



PUBLIC EMPLOYEES RETIREMENT ASSOCIATION OF NEW MEXICO

PUBLIC EMPLOYEES RETIREMENT BOARD

P.O. Box 2123, Santa Fe, New Mexico 87504-2123

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[www.pera.state.nm.us](http://www.pera.state.nm.us)

EMPLOYEE EXCLUSION FROM PERA MEMBERSHIP

Instructions: Please print or type in dark ink. The original of this form must be completed in its entirety and returned to PERA for processing. Required fields are in **BOLD ITALICS**

**SECTION A MEMBER INFORMATION**

<i>SOCIAL SECURITY NUMBER or PERA ID NUMBER</i>			
<i>FIRST NAME</i>	<i>MI</i>	<i>LAST NAME</i>	
<i>ADDRESS TYPE</i> <input type="checkbox"/> PERMANENT <input type="checkbox"/> TEMPORARY <input type="checkbox"/> MAILING			<i>HOME TELEPHONE NO.</i>
<i>ADDRESS</i>			<i>BUSINESS TELEPHONE NO.</i>
			<i>EMAIL ADDRESS</i>
<i>CITY</i>	<i>STATE</i>	<i>ZIP</i>	<i>GENDER</i> MALE <input type="checkbox"/> FEMALE <input type="checkbox"/>
<i>DATE OF BIRTH</i>	<i>CITY OF BIRTH</i>		<i>STATE OF BIRTH</i>

*PLEASE review the employee exclusion categories on the reverse side of this form and check the box that applies to your application for exclusion. (CHECK ONE BOX ONLY)*

- |   |   |   |
|---|---|---|
| <input type="checkbox"/> SEASONAL EMPLOYEE OR TEMPORARY EMPLOYEE  | <input type="checkbox"/> PART-TIME EMPLOYEE         | <input type="checkbox"/> PRIVATE RETIREMENT                           |
| <input type="checkbox"/> PERA RETIREE WORKING AS A LEGISLATIVE<br>WORKER DURING THE LEGISLATIVE SESSION | <input type="checkbox"/> INDEPENDENT<br>CONTRACTOR  | <input type="checkbox"/> STUDENT EMPLOYEE                             |
| <input type="checkbox"/> PERA RETIREE AT TIME OF AFFILIATION  | <input type="checkbox"/> RETIRED MEMBER FROM<br>ERA | <input type="checkbox"/> NM AGING &<br>LONG-TERM<br>SERVICES TRAINEES |

***PERA retirees are no longer excluded from PERA membership as seasonal employees, temporary employees or part-time employees. Reemployed PERA retirees should use the Application for A Reemployed PERA Retiree.***

**MEMBER CERTIFICATION**

I understand that I am being excluded from PERA membership due to the exclusion category checked above. I also understand that and agree that being excluded under this designation will disqualify me for normal, disability, or survivor's retirement benefits under PERA, and that I will be ineligible to purchase such excluded service at a future date.

<i>SIGNATURE OF MEMBER</i>	<i>DATE</i>
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**SECTION B – TO BE COMPLETED BY EMPLOYER - CURRENT EMPLOYMENT INFORMATION**

<i>NAME OF EMPLOYER</i>		
<i>MAILING ADDRESS</i>		
<i>CITY</i>	<i>STATE</i>	<i>ZIP</i>
<i>DATE EMPLOYED (mm/dd/ccyy)</i>	<i>TERMINATION DATE (mm/dd/ccyy)</i>	
<i>CURRENT POSITION</i>	<i>EMPLOYER NUMBER</i>	

**EMPLOYER CERTIFICATION**

<i>AUTHORIZED SIGNATURE</i>	<i>DATE OF SIGNATURE (mm/dd/ccyy)</i>
<i>TITLE</i>	<i>BUSINESS TELEPHONE NO.</i>

## EMPLOYEE EXCLUSION CATEGORIES

**Read and select the category that applies to you. Check the corresponding box on the reverse side of this form.**

Seasonal employee or temporary employee as defined in PERA Rule 2.80.400.10.B. (3) (a) NMAC “ ... means an employee who works in a position designated by the affiliated public employer as seasonal or temporary and created to last no more than 9 consecutive months. Retired members returning to work with an affiliated public employer shall not be re-employed under this subsection...”

Retired members from ERA are defined in PERA Rule 2.80.400.10.B. (1) NMAC and 2.80.100.7.S NMAC as retired members from a retirement program provided for in Educational Retirement Act.

Retired legislative worker is defined in NMSA 1978, Section 10-11-8 (D) (2) (2004) as “... a retired member employed by the legislature for legislative session work.”

Part-time employee is defined in PERA Rule 2.80.600.10.B. NMAC as “... an employee who works fewer than forty (40) hours in an eighty (80) hour pay period or fewer than twenty (20) hours in a forty (40) hour week ...”

Independent contractor is defined in PERA Rule 2.80.400.10.B. (2) NMAC as “...persons who render services to an affiliated public employer as independent contractors are not employees who are entitled to PERA membership unless the employment contract provides that they are ‘employees’ for federal and state taxation purposes, or the IRS had determined that they are ‘employees’ under the contract.”

Private retirement is defined in PERA Rule 2.80.100.N. NMAC as “... a retirement program of the affiliated public employer which meets the Internal Revenue Service minimum standards regarding benefits as outlined in 26 C.F.R. Section 31.3121(b) (7)F of the Employment Tax Regulations and IRS Rev. Proc. 91-40.”

Student employee is defined in PERA Rule 2.80.400.10.B. (3) (b) NMAC as “... an employee who during at least 8 months in any calendar year, or during the period of employment, is enrolled at an educational institution whose academic credits would be accepted by a state educational institution or a public school district and carrying at least 12 credit hours or is enrolled in an educational institution’s graduate studies program and carrying at least 9 credit hours. Any person who is a regular full-time employee is not a ‘student’ for purposes of exclusion from PERA membership.”

PERA Retiree at Time of Affiliation is defined as a PERA retired member who is employed with an employer prior to that employer becoming affiliated with PERA.

NM Aging & Long-Term Services Trainees is defined as the trainee participants of the federally funded and state-funded senior employment trainee program, administered by the Aging and Long-Term Services Department.