



◆ AM I A PERSI MEMBER?

Not all employment through a PERSI employer qualifies for PERSI membership. Specific exclusions to the definition of an “Employee” can be found in [Idaho Code 59-1302\(14\)\(B\)](#). The following are the statutory instances of employment where the worker is not an employee for purposes of PERSI:

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.

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.

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.

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.

INCARCERATED/IMPRISONED/JAILED INMATE

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

An inmate of a state institution performing services with or without compensation.

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.

**IF THERE IS ANY DISCREPANCY BETWEEN THIS PUBLICATION AND THE LAW,
THE PROVISIONS OF THE LAW WILL PREVAIL.**

continued...



AM I A PERSI MEMBER?

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.

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.

SEASONAL WORKER/POSITION/EMPLOYMENT

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

A person occupying a position that does not exceed eight (8) consecutive months in a calendar year with a city, county, irrigation district, cemetery district or mosquito abatement district when the city, county, irrigation district, cemetery district or mosquito abatement district has certified, in writing, the position is: (i) seasonal or casual; and (ii) affected by weather, including parks, golf course positions and irrigation positions.

Employers are required to certify the seasonal employment by utilizing the [Certification of 8 Month Seasonal Employment Status/RS130 form](#).

EMPLOYEES OF PARTICULAR STATE EMPLOYERS

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

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.

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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.