



**New York State Correctional Officers  
& Police Benevolent Association, Inc.**

102 Hackett Blvd. - Albany, NY 12209  
(518) 427-1551 [www.nyscopba.org](http://www.nyscopba.org) [nyscopba@nyscopba.org](mailto:nyscopba@nyscopba.org)



**RETIREMENT  
DISABILITY RETIREMENT  
RETIREE CHAPTER**

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## **RETIREMENT DISABILITY RETIREMENT RETIREE CHAPTER**

- **NYSCOPBA Retirement Benefits**
- **Retirement Process**
- **Retirement Basics Brochures**
- **Continuing Health Insurance**
- **Disability Retirement Basic Questions and Contacts**
- **NYSCOPBA Disability Retirement Cover letter**
- **Disability Retirement Process**

## What NYSCOPBA benefits are available to me when I retire?

NYSCOPBA is dedicated to providing our retired members with continued benefits. Therefore, a Retirement Chapter was established and offer the following benefits:

- **Free one year membership in the Retiree Chapter** – Upon retirement, all NYSCOPBA members will receive a one-year membership in the Retiree Chapter at no charge. At the end of the first year, membership is \$25.00 per year by mandatory pension deduction.
- \$20,000 life insurance policy (Regardless of age)
- Retirement Award of \$10/year of service
- A personalized plaque to honor your dedicated years of service
- Membership emailings, including the NYSCOPBA newsletter, *The*

### *Independent*

- Support for all aspects of the retirement process
- Dependent Scholarship eligibility
- Optional dental, vision, home, auto and personal insurance at group rates
- \$100 Vision reimbursement benefit through Norvest Financial Services
- Discount Vision Care Plan administered through Davis Vision



# HOW TO



**For NYSCOPBA Members**

*This checklist will help guide you through the retirement process.*

- Step 1** Request a **general estimate** 12-18 months before you retire to determine the approximate amount of pension you can expect to receive monthly.
- Form RS6030.**
- Step 2**  After receiving your estimate from retirement, schedule an account checkup with deferred comp or meet with your financial advisor.
- Step 3**  **Request a Retirement Packet from NYSCOPBA:**  
518-427-1551 ext. 225 or 257  
retirement@nyscopba.org
- Step 4** **File for retirement** (All forms are in the NYSCOPBA Retirement packet.)  
Submit the following applications to NYSLRS, 110 State St Albany, NY 12244-0001:
- Form RS6037** - Application for Retirement, along with proof of your birth date, at least 15 but not more than 90 days prior to your date of retirement.
  - Form RS6399** - Options Election
  - Form RS6370** - Direct Deposit
  - Form W-4P** - Federal Withholdings. Use the OSC tax calculator to help you determine how much you should have withheld from your retirement benefit.
- Step 5** Before your last day on the payroll, meet with your Health Benefits Administrator to:
- File Form PS404.** Choose if you want to continue or defer your health insurance coverage as a retiree. You must decide no later than your last day on the payroll.
  - File Forms PS406.2** (Defer Health Ins. Coverage) and **PS410** (Sick Leave Credit Preservation) if you choose to defer. You must have other health insurance coverage, for example through your spouse's/domestic partner's employer or through post-retirement employment.
  - File Form PS405.** Choose if you want single or dual annuitant sick leave credit. You must decide no later than your last day on the payroll and if you choose it, you may not discontinue it later.
  - File Form RS6355** - Survivors Benefit Program.

## Step 6

- Return your Badge, Employees manual and uniforms on your last day on payroll.** At this time, your facility personnel office should ensure your health insurance forms are correct and submitted. They should also issue your retirement badge (if applicable).

## Step 7

Choose if you wish to continue Dental or Vision coverage after retiring.

- COBRA:** You have 60 days from the day you retire to sign up for COBRA dental or vision.
- Direct pay Emblemhealth: 60 days from retiring to enroll.
- NYSCOPBA Sponsored Dental or vision: 30 days from retiring to enroll.

## Step 8

New York State Deferred Compensation Plan to:

- Use up to \$3,000 of your Deferred Comp to offset your health insurance costs.** Submit the Public Safety Officer Insurance Premium Payment Authorization Form and a copy of your first health insurance bill. to use up to \$3,000 of your Deferred Comp to offset your health insurance costs.
- Choose a payout option that fits your needs.**  
NOTE: The earliest you can begin making withdrawals is 45 days following separation of service.
- Decide when you want to take distributions.** The Plan does not require you to begin benefit payments until you are age 70 1/2, and separated from state service. After April 1 of the calendar year in which you reach age 70 1/2, the IRS requires you to take a minimum distribution or pay a penalty of 50% of the amount that was not withdrawn as required.
- To begin receiving distributions:** Call the HELPLINE at 800-422-8463 and request a Benefit Distribution Packet. Confirm that your beneficiary information is up-to-date.

## Step 9

- Apply for Social Security.** Contact Social Security if you are 62 and plan to retire or if you are within three months of 65, even if you don't plan to retire.
- Medicare**
  - If you are receiving Social Security benefits for 24 months you will be sent Medicare information.
  - If you are not receiving benefits, apply three months before your 65th birthday. Call Social Security to apply.
  - As a retired NYS employee, you must enroll in both **Parts A & B ONLY** when you become eligible for Medicare. NYS will reimburse you for the cost of Part B.

*The NYSCOPBA Retirement Department compiled this Checklist using information taken from the Work-Life Services Checklist. You may find this Checklist along with the 11 chapter Self-Help Guide to Pre-Retirement at [www.worklife.ny.gov](http://www.worklife.ny.gov)*





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(518) 427-1551 - 518.426.1635 fax  
[www.nyscopba.org](http://www.nyscopba.org) - [retirement@nyscopba.org](mailto:retirement@nyscopba.org)



*Revised 5/24/2017*

NYSCOPBA Member:

Congratulations on your retirement! Enclosed please find several forms and information to assist you getting your retirement started. We hope you find this information helpful and we are here to help you should you need assistance filling out the forms or understanding the information provided. Below is a summary of what's included;

**Helpful contact information for retirees-** Most important phone numbers, fax numbers, email addresses and web addresses

**Application for NYSCOPBA's Retirement Chapter.** This application can be used to update your contact information, order a service plaque, request a service award, designate your beneficiary for the free \$20,000 life insurance benefit and sign you up for the Retiree Chapter dues deductions from your pension check. Chapter dues are free the first year and \$25/year thereafter. After your free year, Retiree Chapter dues deduction of \$2.08 will be deducted from each monthly check.

**OSC Form 6037, Application for Service Retirement-** Use this form to apply for a standard retirement. **Do not send form to NYSCOPBA. It must be sent to the NYS Retirement System by certified mail.** *(Not needed if you have already retired)*

**OSC Form 6399, Retirement Election Form for Tier 3, 4, 5 & 6-** Use this form to select your retirement option (single life, joint, etc.). **Do not send form to NYSCOPBA. It must be sent to the NYS Retirement System by certified mail.** *(Not needed if you have already retired)*

**OSC Form 6370, EFT Direct Deposit Enrollment Application-** Use this form to apply for Direct Deposit. **Do not send form to NYSCOPBA. It must be sent to the NYS Retirement System by certified mail.** *(Not needed if you have already retired)*

**OSC Form W-4P, Withholding Certificate for Pension-** Use this form to set up Federal withholding's. **Do not send form to NYSCOPBA. It must be sent to the NYS Retirement System by certified mail.** *(Not needed if you have already retired)*

**Dental Options in Retirement-** COBRA (through the State), Direct Pay (directly through EmblemHealth), Norvest Dental Plans (by pension deduction through the Retiree Chapter)

**Vision Options in Retirement-** COBRA (through the State), Davis Vision Discount (for you and your dependents), Norvest VSP & \$100 Eyeglass/Contacts Reimbursement Program (just for Chapter Members).

**NYS Deferred Compensation Plan Insurance Premium Payment Authorization Form-** Use this form to have your retiree health insurance premiums deducted directly from your deferred compensation account. By paying for your insurance premiums from your deferred compensation account, you are using before tax money to pay the premiums. Consult with a tax professional regarding your eligibility for this program.

**IRS Publication 575- Insurance Premiums for Retired Public Safety Officers-** Some members may be able to deduct up to \$3,000 used to pay for health insurance, accident insurance or long-term care insurance from their income taxes. Consult with a tax professional to see if you qualify for this benefit.

**Life Insurance Options in Retirement-** You can port or convert the free, active NYSCOPBA member, \$30,000 group, term policy and optional group term life insurance policy (these were by payroll deduction when you were an active employee) you had as an active member through Norvest Financial Services. Retiree Chapter membership includes a free group, term life, \$20,000 policy.

NYSCOPBA Retirement Department

[retirement@nyscopba.org](mailto:retirement@nyscopba.org)

Bill Naylor x 257

Michelle Allen x225



# New York State Correctional Officers & Police Benevolent Association, Inc.

[www.nyscopba.org](http://www.nyscopba.org) - [retirement@nyscopba.org](mailto:retirement@nyscopba.org)



## Retiree Chapter (and Employees) Helpful Contacts

<p><b>NYS Employees Retirement System</b> (Pensions, Calculations, COLA) (518) 474-7736 or (866) 805-0990 110 State Street, Albany, NY 12244 <b>Online Account-</b> <a href="https://portal.osc.state.ny.us/">https://portal.osc.state.ny.us/</a> <a href="http://www.osc.state.ny.us">www.osc.state.ny.us</a></p> <p><b>NYS Department of Civil Service</b> (Employee Health, Dental and Vision, Retiree Health &amp; COBRA Vision &amp; Dental) (518) 457-5754 or (800) 833-4344 Fax (518) 485-5590 Employee Benefits Division Albany, NY 12239 <a href="mailto:pio@cs.ny.gov">pio@cs.ny.gov</a> <a href="http://www.cs.state.ny.us">www.cs.state.ny.us</a></p> <p><b>Empire Plan</b> PO Box 1600, Kingston, NY 12402 (877) 769-7447</p> <p><b>GHI/EmblemHealth- Dental</b> (Employees Dental, COBRA, Direct pay for Retirees) <a href="http://www.emblemhealth.com/">www.emblemhealth.com/</a> (800) 947-0101</p> <p><b>Davis Vision-</b> (Employees Vision, COBRA, Chapter Discount Program) (800) 283-9374 <a href="http://www.davisvision.com">www.davisvision.com</a></p>	<p><b>Social Security Administration</b> (Social Security, SS Disability) (800) 772-1213 <a href="http://www.ssa.gov">www.ssa.gov</a></p> <p><b>Medicare</b> (800) 633-4227 (Federal Health insurance for 65 and older, Disabled) <a href="http://www.medicare.gov">www.medicare.gov</a></p> <p><b>Norvest Financial-</b> (Life Insurance, Retiree Chapter Dental and Vision Discount Plan) (888) 869-8252 <a href="http://www.norvest.net">www.norvest.net</a></p> <p><b>AFLAC</b> (Employees optional injury/illness ins.) (800) 366-3436 <a href="http://www.aflacny.com">www.aflacny.com</a></p> <p><b>Liberty Mutual- Auto/Home</b> (Optional Auto/Home) (800) 225-8281 <a href="http://www.libertymutual.com">www.libertymutual.com</a></p> <p><b>MetLife – Auto/Home</b> (Optional Auto/Home) 877491-5087 <a href="http://www.metlife.com/mybenefits%20today">www.metlife.com/mybenefits%20today</a></p>	<p><b>NYS Deferred Compensation</b> (800) 422-8463 <a href="http://www.nysdcp.com">www.nysdcp.com</a></p> <p><b>AARP</b> (888) 687-2277 <a href="mailto:member@aarp.org">member@aarp.org</a> - <a href="http://www.aarp.org">www.aarp.org</a></p> <p><b>Retired Public Employees Association</b> (518) 869-2542 or (800) 726-7732 <a href="http://www.rpea.org">www.rpea.org</a></p> <p><b>NYS Bar Association (Attorney Referral)</b> (800) 342-3661 - fax (518) 463-5993 <a href="mailto:lrs@nysba.org">lrs@nysba.org</a> - <a href="http://www.nysba.org">www.nysba.org</a></p> <p><b>U.S. Department of Veteran Affairs</b> (800) 827-1000 <a href="http://www.va.gov">www.va.gov</a></p> <p><b>NYS Division of Veteran Affairs</b> (518) 474-6114 or (888) 838-7697 <a href="http://www.veterans.state.ny.us">www.veterans.state.ny.us</a></p> <p><b>Working Advantage (Discounts for Employees and Retirees)</b> 800.565.3712 <a href="http://www.workingadvantage.com/">http://www.workingadvantage.com/</a> Click on "Register", "Employees", enter ID# 970929129. <a href="#">Flyer</a> on our web site</p>
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### NYS Retirement System Direct Dial Phone Numbers

Call Center	518.474.7736	Call Center	866.805.0990
Fax	518.402.4433	Arrears (reg # ending in 00 - 49)	518.474.4913
Arrears (reg # ending in 50 - 99)	518.474.8542	Arrears Payment	518.474.2987
Beneficiary Changes	518.474.3186	Deaths	518.474.7502
Deaths	518.474.6570	Disability	518.474.7736
Disability in Process	518.474.2078	Estimates	518.474.5369
Excess Contributions	518.474.7621	Loan Overpayments	518.474.7621
Loans	518.474.4608	Loan Information	518.474.7736
Membership Applications	518.474.3524	Retirement in Process	518.474.2608
Tier Reinstatement	518.474.1926	Tier Reinstatement	518.474.8482
Transfer of Membership	518.474.2602	Withdrawal	518.474.3502
		Pension Checks	518.474.4449
		Recalculations	518.486.5810
Pension payroll	518.474.5400	Pension service	518.474.7736

### NYS Retirement System FAX Numbers

Service Retirement	518.402.2498	Member Documents	518.474.9438
Disability App. In Process	518.474.3091	Disability Retirees	518.408.3766
FOIL Requests	518.473.8940	General Fax	518.402.4433

### NYS Retirement System Email Addresses & Web sites

Hearings	<a href="mailto:hearings@osc.state.ny.us">hearings@osc.state.ny.us</a>	Secure Web Email Form	<a href="http://www.osc.state.ny.us/retire/index.php">www.osc.state.ny.us/retire/index.php</a>
Facebook	<a href="http://www.facebook.com/nyslrs">www.facebook.com/nyslrs</a>	Blog	<a href="http://www.nyretirementnews.com">www.nyretirementnews.com</a>
Twitter	<a href="http://www.twitter.com/nyslrs">www.twitter.com/nyslrs</a>	Military Service Unit	<a href="mailto:msunit@osc.state.ny.us">msunit@osc.state.ny.us</a>
General Email	<a href="mailto:nyslrsinfo@osc.state.ny.us">nyslrsinfo@osc.state.ny.us</a>	Matrimonial Bureau	<a href="mailto:dro@osc.state.ny.us">dro@osc.state.ny.us</a>

*When contacting the NYS Retirement System by phone, expect to spend considerable time on hold. Consider sending your questions with the [Secure Web Email Form](#) (best, web address above) or fax the number above (be sure to include your name, retirement number, your contact information your detailed questions and your social security number). Mail pension or other changes by certified, return receipt, to the New York State and Local Retirement System, 110 State Street, Albany, NY 12244-0001.*

*When contacting NYS Civil Service by phone, expect to spend considerable time on hold. Consider sending your general questions to [pio@cs.ny.gov](mailto:pio@cs.ny.gov) (be sure to include your name, retirement number, your contact information your detailed questions and your social security number). Mail health, dental, vision and COBRA changes certified, return receipt to the New York State Civil Service, Employee Benefits Division, Albany, NY 12239 (no street address is correct).*

# TIER 6

## Contribution

First 3 years % based on annual wage. After 3 years % based on actual reported earnings from previous 2 years. Contribution % increases as reported earnings increase.

## 89 (25 & Out)

25 years or more. FAS based on highest 60 months. If the earnings in any year included in the FAS period exceed the average of the previous 4 years by more than 10%, the amount in excess of 10% is excluded from your FAS. Lump sum vacation pay cannot be included in FAS.

## Ordinary Retirement:

Must be 63 years old with 30 years or more. FAS based on highest 60 months, and the previous four years to that. Anything above 10% of previous 4 years earnings are not used in FAS. Lump sum vacation pay cannot be included in FAS.

## Vested Benefit

10 years to be vested. Full benefit at age 63. Percentage per year based on FAS. Age 63 or older with less than 20 yrs. 1.66% per year. Age 63 or older with 20 yrs. 1.75% per year. Age 63 or older with more than 20 yrs. 2% per year. Reduced benefit if taken between ages 55 and 62. All based on FAS at time you leave service.

## Ordinary Disability (Article 15-605)

Same as Tier 3.

## Performance of Duty Disability (507-B)

Same as Tier 3.

# What Tier Are You In?

If you are an ERS Member...

You are in:	If you joined:
Tier 1	before July 1, 1973
Tier 2	July 1, 1973 through July 26, 1976
Tier 3	July 27, 1976 through August 31, 1983
Tier 4	September 1, 1983 through Dec. 31, 2009
Tier 5	January 1, 2010 through March 31, 2012
Tier 6	April 1, 2012 or after

For specific information refer to the New York State Retirement Brochure.

\* Regular retirement, ordinary disability, and performance of duty disability retirement can be filed simultaneously. You will receive the greater benefit of those approved, if filed "without prejudice".

## Cost-of-Living Adjustment

→ Eligible to receive 50% of the previous years annual rate of inflation, never less than 1% or more than 3%.

→ Adjustment percentage only applied to the first \$18,000 of your Single Life Allowance.

→ Eligibility:

- age 62 or older and retired for 5 or more years, or
- age 55 and retired for 10 or more years, or
- receiving a Disability Pension for 5 or more years.



# Retirement Basics

## ARTICLE 14 or 15

# SHTA





**SHTA must choose retirement plan within one year of employment. Automatically enrolled into Ordinary Retirement if no choice is made.**

## TIER 3 & 4

### Contribution

3% of reported earnings for first 10 years only.

### 89 (25 & Out)

25 years or more. FAS based on highest 36 months. If the earnings in any year included in the FAS period exceed the average of the previous two years by more than 10%, the amount in excess of 10% is excluded from your FAS. Can include lump sum vacation pay (240 hours).

### Ordinary Retirement

Must be 55 years old with 30 years or more. FAS based on highest 36 months. If the earnings in any year included in the FAS period exceed the average of the previous two years by more than 10%, the amount in excess of 10% is excluded from your FAS. Can include lump sum vacation pay (240 hours).

### Vested Benefit

5 years to be vested. Full benefit at age 62. Age 62 or older with 20 yrs. or more 2% per year. Age 62 or older with less than 20 yrs. 1.66% per year. Reduced benefit if taken between ages 55 and 61. All based on FAS at time you leave service.

### Ordinary Disability (Article 14-506)

#### TIER 3 ONLY

Must have at least 5 years of service and have been awarded primary SSDI benefit. Benefit is 1/3 of FAS or 2% per year of FAS up to 30 years. Eligible

for COLA increases. Must be filed while active, on authorized medical leave for up to 2 years, or while receiving workers comp. benefits for up to 2 years since last being on the payroll. Cannot have resigned or been terminated. Benefit is offset by 50% of SSDI plus any workers comp. payable benefit.

### Ordinary Disability (Article 15-605)

Must have at least 10 years of service UNLESS disability results from an on-the-job accident, not due to your own willful negligence. Benefit is 1.66% of FAS but not more than 1/3 of your FAS. Eligible for COLA increases. Must be filed while active, within 3 months of being on the payroll or within 12 months of termination, while on authorized medical leave or while receiving workers comp. benefits at time of termination.

### Performance of Duty Disability (507-B)

No service requirement. Eligible if you are permanently disabled from performing your duties due to being injured as a result of any act of an inmate or person, confined under the jurisdiction of DOCCS or OMH or contract HIV, TB or Hepatitis as a result of performing your duties or contract heart disease. However, heart disease has to be proven by passing an entrance physical that failed to reveal any evidence of heart disease and presumed that the heart disease was contracted in performance of duties unless disproved by competent evidence (family history, history of smoking, excessive alcohol use, etc.). Can be filed prior to or after leaving service with the exception of heart disease, which must be filed while still employed. Must apply for workers comp. Benefit can be reduced by amount of comp. benefits you receive. Benefit is 75% of FAS.

## TIER 5

### Contribution

3% of reported earnings until retirement or 30 years, whichever comes first.

### 89 (25 & Out)

25 years or more. FAS based on highest 36 months. If the earnings in any year included in the FAS period exceed the average of the previous two years by more than 10%, the amount in excess of 10% is excluded from your FAS. Can include lump sum vacation pay (240 hours).

### Ordinary Retirement:

Must be 62 years old with 30 years or more. FAS based on highest 36 months. If the earnings in any year included in the FAS period exceed the average of the previous two years by more than 10%, the amount in excess of 10% is excluded from your FAS. Can include lump sum vacation pay (240 hours).

### Vested Benefit

10 years to be vested. Full benefit at age 62. Age 62 or older with 20 yrs. or more 2% per year. Age 62 or older with less than 20 yrs. 1.66% per year. Reduced benefit if taken between ages 55 and 61. All based on FAS at time you leave service.

### Ordinary Disability (Article 15-605)

Same as Tier 3.

### Performance of Duty Disability (507-B)

Same as Tier 3.

# TIER 6

## Contribution

First 3 years % based on annual wage. After 3 years % based on actual reported earnings from previous 2 years. Contribution % increases as reported earnings increase.

## 89t (25 & Out)

25 years or more. FAS based on highest 60 months. If the earnings in any year included in the FAS period exceed the average of the previous 4 years by more than 10%, the amount in excess of 10% is excluded from your FAS. Lump sum vacation pay cannot be included in FAS.

## Ordinary Retirement:

Must be 63 years old with 30 years or more. FAS based on highest 60 months, and the previous four years to that. Anything above 10% of previous 4 years earnings are not used in FAS. Lump sum vacation pay cannot be included in FAS.

## Vested Benefit

10 years to be vested. Full benefit at age 63. Percentage per year based on FAS. Age 63 or older with less than 20 yrs. 1.66% per year. Age 63 or older with 20 yrs. 1.75% per year. Age 63 or older with more than 20 yrs. 2% per year. Reduced benefit if taken between ages 55 and 62. All based on FAS at time you leave service.

## Ordinary Disability (Article 15-605)

Same as Tier 3.

# What Tier Are You In?

If you are an ERS Member...

You are in:	If you joined:
Tier 1	before July 1, 1973
Tier 2	July 1, 1973 through July 26, 1976
Tier 3	July 27, 1976 through August 31, 1983
Tier 4	September 1, 1983 through Dec. 31, 2009
Tier 5	January 1, 2010 through March 31, 2012
Tier 6	April 1, 2012 or after

For specific information refer to the New York State Retirement Brochure.

**\* Regular retirement, ordinary disability, and performance of duty disability retirement can be filed simultaneously. You will receive the greater benefit of those approved, if filed "without prejudice".**

## Cost-of-Living Adjustment

- Eligible to receive 50% of the previous years annual rate of inflation, never less than 1% or more than 3%.
- Adjustment percentage only applied to the first \$18,000 of your Single Life Allowance.
- Eligibility:
  - age 62 or older and retired for 5 or more years, or
  - age 55 and retired for 10 or more years, or
  - receiving a Disability Pension for 5 or more years.



The image is a vertical banner with a blue background. At the top, there is a circular graphic showing the silhouettes of two people sitting on a beach, looking out at the ocean during a sunset. Below this graphic, the word "Retirement" is written in large, white, sans-serif font. Underneath "Retirement", the word "Basics" is written in a similar font. Below "Basics", the text "ARTICLE 14 or 15" is written in bold, yellow, sans-serif font. At the bottom of the banner, the letters "SSO" are written in large, white, sans-serif font. In the bottom right corner, there is a circular logo for the New York State Correctional Officers & Police Benevolent Association (NYSCOPBA). The logo features a map of New York State in the center, surrounded by a sunburst pattern. The text "New York State Correctional Officers & Police Benevolent Association, Inc." is written around the perimeter of the logo.

If you are over age 55 when you retire, Retirement will compare your benefits payable under both retirement plans and you will receive the greater of the two benefits.

## TIER 3 & 4

### Contribution

3% of reported earnings for first 10 years only.

### 89t (25 & Out)

25 years or more. FAS based on highest 36 months. If the earnings in any year included in the FAS period exceed the average of the previous two years by more than 10%, the amount in excess of 10% is excluded from your FAS. Can include lump sum vacation pay (240 hours).

### Ordinary Retirement

Must be 55 years old with 30 years or more. FAS based on highest 36 months. If the earnings in any year included in the FAS period exceed the average of the previous two years by more than 10%, the amount in excess of 10% is excluded from your FAS. Can include lump sum vacation pay (240 hours).

### Vested Benefit

5 years to be vested. Full benefit at age 62. Age 62 or older with 20 yrs. or more 2% per year. Age 62 or older with less than 20 yrs. 1.66% per year. Reduced benefit if taken between ages 55 and 61. All based on FAS at time you leave service.

### Ordinary Disability (Article 14-506)

#### TIER 3 ONLY

Must have at least 5 years of service and have been awarded primary SSDI benefit. Benefit is 1/3 of FAS or 2% per year of FAS up to 30 years. Eligible for COLA increases. Must be filed while active, on authorized medical leave for up to 2 years, or while receiving workers comp. benefits for up to 2 years since last being on the payroll. Cannot have resigned or been terminated. Benefit is offset by 50% of SSDI plus any workers comp. payable benefit.

### Ordinary Disability (Article 15-605)

Must have at least 10 years of service UNLESS disability results from an on-the-job accident, not due to your own willful negligence. Benefit is 1.66% of FAS but not more than 1/3 of your FAS. Eligible for COLA increases. Must be filed while active, within 3 months of being on the payroll or within 12 months of termination, while on authorized medical leave or while receiving workers comp. benefits at time of termination.



## TIER 5

### Contribution

3% of reported earnings until retirement or 30 years, whichever comes first.

### 89t (25 & Out)

25 years or more. FAS based on highest 36 months. If the earnings in any year included in the FAS period exceed the average of the previous two years by more than 10%, the amount in excess of 10% is excluded from your FAS. Can include lump sum vacation pay (240 hours).

### Ordinary Retirement:

Must be 62 years old with 30 years or more. FAS based on highest 36 months. If the earnings in any year included in the FAS period exceed the average of the previous two years by more than 10%, the amount in excess of 10% is excluded from your FAS. Can include lump sum vacation pay (240 hours).

### Vested Benefit

10 years to be vested. Full benefit at age 62. Age 62 or older with 20 yrs. or more 2% per year. Age 62 or older with less than 20 yrs. 1.66% per year. Reduced benefit if taken between ages 55 and 61. All based on FAS at time you leave service.

### Ordinary Disability (Article 15-605)

Same as Tier 3.

# TIER 6

## Contribution

First 3 years % based on annual wage. After 3 years % based on actual reported earnings from previous 2 years. Contribution % increases as reported earnings increase.

## Ordinary Retirement

Must be 63 years old with 30 years or more. FAS based on highest 60 months. If the earnings in any year included in the FAS period exceed the average of the previous 4 years by more than 10%, the amount in excess of 10% is excluded from your FAS. Lump sum vacation pay cannot be included in FAS.

## Vested Benefit

10 years to be vested. Full benefit at age 63. Percentage per year based on FAS. Age 63 or older with less than 20 yrs. 1.66% per year. Age 63 or older with 20 yrs. 1.75% per year. Age 63 or older with more than 20 yrs. 2% per year. Reduced benefit if taken between ages 55 and 62. All based on FAS at time you leave service.

## Ordinary Disability (Article 15-605)

Same as Tier 3.

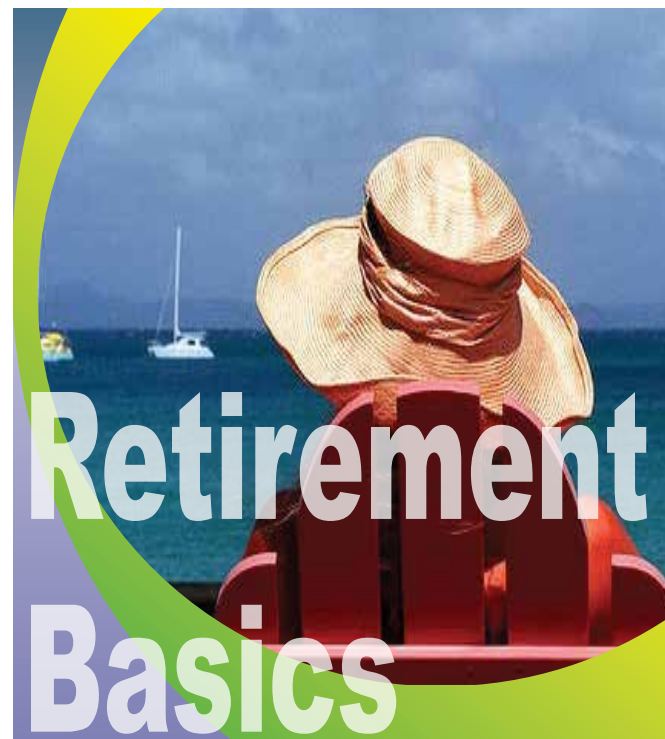
# What Tier Are You In?

If you are an ERS Member...

You are in:	If you joined:
Tier 1	before July 1, 1973
Tier 2	July 1, 1973 through July 26, 1976
Tier 3	July 27, 1976 through August 31, 1983
Tier 4	September 1, 1983 through Dec. 31, 2009
Tier 5	January 1, 2010 through March 31, 2012
Tier 6	April 1, 2012 or after

## Cost-of-Living Adjustment

- Eligible to receive 50% of the previous years annual rate of inflation, never less than 1% or more than 3%.
- Adjustment percentage only applied to the first \$18,000 of your Single Life Allowance.
- Eligibility:
  - age 62 or older and retired for 5 or more years, or
  - age 55 and retired for 10 or more years, or
  - receiving a Disability Pension for 5 or more years.



## ARTICLE 15

## Law Enforcement



**Does not include  
SHTA or SSO**

# TIER 3 & 4

## Contribution

3% of reported earnings for first 10 years only.

## Ordinary Retirement

Must be 55 years old with 30 years or more. FAS based on highest 36 months. If the earnings in any year included in the FAS period exceed the average of the previous two years by more than 10%, the amount in excess of 10% is excluded from your FAS. Can include lump sum vacation pay (240 hours).

## Vested Benefit

5 years to be vested. Full benefit at age 62. Age 62 or older with 20 yrs. or more 2% per year. Age 62 or older with less than 20 yrs. 1.66% per year. Reduced benefit if taken between ages 55 and 61. All based on FAS at time you leave service.

## Ordinary Disability (Article 15-605)

Must have at least 10 years of service UNLESS disability results from an on-the-job accident, not due to your own willful negligence. Benefit is 1.66% of FAS but

not more than 1/3 of your FAS. Eligible for COLA increases. Must be filed while active, within 3 months of being on the payroll or within 12 months of termination, while on authorized medical leave or while receiving workers comp. benefits at time of termination.



**\* Regular retirement and ordinary disability retirement can be filed simultaneously. You will receive the greater benefit of those approved.**

For specific information refer to the New York State Retirement Brochure.

# TIER 5

## Contribution

3% of reported earnings until retirement or 30 years, whichever comes first.

## Ordinary Retirement

Must be 62 years old with 30 years or more. FAS based on highest 36 months. If the earnings in any year included in the FAS period exceed the average of the previous two years by more than 10%, the amount in excess of 10% is excluded from your FAS. Can include lump sum vacation pay (240 hours).

## Vested Benefit

10 years to be vested. Full benefit at age 62. Age 62 or older with 20 yrs. or more 2% per year. Age 62 or older with less than 20 yrs. 1.66% per year. Reduced benefit if taken between ages 55 and 61. All based on FAS at time you leave service.

## Ordinary Disability (Article 15-605)

Same as Tier 3.

# Excerpt from NYSHIP General Information Book; Continuing Health Insurance Coverage When You Retire

## Re-enrolling as a retiree

After you retire, you may cancel coverage, then re-enroll. Under most circumstances you will be subject to a waiting period before your coverage again becomes effective. Any sick leave credits will be maintained on your record until you reactivate your enrollment. (Also see Deferred Health Insurance Coverage.)

## Disability retirement

**Ordinary disability retirement:** For an ordinary (not work-related) disability retirement, the age requirement is waived, but you must meet the minimum service requirement.

**Work-related disability retirement:** For a disability retirement resulting from a work-related illness or injury, the age requirement and the minimum service requirement are waived.

To maintain NYSHIP eligibility, you must continue your health insurance coverage while you wait for the decision on your disability retirement. If you do not continue coverage or if you fail to make the required payments while on leave or in vestee status, coverage for you and your dependents will end. Coverage may end permanently. If your disability retirement is not approved, you will not be eligible to re-enroll in NYSHIP.

**Deadline:** If you have not continued your coverage and a retroactive retirement is granted, call the Employee Benefits Division right away at 518-457-5754 (Albany area) or 1-800-833-4344 to ask about reinstating coverage. Call as soon as you have the decision on your disability retirement. You must apply in writing for reinstatement of your NYSHIP coverage within one year of the date on the letter from your retirement system announcing the decision to grant your disability retirement. If coverage is reinstated due to your receipt of a disability retirement, you will be required to pay any missed premiums, based upon the last coverage in effect, from the date your coverage terminated until the date your coverage would have ended if your retirement had been granted on a timely basis.

If you receive an ordinary disability retirement, the effective date of your coverage will follow a three-month late enrollment waiting period based on the date of your application.

If you receive a work-related disability retirement, you may choose your effective date of coverage to be based on your date of retirement or on a current basis.

## How you pay

When you retire, you will pay your share of the health insurance premium through deductions from your monthly State pension check or by making monthly payments directly to the Employee Benefits Division. It may take several months for the Employee Benefits Division to receive the Retirement Number assigned to you by the Retirement System, and begin taking monthly health insurance deductions from your pension. Meanwhile, you will be billed directly each month for your share of the premium. Be prepared to make these payments each month until pension deductions begin.

## Sick leave credits

You may be entitled to use the value of your accumulated unused sick leave to offset all or part of the cost of your health insurance during retirement whether you are in The Empire Plan or an HMO. This will not affect the value of your sick leave for pension purposes.

# **DISABILITY RETIREMENT**

1. Was your disability/injury inmate related? Is your disability/injury job/work related? Is it related to heart disease? (You will need a written statement from his/her Physician/Cardiologist that the stress of the job or injury was a competent (capable of) producing cause of the ailment).
2. Is your disability/injury permanent?
3. Does your physician/doctor feel you can or cannot return to work and perform your duties?
4. Are you currently working? If not how long have you been out of work? Did you file for Workers' Compensation (if job related) or Social Security Benefits?
5. Do you have medical proof/documentation as evidence?

It is your individual responsibility to file the initial disability application. NYSCOPBA cannot make any decisions or recommendations concerning your status.

> *File for Disability Retirement (518) 474-7736 or (866) 805-0990*

> *File for Workers' Compensation (518) 632-4996*

> *File for Social Security (800) 772-1213*

If you are denied and you would like guidance I will need the following for our attorneys to review:

- > *Copies of all Retirement Applications filed;*
- > *Copies of all Medical records from treating physicians and hospitals;*
  - > *Copies of all Incident Reports filed where there is a claim of a Performance of Duty or Accidental Disability;*
- > *Copies of all Workers' Compensation Medical records;*
- > *Copies of the Retirement System's Examining Physician's Report; and*
  - > *Copies of all Social Security Findings if an Application has been filed for Social Security Disability.*



# New York State Correctional Officers & Police Benevolent Association, Inc.

102 Hackett Blvd., Albany, NY 12209  
(518) 427-1551 www.nyscopba.org nyscopba@nyscopba.org



## MEMORANDUM

TO: NYSCOPBA Member  
FROM: Bill Naylor, Retirement Department  
RE: Disability Retirement

A variety of disability retirement plans are available for employees who are permanently incapacitated for the performance of their position and meet the other eligibility requirements for the particular benefit sought. All of the plans require *permanent disability*, which is a permanent inability to perform the tasks for which you are employed. The Retirement System is not generous in awarding these benefits and will likely contest the issue of permanent disability. Before applying, you should discuss your medical condition with your treating physician. If your physician does not believe your medical condition substantiates your inability to perform your job/duties, your application will be rejected.

A multitude of factors impact you're right to benefits, including your date of entry into service and the manner in which your medical condition arose. For specific information on eligibility requirements and benefits, you should refer to the appropriate Summary Plan Description Booklet for your Tier. For additional information, you can also call the Retirement System at (518) 474-7736 or (866) 805-0990.

For your convenience, NYSCOPBA is providing you with applications for disability retirement, as well as other general information about retirement benefits. It is *your responsibility* to complete the appropriate application(s) and file it (them) by certified mail, return receipt requested with the New York State & Local Retirement System (Attn: Disability Unit). The Retirement System's address is on the retirement application. When filing for disability retirement, the Retirement System recommends that you complete an application for each disability program available for your Tier (for example: you could possibly qualify for an ordinary disability, but may not meet the eligibility requirements for a three-quarter (3/4) disability retirement). Be sure to write "Filing without prejudice" at the top of all applications if you are filing multiple applications.

You should also complete a retirement option selection at the time of application as well as a beneficiary form. You will be given an opportunity to change your option selection if and when your application is approved and you receive an estimate of your retirement benefit.



The Retirement System is not bound by a determination of the Workers' Compensation Board. However, if you are applying for disability retirement, it is recommended that you apply for Workers' Compensation Benefits for job related injuries (including Chapter 653 Heart Disability). You should also file for Social Security benefits, as certain disability retirements require a favorable Social Security determination for eligibility. If you fail to apply for these benefits, your retirement allowance may, depending on which disability retirement you are eligible for, be reduced by the full amount of your Workers' Compensation benefits received or those that you would have been entitled to. If you have any questions regarding Workers' Compensation benefits, you should contact the New York State Workers' Compensation Board at (518) 474-6674, and for questions regarding your Social Security Benefits; call the Social Security Administration at (800) 772-1213.

If you intend to file a disability retirement, it is recommended that you file your application(s) **while you are still on the payroll** (some benefits must be applied for within ninety (90) days of the date you were last on the payroll). A timely filing may minimize the financial hardship you may encounter during the time it takes you to process your application(s). If the System contests your eligibility for disability retirement, the process may take more than a year. Be advised that pursuant to the Civil Service Law, an employee who has been on leave of absence resulting from an injury may be terminated after a cumulative one year has lapsed. Employees separated from Civil Service **due to on the job assault** are entitled to a leave of absence of two years.

Enclosures:

Tier 1 & 2 Disability Applications:

- ❑ Ordinary (Form RS6038)
- ❑ Accidental (Form RS6047)

Tier 3, 4, 5, 6 Disability Applications:

- ❑ Ordinary (506) & Accidental (507) - Form RS6411 (*Available for CO and SHTA Tier 3 members ONLY and anyone who joined the Retirement System before September 1, 1983*)
- ❑ Ordinary (507A) - Form RS6409 (*CO and SHTA's ONLY*)
- ❑ Ordinary (605) - Form RS6340 (*Article 15 Tier 3 through 6*)

All Tiers Performance of Duty:

- ❑ Performance of Duty (507B) - Form RS6047-A (*Heart Related, Inmate Related, HIV, TB*)

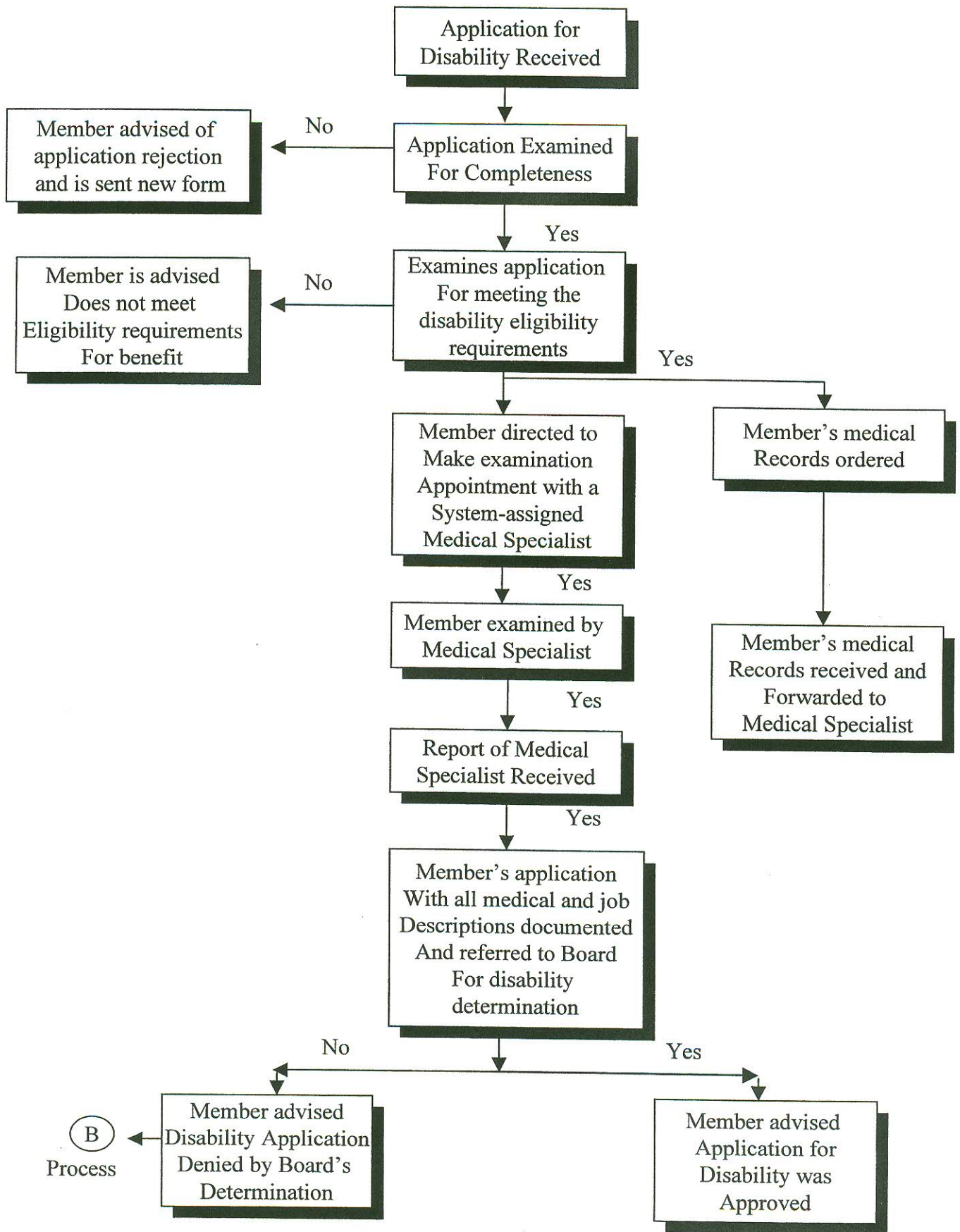
Option Selection

- ❑ RS6399 (Options Election Form)

Beneficiary Form

- ❑ RS5127 (Beneficiary Election Form)
- ❑ Benefit Booklet

**Disability Processing, Hearing Administration and  
The Counsel to the Retirement Systems  
Work Flow A**



**Disability Processing, Hearing Administration and  
the Counsel to the Retirement Systems  
Work Flow B**

