

Chapter ETF 10

ADMINISTRATION

ETF 10.01	Definitions (p. 1)	ETF 10.32	Additional contributions (p. 12)
ETF 10.03	Creditable service (p. 2)	ETF 10.33	Multiple accounts or accumulations (p. 12)
ETF 10.05	Creditable service for Milwaukee teachers (p. 4)	ETF 10.34	Rights of beneficiaries (p. 13)
ETF 10.07	Leave of absence (p. 5)	ETF 10.35	Withdrawal of election form (p. 13)
ETF 10.10	Teachers retirement board elections (p. 6)	ETF 10.60	Reports and payments (p. 13)
ETF 10.12	Separate retirement system participation in the retirement trust fund (p. 8)	ETF 10.61	Transmittal of initial OASDHI wage reports (p. 13)
ETF 10.15	Annuity reserves (p. 9)	ETF 10.62	Transmittal of OASDHI adjustment reports (p. 13)
ETF 10.20	Approval of group insurance plans for state employees (p. 9)	ETF 10.63	Due dates (p. 14)
ETF 10.25	Fixed retirement investment trust participation in the variable retirement investment trust (p. 10)	ETF 10.64	Late reporting charges and interest (p. 15)
ETF 10.30	Effect of variable transfer on benefits (p. 12)	ETF 10.70	Individual personal information (p. 15)
ETF 10.31	Effective date of election to cancel variable participation (p. 12)	ETF 10.71	Transcript fees (p. 16)
		ETF 10.72	Fee for search of historical records (p. 16)

ETF 10.01 Definitions. Words, phrases, and terms used in all ETF chapters which are not defined in this section shall have the meaning set forth in s. 40.02, Stats.:

(1) "Contract" means, for life insurance purposes, the contract for group life insurance, including any riders, entered into with an insurer under s. 40.03 (6) (a) 1 and (b), Stats.

(1m) "Current basic pay rate" means:

(a) Unless otherwise provided by chapter 230, Stats., contractual agreements authorized under subch. V of chapter 111, Stats., or par. (b) or (c), the hourly rate, or its equivalent, excluding any overtime or supplementary compensation, at which the employe is paid at the time of termination of employment or at the time of death. For an employe on an approved leave of absence the "current basic pay rate" means the hourly rate, or its equivalent, the employe was paid prior to the commencement of the leave of absence. The equivalent of the hourly rate of pay shall be obtained by dividing the employe's total earnings in a typical pay period, excluding any overtime or supplementary compensation, by the number of hours, excluding overtime hours, for which the employe is paid in that pay period. If the employe has received a pay adjustment during the twelve months preceding termination, death or leave of absence, other than a permanent change that is broadly applicable to the employes of that employer, or unless that change is the result of a significant change in the nature and duties and activities of that employe, then the equivalent of the hourly rate shall be the greater of the previous current basic pay rate prior to the pay adjustment or the final average earnings divided by 174.

(b) For an annuitant who becomes a participating employe subject to s. 40.22, Stats., within 3 years of the original date of termination, the greater of the current basic pay rate as established under par. (a) on the

effective date of the original annuity or the current basic pay rate at the time of subsequent termination.

(c) For annuitants who become participating employes subject to s. 40.22, Stats., after more than 3 years from the original date of termination the current basic pay rate determined in accordance with par. (a) at the time of subsequent termination for sick leave accumulated after re-employment only. The conversion of sick leave accumulation in effect prior to reemployment shall be calculated by application of the current basic pay rate in effect prior to reemployment as determined under par. (a).

(2) "Dependent" means, for life insurance purposes, an employe's spouse, unmarried child, including stepchild and adopted child, who is dependent upon the employe for at least 50% of support and maintenance and who is:

(a) More than 14 days of age, but under the age of 19,

(b) Between the ages of 19 and 25 if a full-time student, or

(c) Age 19 or older and incapable of self-support on account of a physical or mental disability which can be expected to be of long-continued or indefinite duration.

(2m) "Earnings" under s. 40.02 (22), Stats., except as otherwise provided by federal regulations for OASDHI purposes, does not include payments made in lieu of welfare, payments made to reimburse welfare costs, or payments made as part of a work relief, general relief or public assistance program under ch. 49, Stats., unless employment is part of a training program to improve skills or increase employability and the employment satisfies the requirements under s. 40.22 (1), Stats.

(3) "Employe", for spouse and dependent life insurance purposes, means an employe as set forth in s. 40.02 (26) who is insured in the group life insurance plan under s. 40.70, Stats., and the rules of the department.

(3h) "Inactive participant" means, for purposes of the teachers retirement board election under s. ETF 10.10, a participant who is neither a participating employe, as defined in s. 40.02 (46), Stats., nor an annuitant as defined in s. 40.02 (4), Stats.

(3m) "Medical record" includes medical evaluation, diagnosis, prognosis, rehabilitation potential, medication, treatment, diet, limitations on activities, symptoms, general physical or mental condition, x-rays, lab tests or results, or any communication or information related to the health, medical, surgical, dental, optometric, chiropractic, podiatric or hospital care or condition of a participant or the spouse or dependent of the participant.

(3s) "Public school" means, for purposes of s. 15.165 (3) (a) 1, Stats., a cooperative educational service agency established under ch. 116, Stats., a county handicapped children's education board established under s. 115.86, Stats., and any school supported wholly or in part by public funds which is under the control and management of the state of Wisconsin or any subdivision of the state of Wisconsin and which is empowered by law to employ teachers; but does not mean the university of Wisconsin system, any school in the city of Milwaukee, a state agency or a vocational, technical and adult education district.

(3w) "Salary index" means, for purposes of s. 40.26, Stats., for years prior to 1982, 5%.

(4) "School system" includes, for life insurance purposes, any public entity whose primary purpose is education.

(4m) "School year" means, for purposes of s. 40.02(3), Stats., the period beginning July 1 and ending the following June 30.

(5) "Student" means, for insurance purposes, a person, who is enrolled in an institution which provides a schedule of courses or classes and, whose principal activity is the procurement of an education. Full-time student status shall be defined by the institution in which the student is enrolled and shall include any usual vacation period if the child was a full-time student at the end of the previous term.

(6) "Summer vacation" means the time between the end of the regular school term of the school system in which the employe was last employed and the beginning of the next regular school term of that system.

History: Cr. Register, February, 1983, No. 326, eff. 3-1-83.; r. and recr. (intro.), am. (2) (intro.), cr. (8m), Register, June, 1983, No. 330, eff. 7-1-83; cr. (3w), Register, December, 1983, No. 336, eff. 1-1-84; cr. (3h) and (3s), Register, March, 1984, No. 339, eff. 4-1-84; am. (1), Register, April, 1984, No. 340, eff. 6-1-84; emerg. cr. (4m), eff. 1-1-85; cr. (4m), Register, March, 1985, No. 351, eff. 4-1-85; cr. (2m), Register, October, 1985, No. 353, eff. 11-1-85; cr. (1m), Register, May, 1986, No. 365, eff. 6-1-86.

ETF 10.03 Creditable service. (1) For annual earnings periods beginning on or after January 1, 1985, each participating employer shall determine and report service in hours for each participating employe in the manner prescribed in this section. Earnings which are paid to a teacher, as defined in s. 40.02(55), Stats., who has contracted to receive such payments on either a 9 or 10 month contract basis, and which are paid after the beginning of a school year, as defined in s. ETF 10.01(4m), for services rendered in the preceding school year, are deemed to be received by the teacher on June 30 of the preceding school year for purposes of reporting service to the department.

(2) The full-time equivalent of one day of service is 8 hours. If an employer has established workdays of other than 8 hours as full-time em-