**EMPLOYER PARTICIPATION AGREEMENT**

**IN THE**

**NORTH DAKOTA PUBLIC EMPLOYEES RETIREMENT SYSTEM**

**PRETAX SERVICE CREDIT PURCHASE PROGRAM**

This agreement is entered into by and between {stdOrgName}, {stdOCAdrCorCity}, North Dakota, as authorized by the resolution hereto attached, and the NORTH DAKOTA PUBLIC EMPLOYEES RETIREMENT SYSTEM, as authorized by the Retirement Board through its chairman and executive director, and shall be effective on {qu ParticipationStartDate}.

Whereas, {stdOrgName}, {stdOCAdrCorCity}, North Dakota, currently participates in the Public Employees Retirement System; and

Whereas, {stdOrgName}, {stdOCAdrCorCity}, North Dakota, wishes to provide its employees the opportunity to purchase service credit in the Public Employees Retirement System with pre-tax contributions; and

Whereas, {stdOrgName}, {stdOCAdrCorCity}, North Dakota, as reflected by the resolution hereto attached, has affirmatively elected to pick up contributions for its employees who elect to purchase service credit with pre-tax contributions;

Now, therefore, it is agreed and understood that:

1. The requirements and restrictions found at N.D.C.C. § 54-52-05(3), and any rules adopted or further amended by the Board, apply to the purchase arrangement. {stdOrgName}, {stdOCAdrCorCity}, North Dakota, understands and agrees that under a purchase arrangement it must specify that the contributions, although designated as employee contributions, are being paid by the employer in lieu of contributions by the employee. As such, {stdOrgName}, {stdOCAdrCorCity}, North Dakota, hereby specifies that any contributions it makes on behalf of its employees pursuant to this agreement are being paid by {stdOrgName}, {stdOCAdrCorCity}, North Dakota, in lieu of contributions by the employee;

1. The employee must not be given the option of choosing to receive the contributed amounts directly instead of having them paid by the employer to the pension plan;
2. An employee’s election to participate is irrevocable, and can only terminate upon the employee’s death, disability or termination of employment.

Executed at , North Dakota, this day of , 20\_\_\_\_.

{stdOrgName}

By \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

By \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Executed at Bismarck, North Dakota, this day of , 20\_\_\_\_.

NORTH DAKOTA PUBLIC EMPLOYEES RETIREMENT BOARD

By \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Executive Director Date