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Office of the State Actuary

Dear Select Committee on Pension Policy,

I am writing to you for a second time in hopes that my concerns will be addressed. I taught half-time in Washington State between the years of 1987-1991. Although I was already a member of TRS, I was not allowed to contribute to the retirement system during those four years, and I was not granted service credit.

Half-time teaching is creditable now and has been for over 20 years, but it was not under the rules at that time. Because of this, I believe I should be able to purchase my half-time service credit for those four years, according to the conditions set forth and notes provided in RCW 41.50.165 – Establishing, restoring service credit. (copy attached)

Currently, DRS will not allow me to purchase the service credit because it is their position that my credit **was** creditable at the time, I just didn't have enough hours to get service credit. I have to disagree. If the service had been creditable, **I would have received service credit** for it.

I served Washington State daily for four consecutive years as a half-time teacher, and believe it is a reasonable request that I be allowed to purchase service credit for those years. Please discuss this inequity as a committee. I am hoping you will make a recommendation that half-time teachers, who were not allowed service credit for service to this state during the years of 1987-1991, should be allowed to purchase that service credit under the provisions of RCW 41.50.165.

Thank you for your time,



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RCW 41.50.165**Establishing, restoring service credit—Conditions.**

(1) Except for those affected by subsection (4) of this section, a member of a retirement system specified by RCW 41.50.030 or, one previously established by the state but closed to new membership, may, as provided in each retirement system:

- (a) Establish allowable membership service not previously credited;
- (b) Restore all or a part of that previously credited membership service represented by withdrawn contributions; or
- (c) Restore service credit represented by a lump sum payment in lieu of benefits.

(2) Persons who previously have failed to:

- (a) Establish service credit for service previously earned; or
- (b) Reestablish service credit by the restoration of withdrawn contributions or repayment of a lump sum payment in lieu of a benefit, may now establish or reestablish such service credit by paying the actuarial value of the resulting increase in their benefit in a manner defined by the department.

(3) Any establishment of service credit for service previously rendered, restoration of service credit destroyed, or repayment of a lump sum received in lieu of benefit must be completed prior to retirement.

(4) Service credit is established for or restored to the period in which the service credit is earned.

[1994 c 197 § 2.]

NOTES:

Intent—1994 c 197: "(1) This act removes the time limitations within the state's retirement systems for:

(a) The restoration of service credit represented by employee contributions withdrawn by a member of a state's retirement systems; or

(b) The crediting of certain service that, under the provisions of the system, was not creditable at the time it was performed, such as a probationary period or interrupted military service.

(2) This act expands the current procedures for establishing service credit previously earned, restoring withdrawn contributions, or repaying lump sums received in lieu of a benefit. In so doing, it allows the member of one of the state's retirement systems to obtain additional service credit by paying the value of this added benefit that was previously unavailable." [1994 c 197 § 1.]

Severability—1994 c 197: "If any provision of this act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected." [1994 c 197 § 37.]

Effective date—1994 c 197: "This act shall take effect January 1, 1995." [1994 c 197 § 38.]