

**STATE EMPLOYEES' RETIREMENT ACT (EXCERPT)**  
**Act 240 of 1943**

**38.45 Definitions.**

Sec. 45. As used in this section and sections 46 and 47:

(a) "Covered position" means any of the following:

(i) On or after January 1, 1989, a position in the classified civil service with a classification of any of the following:

- (A) Corrections officer.
- (B) Resident unit officer.
- (C) Corrections medical aide.
- (D) Corrections shift supervisor.
- (E) Corrections security inspector.
- (F) Corrections security representative.
- (G) Deputy prison warden.
- (H) Departmental administrator-prison warden.

(ii) On or after January 1, 1989, a position that is assigned to a work station inside the security perimeter of a state correctional facility designated as "medium", "close", or "maximum".

(iii) On or after January 1, 1989, a position within a state correctional facility that requires the employee to be in direct contact with prisoners for more than 50% of the employee's work time performing supervisory or disciplinary duties including 1 or more of the following:

- (A) Supervising prisoners in the performance of tasks.
- (B) Supervising prisoners for the purpose of enforcing the facility's rules.
- (C) Direct participation in the disciplinary process.

(iv) On or after January 1, 1989, a position with the center for forensic psychiatry that is classified by civil service as forensics security aide IIB, forensics security aide IIIB, forensics security supervisor IVB, forensics security supervisor VB, forensics security supervisor VIB, or forensics supervisor VII.

(v) A position that was a covered position under this section before January 1, 1989, that is excluded by subparagraphs (i) to (iv), if and only as long as the person in the position on January 1, 1989, continues in the position after January 1, 1989.

(b) "Supplemental member" means a member who is employed in a covered position.

(c) "Covered service" means credited service acquired in a covered position.

(d) "Supplemental final average compensation" means 1/3 of the compensation paid a supplemental member during the period of 3 consecutive years of the member's covered service producing the highest average and contained within the member's last 10 years of credited service immediately preceding the date the member's employment in a covered position last terminates.

(e) "State correctional facility" means a facility under the jurisdiction of the department of corrections that has a designation of "maximum", "close", "medium", "minimum", "prison camp", or "correction center".

**History:** Add. 1976, Act 302, Eff. Mar. 31, 1977;—Am. 1978, Act 622, Imd. Eff. Jan. 6, 1979;—Am. 1988, Act 351, Eff. Jan. 1, 1989;—Am. 2002, Act 743, Imd. Eff. Dec. 30, 2002;—Am. 2018, Act 556, Imd. Eff. Dec. 28, 2018.