

3309-1-18

Payment of employee and employer contributions.

(A) For purposes of this rule:

- (1) "Employer" has the same meaning as in section 3309.01 of the Revised Code.
- (2) "Employee" has the same meaning as in section 3309.01 of the Revised Code.
- (3) "Compensation" has the same meaning as in section 3309.01 of the Revised Code.
- (4) "Report month" means the month in which compensation was paid.
- (5) "Surcharge" means the employer minimum compensation contribution amount determined pursuant to section 3309.491 of the Revised Code.

(B) Employee contribution payments shall be remitted to the school employees retirement system by the fifteenth day of the month following the report month.

(C) Payroll data shall be ~~delivered~~submitted to the retirement system by the fifteenth day of the month following the report month.

(D) Effective July 1, 2010, payments due under section 3309.51 of the Revised Code and paid by an employer directly to the employers' trust fund shall be remitted monthly by the 15th day of the month following the report month.

(E) Effective July 1, 2010, payments due to the employers' trust fund pursuant to section 3309.51 of the Revised Code and received from the amounts allocated under Chapter 3317. of the Revised Code, section 3314.08 of the Revised Code, and section 3326.33 of the Revised Code shall be remitted each month and attributed to that month.

~~Annually,~~(F) Annually, the retirement system shall issue a final school year statement that reconciles the estimated employer payments received with the employer payments owed. Within thirty days of the statement's issuance, the employer shall directly pay to the employers' trust fund any balance owed, or the retirement system shall directly refund to the employer any overpayments made. The retirement system shall not issue a refund to an employer whose reports or payments are delinquent.~~(F)~~(G) Effective July 1, 2010, the retirement system shall collect overdue payments due to the employers' trust fund pursuant to section 3309.51 of the Revised Code and

received from the amounts allocated under Chapter 3317. of the Revised Code, section 3314.08 of the Revised Code, and section 3326.33 of the Revised Code by way of additional installments.

- (1) The additional installments shall be monthly equal amounts collected over a six-year period.
- (2) The retirement system shall include the additional installments with the certification of the regular estimated payments to the superintendent of public instruction.
- (3) In the event of a short fall of available funds to cover both the regular and additional payments, the employer shall remit the full amount of the short fall directly to the employers' trust fund no later than the fifteenth day of the month following the report month.
- (4) The retirement system may agree to a modified payment plan as to an employer declared to be in fiscal watch or fiscal emergency pursuant to section 3316.03 of the Revised Code. To obtain a modification, the employer must submit a proposed payment plan and obtain written approval of its terms from the retirement system.

~~(G)~~(H) Effective July 1, 2010, surcharge payments due to the employers' trust fund shall be collected in one of the following ways:

- (1) ~~The~~An employer who does not receive amounts allocated under sections 3314.08 or 3326.33 of the Revised Code may choose to pay its surcharge directly to the employers' trust fund. An employer who chooses this option must pay its surcharge within thirty days after receipt of the certified amount due from the retirement system.
- (2) ~~If the employer does~~For those employers who do not choose the direct pay option under paragraph (H)(1) of this rule, as well as employers who receive amounts allocated under sections 3314.08 or 3326.33 of the Revised Code, the retirement system shall include surcharge payments in the estimated payments certified to the superintendent of public instruction pursuant to section 3309.51 of the Revised Code.

(I) For any payments made pursuant to paragraphs (B), (D), (F), (G) and (H)(1) of this rule, a payment report shall be submitted in the manner specified by the retirement system no later than the date the payment is remitted.

~~(H)~~(J) The retirement system may extend a due date for an employer upon a finding that

good cause has been shown.

Effective:

Five Year Review (FYR) Dates: 09/19/2014

Certification

Date

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