

Commonwealth of Massachusetts
Worcester Regional Retirement System

Kevin P. Blanchette • Chairman

Board Members: Joanne L. Savignac • Pauline M. Lajoie • Michael J. Donoghue • Eugene J. Durgin, Jr.
Michael Sacco, Esquire • Chief Executive Officer

TO: All Unit Treasurers
FROM: Michael Sacco, Esquire, Chief Executive Officer
DATE: December 21, 2020
RE: Once A Member, Always a Member

As part of our continuing outreach effort to provide you with the most up-to-date and accurate information, we recently provided you with an updated regular compensation checklist which has prompted a few inquiries as to whether the so-called, “once a member, always a member” practice would apply for those members who transition from a membership eligible position to a per diem position and thus compel that retirement deductions be withheld from this per diem pay. The short answer is “no.”

Prior to 2016, “once a member, always a member” was more of a mantra than a legal interpretation regarding an employee’s retirement system membership rights, however in 2016 the Supreme Judicial Court reviewed a case involving the issue and issued a decision that put the controversy to rest. In Retirement Board of Stoneham v. Contributory Retirement Appeal Board, 476 Mass. 130 (2016), the SJC reversed a Superior Court decision that had affirmed the Stoneham Retirement Board’s discretion to require that retirement system members continuously satisfy the eligibility criteria throughout their employment. In essence, the SJC stated that a retirement board had the absolute and unfettered discretion to determine a less-than-full-time employee’s membership criteria, but once that criteria has been satisfied and the employee becomes a retirement system member, the employee’s membership shall continue so long as the employee’s employment continues. Thus, “once a member, always a member” means that once membership has been attained, the membership will continue as long as there is continued employment.

“Once a member, always a member” does **not** mean that a member who “transitions” from a full-time or part-time position to a per diem employee will continue as a member-in-service and have deductions withheld from the per diem compensation, or that if a member severs employment and leaves his/her money on deposit in the retirement system that the individual will automatically become a member-in-service upon being rehired. Whenever there is a break in service from continuous employment, that employee becomes a member inactive and the employee will then have to satisfy our membership regulation to contribute to the retirement system once again.

Should you have any additional questions, feel free to contact Valerie Farrell or me directly.