

Retirement or Deferred Compensation Eligibility

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PURPOSE

This User Guide is to assist HR Partners in determining whether a new employee is eligible to contribute to Retirement and/or Deferred Compensation, based on her/his Citizenship Status.

RETIREMENT AND DEFERRED COMPENSATION PLANS ELIGIBLE

- | | | |
|---|---|--|
| 1. Department of Labor | 7. Judges 7% | 12. State Retirement -
Temps, On-Call and PT
<20 Hours |
| 2. Education Emp Teachers
Retirement | 8. Judges 9% | 13. Teachers Retirement –
9.78% SCATA |
| 3. Judges 1% | 9. Post 2nd Ed - State
Retirement - 4.8% | |
| 4. Judges 10% | 10. State Patrol 24% | |
| 5. Judges - 10% | 11. State Retirement – 4.8% | |
| 6. Judges 5% | | |

DOCUMENTATION FOR CONTRIBUTING TO STATE RETIREMENT AND/OR DEFERRED COMPENSATION

These are from the Nebraska Public Employee Retirement website (NPERS), <https://npers.ne.gov/SelfService/>

- Page 2 of the [State Plan Handbook](#),
- Page 1-1 of the [State Plan Employer Reporting Manual](#),
- Page 1 of the [DCP Handbook](#),
- Pages 3-4 and 3-5 of the [School Plan Employer Reporting Manual](#), and
- Page 3 of the [School Plan Handbook](#).

CITIZENSHIP STATUS VALUES

Of the five citizenship status values shown below, only the three marked in red meet the criteria for the person to be considered eligible to contribute to one of the State Retirement Plans or to Deferred Compensation.

Citizenship Status
Alien Authorized to work in the United States
Citizen
Lawful Permanent Resident
Noncitizen national of the United States
Retirement Eligible Alien

Retirement or Deferred Compensation Eligibility

In addition, a person MUST submit all required documentation to be considered eligible. The documentation will vary depending on the ID forms that she/he submits.

VISAS AND DOCUMENTATION

In addition to providing the appropriate visa, a person MUST also submit a valid, unexpired Form I-766, Employment Authorization Document (EAD).

1. If any of the documentation is expired, we will need additional documentation showing whether the documents were extended.

The following immigration statuses have been evaluated by NPERS, who has determined:

- Individuals with the following immigration statuses **ARE** eligible to participate in the plan:
 - Individuals with an H-1B visa.
 - Individuals with an E32 visa denoting they are to be treated as a permanent resident.
 - Individuals with a “C08” category on their EAD showing they are pending asylum.
 - Individuals with a “C09” category on their EAD showing they are pending permanent residence.
 - Individuals with a “C26” category on their EAD showing they have an H-4 visa.
 - Individuals with a “C31” category on their EAD showing they are here pursuant to the Violence Against Women Act (VAWA).
 - Individuals with a TN visa denoting they are here under NAFTA (Mexico or Canada).
 - Individuals with an “A12” category code on their EAD showing they are granted temporary protected status.
- The following immigration statuses **are not** eligible for plan participation:
 - Individuals with a “C33” category on their EAD showing they are granted Deferred Action for Childhood Arrivals (DACA).

NPERS REVIEW PROCESS

1. NPERS reviews and evaluates the submitted documents for eligibility to contribute to Retirement and/or Deferred Compensation.
 - a. They are contemplating legislation that would modify the law to better reflect the recommendations outlined in the NE AG’s opinion and allow the HR/Payroll people employed at each agency to make the determination, rather than undergoing the current process of having NPERS review the documentation.
2. Both NPERS Internal Audit team and NPERS Accounting/Employer Reporting team have access to a secure file share service. If a reporting agent needs to pass documentation on to NPERS, they can reach out to the appropriate NPERS staff (contact State Personnel), to get a link to upload the documents to the secure file share. They will then be able to pass the information to NPERS for review.

LINK HELP DESK CONTACT INFORMATION

- The LINK Help Desk supports Workday. Email: as.linkhelp@nebraska.gov; Phone:402.471.6234.