

New Employer Group Enrollment Information

Defined Contribution Plan

Effective January 1, 2025, this NDPERS retirement plan includes all permanent state and non-state employees who meet mandatory participation requirements under NDCC 54-52.6. This includes temporary employees that elect to participate and appointed and elected state and non-state officials. Employees that are excluded includes those eligible for the Public Safety Retirement and Judges Retirement under 54-52, Highway Patrol Retirement under NDCC 39-03.1, Teachers Fund for Retirement under NDCC 15-39.1, and the alternate retirement plan of the Board of Higher Education NDCC 15-10-17.4.

Employee

Any person employed by the state or participating political subdivision if applicable, whose compensation is paid out of state funds, or funds controlled or administered by the state, political subdivision or paid by the federal government through any of its executive or administrative officials.

Mandatory Participant

A permanent employee, at least 18 years of age, that is required to participate in the NDPERS retirement plan established under either NDCC 54-52 or NDCC 54-52.6 based upon date first enrolled.

Permanent Employee

A governmental unit employee that is filling an approved and regularly funded position not of limited duration and is employed twenty (20) or more hours per week for at least twenty (20) or more weeks per year

Optional Participant

A temporary/part-time governmental unit employee, at least 18 years of age, who is not a permanent employee but employed of limited hours or duration and not actively contributing to another employer-sponsored pension fund, and, if employed by a school district, occupies a noncertified teacher's position. An enrolled temporary/part-time employee must participate in the retirement plan at his/her own expense within 6 months of either initial date of hire or change in employment status.

Newly Elected County Officials (*effective May 13, 2025*):

NDPERS requires newly elected county officials that meet "mandatory participation" requirements to participate in the NDPERS retirement plan. When mandatory participation requirements are not met, the elected county official will be considered an "optional participant".

Eligibility to Participate

Effective January 1, 2025, all permanent state and non-state employees who meet mandatory participation requirements under NDCC 54-52.6 and are eligible to contribute up to an additional 3% of gross earnings to receive up to a 3% employer matching provision.

- Includes temporary employees that elect to participate and appointed and elected state and non-state officials.
- Excludes employees eligible for the Public Safety Retirement and Judges Retirement under 54-52, Highway Patrol Retirement under NDCC 39-03.1, Teachers Fund for Retirement under NDCC 15-39.1, and the alternate retirement plan of the Board of Higher Education NDCC 15-10-17.4.
- If a member of the Defined Contribution Plan begins employment in a position covered under the Public Safety Retirement and Judges Retirement under 54-52, Highway Patrol Retirement under NDCC 39-03.1, Teachers Fund for Retirement under NDCC 15-39.1, and the alternate retirement plan of the Board of Higher Education NDCC 15-10-17.4, the member's status as a member of the Defined Contribution Plan is suspended and the member becomes a new member of the retirement plan for which that member's new position is eligible. The member's account balance remains in the Defined Contribution Plan, but no new contributions may be made to that account. The member's service credit and salary history that were forfeited as a result of the member's transfer to the Defined Contribution Plan remain forfeited, and service credit accumulation in the new retirement plan begins from the first day of employment in the new position.

If the member later returns to employment that is eligible for the Defined Contribution Plan, the member's suspension is terminated, the member again becomes a member of the Defined Contribution Plan, and the member's account shall resume accepting contributions. The contributions to the alternate retirement plan shall remain with the plan unless at the member's option, the member may transfer any available balance as determined by the provisions of the alternate retirement plan into the member's account in the Defined Contribution Plan.

Employer Enrollment

In the event you wish to enroll in the retirement program, an **Eligibility Assessment Questionnaire SFN 58781** must be completed and submitted to NDPERS to determine if your agency is an eligible political subdivision.

Upon receipt of the requested questionnaire, NDPERS and its legal council will review and determine if your entity is an eligible political subdivision. You will be contacted regarding when a decision has been made about the eligibility.

In the event your agency qualifies, a signed board resolution is required prior to NDPERS sending your agency an "Employer Participation Agreement" and enrollment materials.

The board resolution must be stated as follows:

A motion was made by {Insert Board Member Name} for «Agency» to affirm to North Dakota Public Employees Retirement System that «Agency» is formed pursuant to N.D.C.C. § (Insert citation) and is neither a non—profit corporation nor a for-profit corporation, to join the NDPERS Defined Contribution Retirement Plan and offer the plan to all eligible employees of the «Agency». The motion was seconded by {Insert Board Member Name}. The Board approved joining the NDPERS Defined Contribution Retirement Plan effective {Month 1, Year}.

Timetable for Enrollment

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Contracts Received by NDPERS*	All Documents Must be Completed and Returned to NDPERS*	Earliest Enrollment Effective Date **
January 13	February 15	April 1
February 13	March 15	May 1
March 13	April 15	June 1
April 13	May 15	July 1
May 13	June 15	August 1
June 13	July 15	September 1
July 13	August 15	October 1
August 13	September 15	November 1
September 13	October 15	December 1
October 13	November 15	January 1
November 13	December 15	February 1
December 13	January 15	March 1

* If the date listed falls on a Saturday, Sunday, or a holiday, the date listed is changed to the following business day.

** The enrollment effective date of an agency is dependent on if all criteria and guidelines are met in a timely manner. NDPERS has the right to change the effective employer participation date.

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