



Office of the New York State Comptroller  
 New York State and Local Retirement System  
 Employees' Retirement System  
 Police and Fire Retirement System  
 110 State Street, Albany, New York 12244-0001

Receipt Date
Office Use Only

# Application to Reinstate a Former Tier 1 or 2 Membership in Accordance with Section 645

**RS 5506**  
(Rev. 11/10)

**Complete and return this application only if you previously held a membership in any of the retirement systems listed below.**

You must be a current member of the retirement system. Retirees are not eligible for this benefit. Please complete pages one and four of this form. On pages two and three is a comparison of benefits for members covered under regular plans. If you are covered by a 20 or 25 year plan you should contact the retirement system if you have any questions. Please read this information and if you have any questions call our Information Office toll free at 1-866-805-0990, Albany area 474-7736 or contact us via e-mail at nylsrsinfo@osc.state.ny.us.

SOCIAL SECURITY # \_\_\_\_\_ DATE OF BIRTH \_\_\_\_\_

CURRENT RETIREMENT SYSTEM REGISTRATION # \_\_\_\_\_

LAST NAME \_\_\_\_\_ FIRST \_\_\_\_\_ M.I. \_\_\_\_\_

STREET ADDRESS \_\_\_\_\_

CITY \_\_\_\_\_ STATE \_\_\_\_\_ ZIP CODE \_\_\_\_\_

WORK PHONE NUMBER: ( ) \_\_\_\_\_ HOME PHONE NUMBER ( ) \_\_\_\_\_

**FORMER MEMBERSHIP INFORMATION:**

PLEASE CHECK THE APPROPRIATE FIRST FORMER RETIREMENT SYSTEM YOU WERE A MEMBER OF:

- |   |   |
|---|---|
| <input type="checkbox"/> New York State Teachers' Retirement System       | <input type="checkbox"/> New York City Board of Education Retirement System |
| <input type="checkbox"/> New York State Employees' Retirement System      | <input type="checkbox"/> New York City Teachers' Retirement System          |
| <input type="checkbox"/> New York State Police and Fire Retirement System | <input type="checkbox"/> New York City Police Pension Fund                  |
| <input type="checkbox"/> New York City Employees' Retirement System       | <input type="checkbox"/> New York City Fire Pension Fund                    |

PLEASE COMPLETE THE FOLLOWING (if known):

**Former Registration Number:** \_\_\_\_\_ **Date of Membership:** \_\_\_\_\_

**Former Name (if applicable):** \_\_\_\_\_

Have you received credit for this former membership in any other retirement system? Yes \_\_\_ No \_\_\_

If Yes, what Retirement System \_\_\_\_\_

Are you receiving or eligible to receive a retirement allowance based on this service? Yes \_\_\_ No \_\_\_

**PREVIOUS PUBLIC EMPLOYMENT INFORMATION:**

Name of Employer	Name of Dept. or Agency	Title of Position	From			To		
			Mo.	Day	Year	Mo.	Day	Year

**LISTED BELOW ARE THE BENEFITS UNDER THE DIFFERENT TIERS**

	<b>Tier 1</b>	<b>Tier 2</b>	<b>Tier 3 &amp; Tier 4</b>	<b>Tier 5</b>
<b>Contributions</b>	Contributions are required for service rendered before 4/1/60	Same as Tier 1	Contributions are required at the rate of 3% on all gross salary until you have been a member of the Retirement System for 10 years or have 10 years of credited service.	Contributions are required at the rate of 3% on all gross salary. Contributions of 4% are required for Uniformed Court and Peace Officers in the Unified Court System.
<b>Creditable Previous Service</b>	In most cases all paid service rendered in public employment is allowable.	Same as Tier 1	Same as Tier 1	Same as Tier 1
<b>Final Average Salary (FAS)</b>	Average of wages earned during any three consecutive years of credited service. If your date of membership is before 4/1/72 payment for unused vacation not to exceed 30 days will be included in your final average salary if the FAS period is the 3 year period immediately preceding termination of employment. If your date of membership is 6/17/71 or later the wages in any twelve month period used in the FAS calculation can not exceed the earnings in the preceding 12 month period by more than 20%.	Average of wages earned during any three consecutive years. Earnings in any year included in the period cannot exceed the average of the previous two years by more than 20%. Payment of accumulated vacation cannot be used.	Average of wages earned during any three consecutive years. Earnings can not exceed the average of the previous two years by more than 10%.	Average of wages earned during any three consecutive years. Earnings can not exceed the average of the previous two years by more than 10%. Compensation for overtime in excess of \$15,000 annually will not be included as regular compensation and therefore will not be used in your FAS calculation. This overtime pay limitation increases 3% each calendar year beyond 2010.
<b>Eligibility for the Benefit</b>	Full retirement benefit at age 55.	Full retirement benefits at age 62 or with 30 years of credited service at age 55.	Same as Tier 2	Full retirement benefit at age 62. Uniformed Court and Peace Officers may receive full retirement benefits with 30 years of credited service at age 55.
<b>Service Retirement Benefit</b>	Please refer to our web site for a description of your plan coverage <a href="http://www.osc.state.ny.us">www.osc.state.ny.us</a> If your service began before 4/1/60, your benefit will include an annuity purchased by your contributions that you were required to make prior to that date, plus interest.	Same as Tier 1 with 30 or more years of service. With less than 30 years there is an age reduction. See below.	Less than 20 years is 1.66% or 1/60th for each year of service credit. With 20 to 30 years of service credit, 1/50th (2%) for each year of service. For each year beyond 30 years, the benefits will include an additional 1.5% of your final average salary. No reduction with 30 years of service.	Less than 20 years is 1.66% or 1/60th for each year of service credit. With 20 to 30 years of service credit, 1/50th (2%) for each year of service. For each year beyond 30 years, the benefits will include an additional 1.5% of your final average salary. No reduction with 30 years of service for Uniformed Court and Peace Officers.
<b>Reduction for Early Retirement Based on Age at Retirement</b>	None	Age 55 - 27% Age 56 - 24% Age 57 - 21% Age 58 - 18% Age 59 - 15% Age 60 - 12% Age 61 - 6%	Tier 4: Same as Tier 2 Except for NYS Correction Officers covered by Tier 3 - Article 14, who retire with less than 25 years of Correction Officer Service.  Age 55 - 30.00%    Age 57 - 23.33% Age 59 - 16.67%    Age 61 - 6.67% Age 56 - 26.67%    Age 58 - 20.00% Age 60 - 13.33%	Age 55 - 38.33% Age 56 - 33.33% Age 57 - 28.33% Age 58 - 23.33% Age 59 - 18.33% Age 60 - 13.33% Age 61 - 6.67%
<b>Ordinary Disability Retirement</b>	Need ten years of credited service	Same as Tier 1	Tier 3: Ordinary Disability Retirement need five years of credited service and have been awarded Primary Social Security Disability Benefits Tier 4: Same as Tier 1	Same as Tier 1
<b>Ordinary Death Benefit</b>	1/12 (8.33%) of your last year's earnings multiplied by your years of credited service up to 36 years or three times your last year's salary. After age 55 your death benefit is equal to the initial value of your pension benefits calculated under the 75-c or 375-c plan.	Death Benefit 1 - One month's salary for each year of service credit not to exceed three years salary. After 62, your death benefit is equal to the initial value under Section 75-c or 375-c.  Death Benefit 2 - Salary multiplied by your service not to exceed three years. Beginning at age 61 Death Benefit 2 will be reduced by four percent each year, but not below sixty percent of the original benefit. There is a post retirement death benefit.	Salary multiplied by your service not to exceed three years. Beginning at age 61 your death benefit will be reduced by four percent each year, but not below sixty percent of the original benefit. There is a post retirement death benefit.	Same as Tier 3 & Tier 4

An early tier of membership does not always result in better benefits in every instance. Please review the charts and all available information carefully before making your decision.

### COMPARISON OF RETIREMENT ALLOWANCES FOR EMPLOYEES' RETIREMENT SYSTEM MEMBERS

If your employer provides a different plan than the ones in the comparison or a special plan that provides for a fixed pension after 20- or 25-years of required service (example, special plans for correction officers, sheriffs, police officers, firefighters, and certain other titles), or if you are a member of the Police and Fire Retirement System, you should contact the retirement system before completing this form.

This comparison assumes a member is retiring at age 55 and has earned the following salaries over the past five years: \$31,000, \$33,000, \$40,000, \$42,000 and \$46,000.

		Tier 1 *	Tier 2	Tier 3 & Tier 4	Tier 5 **
<b>Final Average Salary (FAS)</b>		<b>\$42,677.00</b>	<b>\$42,133.00</b>	<b>\$40,150.00</b>	<b>\$40,150.00</b>
<b>Plan</b>	<b>Years of Service</b>	<b>Annual Option O Allowance</b>	<b>Annual Option O Allowance</b>	<b>Annual Option O Allowance</b>	<b>Annual Option O Allowance</b>
<b>75-c,d&amp;e</b>	19	\$13,514.00	\$9,739.00	Not Applicable	Not Applicable
	23	\$16,359.00	\$11,790.00		
	30	\$21,338.00	\$21,066.00***		
<b>75-f &amp; g</b>	19	\$13,514.00	\$9,739.00	Not Applicable	Not Applicable
	23	\$16,359.00	\$11,790.00		
	30	\$24,894.00	\$24,577.00***		
<b>75- h &amp; i</b>	19	\$13,514.00	\$9,739.00	Not Applicable	Not Applicable
	23	\$19,631.00	\$14,148.00		
	30	\$25,606.00	\$25,280.00***		
<b>Article 15</b>	19	Not Applicable	Not Applicable	\$9,280.00	\$7,840.00
	23			\$13,481.00	\$11,389.00
	30			\$24,090.00***	\$14,855.00

\* Tier 1 - Assuming date of membership **prior** to June 17, 1971 for FAS calculation.

\*\* Tier 5 - Assuming no overtime limitation for FAS calculation.

\*\*\* With 30 years of service there is no reduction for early retirement.

Tier 1 and Tier 2 may be eligible for additional service credit under Article 19. This is not included in the above Annual Option O calculations.

**IMPORTANT INFORMATION:**

- If you owe contributions for service after your current date of membership, you are not eligible for tier reinstatement until the balance is paid in full.
- If your employer provides a different plan than the ones in the comparison, or you are a member of the Police and Fire Retirement System, or you have any questions you should contact the retirement system before completing this form.
- If you are given Tier 1 or Tier 2 status your Tier 3 and 4 contributions are **not refundable** and you **will not be able to take a loan against these contributions**. This legislation requires that we keep the contributions plus interest to help meet the cost of the benefit improvements.
- If your date of membership will be before April 1, 1960 you may owe contributions for service rendered prior to April 1, 1960. Any deficit in contributions for service before 1960 will result in a reduction of your retirement allowance.
- Your outstanding loan balance must be repaid in accordance with your current payment schedule.
- Any payments made to purchase previous service will be applied first to any outstanding loan balance then to any deficit in required contributions in your new tier and any remainder will be refunded to you. Any money applied to reduce your outstanding loan or refunded to you may be reportable for federal income tax purposes.
- If you are eligible for a refund of contributions the Retirement System is required to withhold 10% of the taxable amount of the refund for federal taxes unless you instruct us not to take the withholding.

If you do not want the Retirement System to withhold federal income tax from your payment, sign and date this election.

**I DO NOT WANT TO HAVE FEDERAL INCOME TAX WITHHELD FROM MY PAYMENT.**

Signed: \_\_\_\_\_ Date: \_\_\_\_\_

I am a current member of the New York State and Local Employees' Retirement System or the New York State and Local Police and Fire Retirement System. I hereby elect reinstatement to the date of membership held under my earliest membership in accordance with Section 645 of the Retirement and Social Security Law.

I have reviewed the information provided on pages two and three of this application showing the comparison of changing membership tier and the effects it may have on my future benefits.

Please mail this completed application to: New York State and Local Employees' Retirement System  
Tier Reinstatement – Mail Drop 5-6  
110 State Street  
Albany, NY 12244-0001

**This election must be signed to be valid.**

MEMBER'S SIGNATURE

Date

**PERSONAL PRIVACY PROTECTION LAW**

In accordance with the Personal Privacy Law you are hereby advised that pursuant to the Retirement and Social Security Law, the Retirement System is required to maintain records. The records are necessary to determine eligibility for and to calculate benefits. Failure to provide information may result in the failure to pay benefits. The System may provide certain information to participating employers. The official responsible for maintaining these records is the Director of Member Services, New York State and Local Retirement Systems, Albany, NY 12244-0001; Telephone Number (518) 474-8482.

**SOCIAL SECURITY DISCLOSURE REQUIREMENT**

In accordance with the Federal Privacy Act of 1974, you are hereby advised that disclosure of the Social Security Account Number is mandatory pursuant to Sections 11, 34, 311 and 334 of the Retirement and Social Security Law. The number will be used in identifying retirement records and in the administration of the Retirement System.