

## **Exception List for SERS**

If the position is eligible but the employee in the position meets one of the following exceptions, that employee is ineligible for SERS membership. Please review the following list of exceptions:

- Elected official or appointed by the governor, and did not opt to participate  
RCW 41.35.030(2)
- Retirement system retiree, otherwise eligible, who does not opt in  
RCW 41.35.030(3)
- Person enrolled in a state-approved apprentice program, who is employed by a local government, and is a member of a union-sponsored retirement plan or if the employee is a member of a Taft-Hartley retirement plan  
RCW 41.35.030(4)
- Person rendering professional services to an employer on a fee, retainer, or contract basis or when the income from these services is less than fifty percent of the gross income received from the person's practice of a profession  
RCW 41.35.030(5)
- Substitute employees (not including PERS Plan 1 members), except for the purposes of the purchase of service credit under RCW 41.35.033  
RCW 41.35.030(6) and WAC 415-110-680(1)
- Employee who is not a citizen of the US, does not reside in the US, and perform duties outside the US  
RCW 41.35.030(7)
- Employee who is not a citizen of the US, is not covered by federal social security, is not excluded from membership, who is a Washington resident and opts to be excluded  
RCW 41.35.030(8)
- Citizen of the US who is working, residing and performing duties outside the US who does not opt in  
RCW 41.35.030(9)
- Employees who are removed from membership under RCW 41.35.683 or 41.35.423 (Terminal Illness)  
RCW 41.35.030(10)
- Member of TRS Plan 1 who is employed by a state agency or educational employer and elects to maintain membership in TRS.  
WAC 415-112-130`
- Common law employee (independent contractor)  
WAC 415-02-110(1)

If you believe any of these exceptions apply to one of your employees, contact Employer Support Services before making an eligibility determination.