



ADMINISTRATIVE RULES OF MONTANA



2.43.4023 IMPACT OF UNIFORMED SERVICE DURING DROP PERIOD

- (1) HPORS DROP participants called to duty for a period or periods of service in the uniformed services during their DROP period must, within 90 days from the date they return to employment, make an irrevocable election to either:
 - (a) include in their original DROP period, pursuant to ARM 2.43.2315, the time in which they were called to duty; or
 - (b) add this time to the end of their original DROP period.
- (2) The time that can be either included in or added to a participant's DROP period under (1) is the total number of whole months during which the participant served in uniformed services during the DROP period. However, the total number of months in the new DROP period may not exceed the total number of months in the DROP period originally elected by the participant under 19-6-1004, MCA.
- (3) If the participant elects to include the period of uniformed services in the participant's original DROP period:
 - (a) the participant's member contributions must be based on the compensation the participant would have received had the participant not been called to uniformed services duty, including any pay raises; and
 - (b) once the member and employer contributions are paid to MPERA pursuant to ARM 2.43.2315, the applicable member contributions and the participant's monthly retirement benefit for each month of included USERRA service will be added to the participant's DROP account.
- (4) If the participant elects to add the period of uniformed services to the participant's original DROP period:
 - (a) the participant's member contributions to the participant's DROP account will be determined based on the compensation earned during the added months; and
 - (b) the participant's monthly retirement benefit will be paid to the participant's DROP account during the added months.

Authorizing statute(s): 19-2-403, 19-6-1003, MCA

Implementing statute(s): 19-6-1004, MCA

History: NEW, 2015 MAR p. 2244, Eff. 12/25/15.