

105 KAR 1:320. Proration of service credit.

RELATES TO: KRS 61.545, 61.680

STATUTORY AUTHORITY: KRS 61.645(9)(e)

NECESSITY, FUNCTION, AND CONFORMITY: KRS 61.545 provides for division of service credit based on the total compensation between systems and between hazardous and non-hazardous positions where the employee earns creditable compensation in more than one (1) position. KRS 61.680 provides for an employee to earn service credit, if the employee works in more than one (1) position with agencies participating in the same retirement system, including part-time positions. This administrative regulation establishes the formula for dividing the service between the positions.

Section 1. If an employee is employed simultaneously in full-time positions in both the Kentucky Employees Retirement System and the County Employees Retirement System, service in a fiscal year shall be prorated between the systems based on the ratio of creditable compensation earned in each system to the total creditable compensation earned, except that at least one (1) month of service shall be earned in each system.

Section 2. If an employee is employed simultaneously in both hazardous and nonhazardous positions, either full time or part time, within the same retirement system, service in a fiscal year shall be prorated between the hazardous and nonhazardous positions based on the ratio of creditable compensation in each position to the total creditable compensation earned. The prorated creditable compensation shall be rounded to the nearest whole month.

Section 3. If only one (1) month contains both hazardous and nonhazardous employment or positions in both the Kentucky Employees Retirement System and the County Employees Retirement System, service shall be credited to the hazardous or nonhazardous position, or to the retirement system based on the position with the most creditable compensation. If creditable compensation is equal, the service shall be credited to the position in which the most days were worked. (28 Ky.R. 1004; 1354; eff. 12-19-2001; Crt eff. 3-5-2019.)