

# Leaving State or County Employment?

**Contributory Plan**  
(Police Officers, Firefighters, and  
Certain Public Safety Officers)



Employees' Retirement System  
of the State of Hawaii

# Frequently asked retirement questions for those leaving State or County employment

## Contributory Plan (Police Officers, Firefighters, and Certain Public Safety Officers)

### 1. How do I know what retirement plan I am enrolled in?

You may contact the ERS Office or your Personnel Office to find out your retirement plan.

The Employees' Retirement System (ERS) is comprised of three retirement plans: Contributory, Hybrid, and Noncontributory. Your occupation and the date you became an ERS member determined what plan you are enrolled in.

Police officers, firefighters, and certain public safety officers are by their occupation Contributory Plan members. In this brochure, State attorney general investigators, narcotics enforcement investigators, and public safety investigations staff investigators will be referred to as "public safety officers." County prosecuting attorney investigators, water safety officers, and adult corrections officers are also included as "public safety officers" in this brochure if they are members of the Contributory Plan.

County prosecuting attorney investigators, water safety officers, and adult corrections officers in the Hybrid Plan or Noncontributory Plan should refer to their respective plan brochure for benefit information.

For Contributory Plan members, retirement contributions are deducted from your monthly gross salary on a pre-tax basis.

If your membership date is **after** June 30, 2012, your pay statement will show a retirement contribution deduction of 14.2%.

If your membership date is **prior** to July 1, 2012, your pay statement will show a retirement contribution deduction of 12.2%.

Hybrid Plan members also have retirement contributions deducted from their monthly salary while Noncontributory Plan members do not.

### 2. What are the minimum requirements for service retirement?

It depends on your ERS membership date as illustrated in the chart below:

Membership date <b>AFTER</b> June 30, 2012		Membership date <b>PRIOR</b> to July 1, 2012	
Normal Retirement	Age 60 w/10 yos	Normal Retirement	Age 55 w/5 yos
*Early Retirement (Age Penalty)	Age 55 w/25 yos	*Early Retirement (Age Penalty)	Any age w/25 yos
Vesting	10 yos	Vesting	5 yos

yos = Years of service

*\*If you have a minimum of 25 years of credited service in this category you may retire without an age penalty, subject to certain provisions and limitations.*

Please contact an ERS office if you are eligible to retire. We must receive your retirement application at least 30 days or up to 150 days before your retirement date.

### 3. What is credited membership service?

Credited membership service is the length of time you work for the State or County while a member of the ERS. If you are employed for 15 or more calendar days in any month (14 calendar days in February), you will receive one month of service credit. It includes regular membership service and authorized leaves such as industrial injury, sabbatical, educational, and professional improvement for which contributions, if required, are made. Previous service and active military duty may also be acquired for additional service credit.

If you have any additional service to acquire you should file your claim with the ERS before you leave your State or County job. If you do not file your claim before you leave your State or County job, check with the ERS immediately to find out if you are still eligible to claim the additional service.

### 4. Am I entitled to any retirement benefits when I leave my job?

Yes, if you have “vested benefit status” based on your ERS membership date, you will be eligible when you attain the age requirement.

As a vested member, if you leave your contributions with the ERS and return to a State or County job covered by ERS before you retire, you will return as a vested Contributory Plan member and will continue to earn retirement service credit.

### 5. What if I do not have “vested benefit status”?

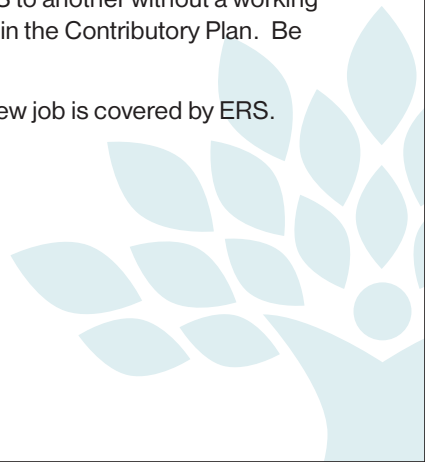
You may leave your retirement contributions with the ERS which will earn 4.5% or 2% interest depending on your ERS membership date.

If you leave your retirement contributions with ERS and return to a State or County job covered by ERS within 4 calendar years after the year you leave employment, you will retain all of your service credits. Upon your return to work, you will be enrolled in the **Hybrid Plan** unless you are required by law to join the Contributory Plan.

If you do not return to a State or County job covered by ERS within 4 calendar years you will forfeit all of your credited service and your contributions will be held in an ERS retirement account until you request a refund or you reach age 62.

If you move from one State or County job covered by ERS to another without a working day break in service, you will continue your membership in the Contributory Plan. Be sure to inform your new personnel office of your transfer.

Your personnel office will also be able to tell you if your new job is covered by ERS.



## 6. What happens if I decide to take a refund of my retirement contributions?

You will lose (forfeit) all of your credited service and you will NOT be eligible for a retirement benefit.

Your refund payment may be directly rolled over into your IRA by the ERS and no federal income taxes will be withheld.

If you wish to have the refund payment go directly to you, ERS will withhold at least 20% of the taxable portion of your refund and pay you the remaining balance. Under this option, you must rollover all or part of the taxable portion of your contributions into an IRA within 60 days of receipt of your payment.

You should consult a financial advisor or tax specialist regarding the rollover of the taxable as well as the nontaxable portion of your refund.

## 7. What taxes do I have to pay if I take a refund of my contributions?

Your refund is subject to federal income taxes on the taxable portion of your refund payment. If you are below age 50, an additional 10% tax on the taxable portion of your refund must be paid to the Internal Revenue Service. However, you can defer these taxes by rolling over the taxable portion of your refund into an IRA.

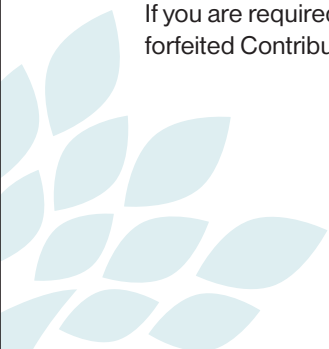
Your refund payment is not subject to State of Hawaii income tax.

## 8. What happens if I return to a State or County job covered by ERS after I take a refund of my retirement contributions and/or my ERS service has been forfeited?

You will be enrolled in the **Hybrid Plan** unless you are required by law to join the Contributory Plan. If your Contributory Plan contributions are not refunded before or upon your return to work, your contributions including interest will be held in a separate ERS retirement account until you terminate or retire.

Under the Hybrid Plan, you will “earn back” at no cost one month of forfeited service for each credited month of re-employment. The service that you “earn back” will be credited as Noncontributory service.

If you are required to join the Contributory Plan, you can purchase or “buy back” your forfeited Contributory service.



## 9. What will happen to my unused sick leave?

If you are eligible for a service retirement benefit your unused sick leave may be used to increase your retirement benefit if you have at least 60 days of unused sick leave and you leave government service in good standing **for each termination**. However, unused sick leave cannot be used to meet the minimum retirement vesting requirements. Every 20 days of unused sick leave is equal to one month of service credit. Your personnel/ payroll office will determine your unused sick leave balance.

Example: Wes has 9 years and 9 months of credited service and 3 months of unused sick leave. The 3 months of unused sick leave cannot be used to meet the 10-year minimum vesting requirement. If Wes has at least 10 years of credited service when he retires, the 3 months of unused sick leave will be used to increase his credited service for the purpose of calculating his monthly retirement benefit.

## 10. What about my lump sum vacation payment?

Your lump sum vacation payment is determined by your personnel/payroll office. It will not increase your retirement service credits or affect your retirement benefit.

## 11. What happens if I pass away after I leave my job?

Your designated beneficiary(ies) will receive a refund of the total amount of your retirement contributions, including interest, provided your retirement contributions were not previously refunded.

### Important Message

**Before leaving employment please contact our office to get up to date information on your retirement benefits eligibility and to make sure the ERS has your correct address and contact information.**

Call or write to us at the Oahu office listed on the back cover or any of the following other ERS locations listed below. You can also check our website at <http://ers.ehawaii.gov/> for additional information.

#### **Hawaii**

101 Aupuni Street, Room 208  
Hilo, Hawaii 96720  
Phone: 974-4076, 974-4077  
Fax: 974-4078  
Toll-free to Oahu: 974-4000, ext. 61735

#### **Kauai**

3060 Eiwa Street, Room 302  
Lihue, Hawaii 96766  
Phone: 274-3010, 274-3011  
Fax: 241-3193  
Toll-free to Oahu: 274-3141, ext. 61735

#### **Maui**

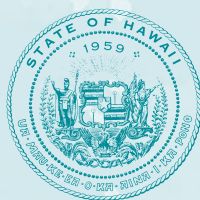
State Office Building, Room 218  
54 S. High Street  
Wailuku, Hawaii 96793  
Phone: 984-8181, 984-8282  
Fax: 984-8183  
Toll-free to Oahu: 984-2400, ext. 61735

#### **Molokai/Lanai**

Toll-free to Oahu: 1-800-468-4644, ext. 61735

#### **U.S. Mainland**

Toll-free to Oahu: 1-888-659-0708



Employees' Retirement System  
of the State of Hawaii

Employees' Retirement System  
City Financial Tower  
201 Merchant Street, Suite 1400, Honolulu, Hawaii 96813-2980  
Phone: 586-1735 · Fax: 587-5766 · Website: <http://ers.ehawaii.gov/>

*This handout provides general information to consider prior to leaving employment. This is not a contract and does not amend, modify, override, or nullify any statute, rule, policy, procedure or document used in the retirement process. The rights and benefits that you are entitled to receive are governed by rules and statutes which may change.*