

WSR 26-09-023
PERMANENT RULES
DEPARTMENT OF
RETIREMENT SYSTEMS

[Filed April 6, 2026, 11:28 a.m., effective May 7, 2026]

Effective Date of Rule: Thirty-one days after filing.

Purpose: Clarifying how dual member benefits are calculated when one retirement system permits the use of out-of-state service or accrued sick leave to qualify for benefits, while the other does not.

Citation of Rules Affected by this Order: Amending WAC 415-113-059.

Statutory Authority for Adoption: RCW 41.50.050.

Adopted under notice filed as WSR 26-05-077 on February 17, 2026.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at the Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's own Initiative: New 0, Amended 1, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 1, Repealed 0.

Number of Sections Adopted using Negotiated Rule Making: New 0, Amended 1, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 0, Repealed 0.

Date Adopted: April 6, 2026.

Kathryn Leathers
Director

RDS-6899.2

AMENDATORY SECTION (Amending WSR 08-15-065, filed 7/14/08, effective 8/14/08)

WAC 415-113-059 Can I combine service from different systems to qualify for increased benefits? (1) **You may combine service to determine retirement eligibility.** You may combine your service in all systems to determine your eligibility for a disability or service retirement allowance from your current system, a service retirement allowance from your prior system, or an indexed retirement allowance from LEOFF Plan 2, PERS Plan 3, SERS Plan 3, or TRS Plan 3.

(2) **You may not combine service for any other purpose.** You may not combine your service to qualify for any other benefit offered by a particular system. For example:

(a) PERS Plan 1 military service. You may not combine service from other systems to qualify for military service credit in PERS Plan 1 under RCW 41.40.170.

(b) LEOFF Plan 2 post-separation benefits. You may not combine your accrued service from other systems for purposes of qualifying for a refund of (~~one hundred fifty~~) 150 percent of the LEOFF Plan 2 member's accumulated contributions under RCW 41.26.540.

(c) TRS out of state service credit - using no-cost out-of-state service. You may not combine no-cost out-of-state service to qualify for a reduced reduction factor, such as the 2008 early retirement factor, in any system that is not eligible to use out-of-state service credit.

(d) If you are retiring from TRS or SERS where it is allowed to include up to 45 days of sick leave for up to two service credits per RCW 28A.400.300 (1)(b)(vii) to qualify for a reduced reduction, such as the 2008 early retirement factor, you may not use that in any system that is not eligible to use 45 days of sick leave.

Example 1: Pat is a dual member in TRS and PSERS with 328 service credit months in TRS and 30 service credit months in PSERS. Pat would like to use 45 days of sick leave in TRS for two service credit months to reduce the benefit reduction. Pat will qualify for the reduced reduction in the TRS calculation but will not qualify for the reduced reduction in the PSERS calculation because PSERS is not eligible to use 45 days of sick leave for up to two service credits.

Example 2: Pat is a dual member in TRS and SERS with 328 service credit months in TRS and 30 service credit months in SERS. Pat would like to use 45 days of sick leave in TRS for two service credit months to reduce the benefit reduction. Pat will qualify for the reduced reduction in the TRS calculation and the SERS calculation because SERS is eligible to use 45 days of sick leave for up to two service credits.

(3) **Defined terms used.** Definitions for the following terms used in this section may be found in the sections listed: "System" - RCW 41.54.010(6).