



◆ AM I A PERSI MEMBER?

Not all employment through a PERSI employer qualifies for PERSI membership. The below examples are not all inclusive, as certain types of employment do not satisfy the requirements for employee status as specified in [Idaho Code 59-1302\(14\)](#).

CONTRACTOR/INDEPENDENT WORKER/FREE AGENT

[Idaho Code 59-1302\(14\)\(B\)\(a\)](#)

A person providing service to an employer as an independent business, trade, or profession. Example of Non-Qualifying Employment:

- Be free from the right of direction or control in performing work – under contract of service and in fact.
- Be engaged in an independently established trade, occupation, profession or business.

Click here to learn if you are an Employee or Independent Contractor...Which Are You? (<https://idahoatwork.com/2015/08/07/misclassifying-workers-as-independent-contractors-what-employers-need-to-know/>)

Still unsure about your status as an employee or independent contractor, or think you are misclassified? Contact the Idaho Department of Labor at (208) 332-3579.

*For PERSI members, you will not be considered as having separated from service if you perform any work in any capacity for the same employer during the 90-day break, per [Idaho Code 59-1356\(1\)](#).

TEMPORARY WORKER/SHORT TERM/IMPERMANENT

[Idaho Code 59-1302\(14\)\(B\)\(b\)](#)

A person whose employment with an employer does not total five (5) consecutive months or who does not normally work twenty (20) hours or more per week or less than ½ contract as a school teacher.

Example of Non-Qualifying Employment:

- Maintenance Craftsman as needed
- Shuttle Bus Driver during event

SHELTERED WORK/MADE-WORK/SUPPORTED EMPLOYMENT

[Idaho Code 59-1302\(14\)\(B\)\(c\)](#)

A person provided sheltered employment or made-work by a public employer in an employment or industries program maintained for the benefit of such person.

Sheltered work is work done by people with disabilities under special supervision. This work is performed at sheltered workshops, which are sometimes referred to as work centers. Example of Non-Qualifying Employment:

- Printing Services
- Assembly/Packaging/Shrink Wrapping/Shipping
- Labeling/Stuffing Envelopes/Sealing

If there is any discrepancy between this publication and the law, the provisions of the law will prevail.



AM I A PERSI MEMBER?

INCARCERATED/IMPRISONED/JAILED INMATE

[Idaho Code 59-1302\(14\)\(B\)\(d\)](#)

An inmate of a state institution performing services with or without compensation. Example of Non-Qualifying Employment:

- Food Service Operation
- Laundry Services
- Work Crew Member

STUDENT

[Idaho Code 59-1302\(14\)\(B\)\(e\)](#)

A student enrolled in an undergraduate, graduate, or professional-technical program and employed by a state college, university, community college or professional-technical center when such employment is based on student status. Example of Non-Qualifying Employment:

- Teaching Assistant for Academic Credit
- Internship for Academic Credit
- Independent Study for Academic Credit

CIVIL SERVICE EMPLOYEES

[Idaho Code 59-1302\(14\)\(B\)\(f\)](#)

A person making contributions to the United States civil service commission under the United States Civil Service System Retirement Act except that a person who receives separate remuneration for work currently performed for an employer and the United States government may elect to be a member of the retirement system in accordance with rules of the board. Example of Non-Qualifying Employment:

- For more information, please visit Civil Service Retirement System (CSRS) (<https://www.opm.gov/retirement-services/csrs-information/eligibility/>)

SUBSTITUTE TEACHER

[Idaho Code 59-1302\(14\)\(B\)\(g\)](#)

A person not under contract with a school district or charter school, who on a day-to-day basis works as a substitute teacher replacing a contracted teacher and is paid a substitute wage as established by district policy or who, on a day-to-day basis works as a substitute assistant replacing a staff instruction assistant or a staff library assistant and is paid a substitute wage as established by district policy.

Example of Non-Qualifying Employment:

- Day-to-Day Worker

If there is any discrepancy between this publication and the law, the provisions of the law will prevail.



AM I A PERSI MEMBER?

SEASONAL WORKER/POSITION/EMPLOYMENT

[Idaho Code 59-1302\(14\)\(B\)\(h\)](#)

For PERSI purposes, states a seasonal worker/position is with a city, county, irrigation district, cemetery district or mosquito abatement district and the position lasts less than eight (8) consecutive months in a calendar year and is dependent on weather only.

When the city, county, irrigation district, cemetery district or mosquito abatement district has certified, in writing to the PERSI with a [Certification of 8 Month Seasonal Employment Status/RS130 form](#), the position is seasonal or casual; and the position is affected by weather, including parks, golf course positions and irrigation positions. Example of Non-Qualifying Employment:

- Playground Equipment Mechanics
- Swimming Pool Attendants
- Road Repair Technicians

EMPLOYEES OF PARTICULAR STATE EMPLOYERS, INCLUDING JUDGES (JRF PLAN)*

[Idaho Code 59-1302\(14\)\(B\)\(i\)](#), [Idaho Code 1-2001](#)

A person in a position that (i) is eligible for participation in an optional retirement program established under section [33-107A](#) or [33-107B](#), Idaho Code, or (ii) would be eligible for participation in an optional retirement program established under section [33-107A](#) or [33-107B](#), Idaho Code, if the person was not working less than half-time or less than twenty (20) hours per week. Example of Non-Qualifying Employment:

- Please see Idaho Code [33-107A](#) or [33-107B](#) if you fall under these conditions
- For Judges participating in the Judges' Retirement Fund, please see [Idaho Code 1-2001](#)

*The list of examples is not exhaustive and there may be other examples that would qualify.



If you have questions, contact the PERSI Member Services Answer Center toll-free at 1-800-451-8228 or 208-334-3365 in the Treasure Valley area.

If there is any discrepancy between this publication and the law, the provisions of the law will prevail.