

To Rhode Island State Social Security Agreement

Whereas, the Secretary of Health, Education, and Welfare and the State of Rhode Island acting through its representative designated to administer its responsibilities, entered into an agreement on January 24, 1952, for the purpose of extending coverage under the provisions of the Social Security Act, as amended, to the employees of the State and the political subdivisions of the State; and

Whereas, coverage under the Social Security Act was extended by execution of the following listed modifications to the aforesaid agreement to services by individuals as employees of the following enumerated political subdivisions as members of coverage groups (as established by section 218(d)(4) of the Act) of the retirement system designated as Part A of the Employees Retirement System of the State of Rhode Island (as established by section 218(d)(6) of the Act), including individuals in positions covered by the retirement system who are not members of the system but who are eligible to become members of such system:

<u>Political Subdivisions</u>	<u>Modification No.</u>	<u>Effective Date</u>
Town of Jamestown	36	January 1, 1956
Town of Narragansett	36	January 1, 1959
Town of South Kingstown	36	January 1, 1959
City of Providence	41	January 1, 1961
City of Warwick	43	January 1, 1963
Town of North Providence	45	January 1, 1964
City of Pawtucket	46	January 1, 1964
City of Woonsocket	47	January 1, 1963

And whereas, the aforesaid political subdivisions pursuant to the directives of the State Official designated to act for the State in carrying out matters arising under the Federal-State Agreement were given to

#58 2013

believe that coverage was thereby extended to services performed by those employees of the said political subdivision who were in positions covered by the Employees Retirement System of the State of Rhode Island but who were personally ineligible for membership in the said system; and

Whereas, in furtherance of this belief wage reports have been and continue to be filed and payments made under the Federal-State Agreement on behalf of the said "ineligible" employees of each of the said political subdivisions for the same effective periods established for each of the said political subdivisions by the above-listed modifications; and

Whereas, this belief was erroneous but represents the intent of the State and of the said political subdivisions to extend coverage to the aforesaid "ineligible" employees; and

Whereas, the State of Rhode Island and the Secretary of Health, Education, and Welfare desire to correct the above error in said agreement;

Now, therefore, the Secretary of Health, Education, and Welfare and the State of Rhode Island, acting through its representative designated to administer its responsibility under the above agreement, hereby modify said agreement with respect to the above-listed political subdivisions to which said agreement already applies to provide that said agreement shall also apply effective as of the effective dates listed herein with respect to each such political subdivision to services provided by the employees of each such political subdivision in positions covered by the Employees Retirement System of the State of Rhode Island, but who are ineligible to be members of such retirement system.

#58 3 of 3

It is further agreed that the services of any ineligible employee referred to in this modification shall continue to be covered by the said agreement if after the effective date specified herein with respect to the political subdivision of which he is an employee he becomes eligible to be a member of the Employees Retirement System of the State of Rhode Island.

Approved for the State of Rhode Island this First day of September, 1965.

Raymond H. Howley  
General Treasurer

Approved this 17<sup>th</sup> day of September, 1965.

Secretary of Health, Education, and Welfare

E. Albert Kreek

E. Albert Kreek, Deputy Director  
Bureau of Retirement and Survivors Insurance  
Social Security Administration

# Memorandum

DATE: September 16, 1965

TO : Mr. E. Albert Kreek  
Deputy Director

REFER TO: 14:CP:C

FROM : Edward N. Watman, Chief  
Coverage Branch

SUBJECT: Modification No. 58, Rhode Island

Enclosed is the above identified modification and supporting documents for necessary action.

_____ 218(b) (5) Coverage Groups	_____ No. of Employees
_____ 218(d) (4) Coverage Groups	_____ No. of Employees
* _____ Other (See Remarks)	_____ Unk. No. of Employees
_____ Total No. of Coverage Groups	_____ Unk. Total No. of Employees Covered

Remarks:

Cleared by regional attorney

\* Error modification extends coverage to services of employees of eight political subdivisions as part of the (b)(5) coverage groups of each who are in positions under the Employees' Retirement System of the State of Rhode Island, a retirement system divided on the basis of members desires, and are personally ineligible for membership therein.

*ENW/*  
Edward N. Watman

Enclosure(s) 5

Department of  
Health, Education, and Welfare  
Region I  
Boston, Massachusetts 02116

GC:RA:I

DATE: September 9, 1965


TO: SSA Regional Representative

FROM: Office of the General Counsel  
Boston Regional Office

SUBJECT: State and Local Coverage - Rhode Island Modification No. 58

COMMENTS: Cleared for approval.

This error modification is cleared for approval in accordance with our understanding as to current Administration policy concerning error modifications as pointed out in our prior memoranda of May 24, 1965, and June 22, 1965. We believe that the letter of July 8, 1965, from the State official designated to carry out the responsibilities under the Federal-State Agreement provides adequate evidence of the error involved. This letter points out that the State itself mistakenly believed that when coverage was extended to regular teachers of eight cities and towns on a desire for coverage basis as members of a deemed retirement system pursuant to section 218(d)(6)(A and C) of the Act, coverage was thereby also extended to the substitute teachers, i.e., the "ineligibles." In response, therefore, to the directives of the State official, the eight cities and towns have filed wage reports and made payments under the Federal-State agreement on behalf of the substitute teachers for the same effective periods of time as are applicable to the regular teachers. Such practice itself is at least corroborative evidence of the error involved.

  
Arthur M. Menard  
Regional Attorney

RAYMOND H. HAWKSLEY  
GENERAL TREASURER



WILLIAM T. HUNT  
DEPUTY GENERAL TREASURER

State of Rhode Island and Providence Plantations  
TREASURY DEPARTMENT  
OFFICE OF THE GENERAL TREASURER  
PROVIDENCE

July 8, 1965

JUL 9 9 02 AM '65  
MAIL ROOM  
BOSTON, MASS.

Mr. John R. Campbell, Jr.  
Cent. of E. M. & W.  
Regional Representative  
120 Boylston St.  
Boston, Massachusetts 02116

Dear Mr. Campbell:

The following information on substitute teachers may be helpful in clarifying the situation.

As this office has previously informed your agency, substitute teachers--in each City and Town who have extended Social Security coverage to their teachers as a group--have also been covered from the effective date of the specific modification involved.

This situation came about through our intercolation of coverage of a split-retirement system and we considered the fact while conducting this referendum that a substitute teacher had no option as to coverage but was in a position subject to coverage, subsequently we extended coverage to all teachers except those who had a vote and voted no. The result is that all Cities and Towns involved, through our directives, have been covering substitute teachers.

Contact me, if any further information is desired.

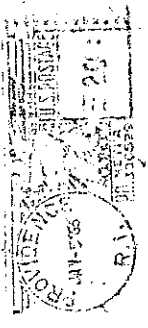
Sincerely,

*Raymond H. Hawksley*  
General Treasurer

REGION I-SSA  
JUL 9 1965

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DIRECTOR'S ROOM  
JAN 6 9 05 AM '66  
BOSTON, MASS.



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Mr. John R. Campbell, Jr.  
Dept. of H. E. & W.  
Regional Representative  
120 Boylston Street  
Boston, Massachusetts 02116

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS  
**OFFICE OF GENERAL TREASURER**  
State House  
Providence, Rhode Island, 02903