan, to the extent allowed by federal law c) Periodic distributions, as authorized by the board d) No current distribution, in which case the accumulated balance must remain in the plan until the former participating member or refund beneficiary elects a method or methods of distribution under this section, to the extent allowed by federal law.

Plan Document Article 6.1: "Termination of employment" means a severance of employment by not being on the payroll of a covered employer for a minimum of one month. Approved leave of absence does not constitute termination of employment.

N.D.C.C. Chapter 54-52.6-02: An employee who has accepted a retirement distribution pursuant to section 54-52.6-13 and who subsequently becomes employed with an entity different from the employer with which the member was employed at the time the member retired but which does participate in any state-sponsored retirement plan may, before reenrolling in the defined contribution retirement plan, elect to permanently waive future participation in the defined contribution retirement plan and the retiree health program and maintain that employee's retirement status. An employee making this election is not required to make any future employee contributions to the public employees retirement system nor is the employee's employer required to make any further contributions on behalf of that employee."

If eligible, the retiree **must** select one [Retiree Health Insurance Credit \(RHIC\)](#) option at the time of retirement. The is available only to retirees in the [Defined Contribution Tier 1 Plan](#).

The retiree must submit a copy of his or her birth certificate. Certified copies are not necessary if the certification is shown on the photocopy.

FILING PROCEDURE: Original to NDPERS – Please retain a photocopy for your records.

APPLICATION FOR RETIREMENT DISABILITY SFN 18000
DISABILITY RETIREMENT-OCCUPATIONAL DEMANDS SFN 54398
DISABILITY RETIREMENT-ATTENDING PHYSICIAN'S STATEMENT SFN 54399

The member must review and complete the [Disability Retirement Guide](#) and [Forms](#). The forms must be completed and on file with NDPERS at least 31 days prior to distribution.

[N.D.C.C. Chapter 54-52.6-14](#): Disability benefits - The board shall allow distribution of the participating member's vested account balance if the board determines that the participating member has become totally and permanently disabled. If approved, the disabled member has the same distribution options as provided in subdivisions a and c of subsection 3 of section 54-52.6-13. However, if the member chooses the periodic distribution option, the member may only receive distributions for as long as the disability continues and the member submits the necessary documentation and undergoes medical testing required by the board, or for as long as the member participates in a rehabilitation program required by the board, or both. If the board determines that a member no longer meets the eligibility definition, the board shall discontinue the disability retirement benefit.

[N.D.C.C. Chapter 54-52.6-13 \(3\)](#): A former participating member or refund beneficiary may elect one or a combination of several of the following methods of distribution of the accumulated balance: a) A lump sum distribution to the recipient b) A lump sum direct rollover to another qualified plan, to the extent allowed by federal law c) Periodic distributions, as authorized by the board d) No current distribution, in which case the accumulated balance must remain in the plan until the former participating member or refund beneficiary elects a method or methods of distribution under this section, to the extent allowed by federal law.

Plan Document Article 6.1: "Termination of employment" means a severance of employment by not being on the payroll of a covered employer for a minimum of one month. Approved leave of absence does not constitute termination of employment.

[N.D.A.C Chapter 71-08-03](#): The board will allow distribution of the participating member's vested account balance if the board determines the participating member has become totally and permanently disabled using the procedure provided in section 71-02-05-06. If approved, the disabled member has the same distribution options as provided in subdivisions a and c of subsection 3 of North Dakota Century Code section 54-52.6-13. However, if the member chooses the periodic distribution option, the member will only be allowed to receive distributions for as long as the disability continues and the member submits the necessary documentation and undergoes medical testing required by the board, or for as long as the member participates in a rehabilitation program required by the board, or both. The board shall use the redetermination and recertification procedures provided in section 71-02-05- 06 to determine whether the member remains disabled. If the board determines that a member no longer meets the eligibility definition, the board shall discontinue the disability retirement benefit.

1. In addition to this form, the employee **MUST** also complete a Distribution form available in the Distribution Packet.
2. The disability applicant must select a Retiree Health Insurance Credit option at the time of termination/retirement.

The disability applicant must submit a copy of his or her birth certificate, and if married, spouse's birth certificate and marriage certificate. Certified copies are not necessary if the certification is shown on a photocopy.

If a disability retiree wishes to have the payment deposited directly into a checking or savings account, the employee must complete and return the Investments Electronic Funds Transfer Application (EFT) form.

FILING PROCEDURE: Original to NDPERS – Please retain a photocopy for your records.

APPLICATION FOR SURVIVING SPOUSE BENEFITS
SFN 52254

This form is not available on the NDPERS Web site. All forms, instructions, terms and conditions will be provided by the NDPERS office upon notice of death.

To notify NDPERS of an active employee's death (married or single), please complete the "Report a Death" link through Employer Self Service.

[N.D.C.C. Chapter 54-52.6-13\(2\)](#): Upon the death of a participating member or former participating member, the accumulated balance of that deceased participant is considered to belong to the refund beneficiary, if any, of that deceased participant. If a valid nomination of refund beneficiary is not on file with the board, the board, in a lump sum distribution, shall distribute the accumulated balance to a legal representative, if any, of the deceased participant or, if there is no legal representative, to the deceased participant's estate.

The surviving spouse must submit a copy of his or her birth certificate, spouse's birth certificate, and marriage certificate. Certified copies not necessary if the certification is shown on a photocopy.

The surviving spouse must submit a **certified** copy of the Certificate of Death.

When reporting the death of an employee through Employer Self Service, please make sure that you provide the PERSLink Member ID number of the deceased employee on your contact ticket.

This will ensure that NDPERS is notified of the correct individual's death. If you need to report the death of a spouse or dependent, you will need to contact the member service unit at NDPERS by calling (800) 803-7377 or (701) 328-3900.