Policy: It shall be the policy of Division that employees wishing to withdraw their retirement contribution meet the criteria of NRS 286.430.

Purpose: To provide an orderly method of promoting and maintaining a high level of service to the public through an equitable separation procedure, which is available to employees at retirement or upon becoming disabled.

Procedures:

I. An employee wishing to withdraw their retirement contribution must:

A. Terminate employment; or

B. Be employed in a position where contribution is prohibited.

II. The agency where the employee is employed will pay off all accrued annual leave and comp time.

III. Employees who terminate employment to withdraw retirement contributions:

A. Employees who resign from employment for the purpose of withdrawing retirement contributions will not be reinstated to a position in the same class he/she held at the time of termination. Such a former employee may seek to be rehired through pursuing other types of appointments available to all applicants who are not currently employed by the State of Nevada.

B. If an extraordinary situation exists, an employee may request in writing an exception to the policy. Any exception requires the approval of both the division administrator and the department director.

IV. If the employee is considered for rehire, he/she cannot be rehired until the amount of time for which annual leave was paid off plus 1 working day has elapsed.

V. If the employee is re-hired:

A. Probationary period is re-instated: 3rd, 7th and 11th month evaluations if probationary period is 12 months and 2nd and 5th months if probationary period is 6 months.

B. Annual leave, sick leave and longevity accrual begins from day rehired.

VI. Persons who return to the service of a public employer after having withdrawn their retirement contribution may buy back service credit remaining a contributing member for six months by:

A. Making repayment in a lump sum plus interest from the date contributions were withdrawn to the day of repayment; or

B. Enter into an agreement containing a schedule of payments to repay the withdrawn contributions plus interest from the date of withdrawal to the date of repayment.

VII. Each division agency shall develop specific written procedures to implement the provision of this policy or shall incorporate this policy into the agency policy manual.

Administrator

Effective Date: 11/1/97
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Date Reviewed: 11/1/99, 3/10/05; 8/21/07
Date Approved by MHDS Commission: