

In the 2025 long session, Oregon AFSCME advocated for HB 3363 which looked to fix the PERS cap. It became clear that a notable number of PERS OPSRP members who work in public safety and who are mandated overtime hours, are negatively impacted with the current DAS policy that imposed a fixed 300 hour cap on the maximum number of overtime hours that shall be considered by PERS upon calculating State OPSRP employees final retirement benefit.

It was also clear that the State never complied with the 2003 PERS reform statute directing DAS to create a rule for more than one OT cap, specifying the caps should have geographic representation. The Department of Administrative Services (DAS), convened a Rule Advisory Committee and hosted agency rulemaking through four meetings from July 29-September 2, creating an initial draft rule.

The RAC was reconvened to garner feedback from RAC members on October 15. On October 20, DAS subsequently indicated that the final draft rule will be posted eminently. We anticipate both the draft rule, the final RAC meeting, and the public comment period to be announced eminently. It is our understanding that the new Rule would go into effect January 2026.