

# MUNICIPAL POLICE EMPLOYEES' RETIREMENT SYSTEM

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March 11, 2011



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TO: All Municipalities  
City/Payroll Clerks and Chiefs of Police

FROM: Kathy Bourque, Director

RE: Mandatory Membership in MPERS

It has come to our attention that certain eligible employees are not enrolling in MPERS.

Please be advised that when an employee is hired and is eligible to become a member of MPERS, that the employee must be enrolled in MPERS. (R.S.11:2214) If the municipality participates in social security, the **employee** is still mandated to enroll in MPERS unless he/she opts out which requires him to execute an affidavit. (R.S.11:157)

If the employee is eligible to participate in MPERS and opts out of his/her participation, the employee may not choose to participate in any other public retirement system.

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**Employee** [R.S.11:2213(11)] shall mean any of the following classifications:

- Any full-time police officer empowered to make arrests.\*
  - Any full-time police officer, decommissioned due to illness or injury, employed by a municipality of the state of Louisiana, and engaged in law enforcement.\*
  - Any person in a position as defined in the municipal fire and police civil service system who is employed on a full-time basis by a police department of any municipality of this state, who is under the direction of a chief of police, and who is **paid from the budget of the applicable police department**.\*
  - Any person listed in these classifications shall only be defined as an employee if he is earning at least \$375 per month excluding state supplemental pay.
- Any elected chief of police whose salary is at least \$100 per month.\*
- Any academy recruit, who shall be defined as a full-time municipal employee, who is participating in or who is awaiting participation in, a formal training program as required by Peace Officer Standards and Training Certification, previous to commission as a municipal police officer, with complete law enforcement officer authority.\*
- Any full-time secretary to an appointed chief or elected chief of police.\*
- Any full-time employee of the Municipal Police Employees' Retirement System.\*
- Employee **shall not** mean a city or ward marshal or deputy marshal, nor shall this term be construed to include any elected councilman or mayor of any city.

\*provided the employee is under fifty years of age unless the employee has prior service credit in MPERS. Eligible rehired retirees must be reenrolled in MPERS regardless of age, unless the retiree opts out of MPERS due to participation in social security. Rehired retirees that opt out of MPERS cannot be enrolled in any other public retirement system.