

**RESOLUTION F17-20**

**AMENDMENT AND RESTATEMENT OF PICK UP PLAN FOR  
STATUTORILY REQUIRED CONTRIBUTION TO  
OHIO PUBLIC EMPLOYEES RETIREMENT SYSTEM**

WHEREAS, pursuant to federal and Ohio laws, the federal and state income taxes on a portion of the wages or salaries of the employees of Shawnee State University (the “University”) will be deferred if the University “picks up” (assumes and pays) the contributions statutorily required to be made by such covered employees to Ohio Public Employees Retirement System (OPERS); and

WHEREAS, the University would not incur any additional costs in the picking up of such contributions; and

WHEREAS, the University, via Board of Trustees Resolution 84-83, approved an OPERS pick up plan via salary reduction to be effective July 1, 1983, and

WHEREAS, the University now wishes to amend and restate said pick up plan to comply with Internal Revenue Code Section 414 (h) (2),

NOW THEREFORE BE IT RESOLVED THAT:

Effective September 11, 2020, the full amount of the statutorily required employee contributions to OPERS shall continue to be withheld from the gross pay of all persons that are employees of the University who are or become contributing members of OPERS, and shall be “picked up” (assumed and paid to OPERS) by the University; and

This “pick up” by the University shall be designated as public employee contributions and shall be in lieu of contributions to OPERS by all persons that are employees of the University who are or become contributing members of OPERS; and

No person subject to this “pick up” shall have the option of choosing to receive the statutorily required contribution to OPERS directly instead of having it “picked up” by University or of being excluded from the “pick up”; and

The University shall, in reporting and making remittance to OPERS, report that the public employees contribution for each person subject to this “pick up” has been made as provided by the statute. Therefore, contributions, although designated as employee contributions, are employer-paid, and employees do not have the option to receive the contributions directly. All contributions are paid by the employer directly to the plan; and

The University's method of payment of salary to employees who are participants in OPERS is hereby modified as set forth in the following paragraph in order to provide for a salary reduction pick up of employee contributions to OPERS; and

The total salary for each employee shall be the salary otherwise payable under the University's policies. Such total salary of each employee shall be payable by the University in two parts: (a) deferred salary and (b) cash salary. An employee's deferred salary shall be equal to that percentage of that employee's total salary which is required from time to time by OPERS to be paid as an employee contribution by that employee, and shall be paid by Shawnee State University to OPERS on behalf of that employee as a pick up and in lieu of the OPERS employee contribution otherwise payable by that employee. An employee's cash salary shall be equal to that employee's total salary less the amount of the pick up for that employee, and shall be payable, subject to applicable payroll deductions, to that employee. The University shall compute and remit its employer contributions to OPERS based upon an employee's total salary; and

The total combined expenditures of the University for such employees' total salaries payable under applicable University policies and the pick-up provisions of this resolution shall not be greater than the amounts it would have paid for those items had this provision not been in effect; and

The Vice President for Finance and Administration and Director of Human Resources are hereby authorized and directed to implement the provisions of this resolution to institute the "pick up" of the statutorily required contributions to OPERS for those employees of the University who are or become contributing members of OPERS, so as to enable them to obtain the result in federal and state tax deferments.