



EMPLOYEES' RETIREMENT SYSTEM (ERS)
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Service-Connected Disability Retirement Noncontributory Plan

Service-Connected Disability Meaning	A physical or mental incapacity resulting from an accident for the further performance of duty that at the time of the application for service-connected disability retirement is likely to be permanent.
Definition of an "Accident"	An "unlooked for mishap or an untoward event which is not expected or designed, occurring while in the actual performance of duty at some definite time and place." This definition must be met to qualify for service-connected disability retirement.
Eligibility Requirements	<p>You can receive a service-connected disability retirement benefit if you meet the following requirements:</p> <ol style="list-style-type: none"> (1) The ERS Medical Board certifies that you are permanently incapacitated for the further performance of duty; (2) The ERS Board of Trustees (Board) determines you became disabled because of an accident that occurred at a definite time and place through no willful negligence on your part while you were performing the duties of your job; (3) Your employer files with the Board a copy of the Employer's Workers' Compensation (WC-1) of the accident; (4) You apply for a service-connected disability benefit within two years of the date of the accident or within two years of the date you stop receiving Workers' Compensation benefits, whichever is later; and (5) You are not retired. <p>Note: Workers' Compensation law and decision are separate from the ERS and do not have any impact on the outcome of the disability application.</p>
Disability Process	<p>You or your guardian appointed by a court pursuant to the Uniform Guardianship and Protective Proceedings Act may file an application with the ERS. Retirement can be the first day of the month except for December when retirement on the first or last day of the month is allowed. The effective date of the retirement shall be no earlier than 30 days after the date the application is filed in the ERS office or the date you terminate service, whichever is later.</p> <p>A medical report (Form ERS-35 - Statement of Examining Physician) from your personal physician(s) must be submitted. This report describes your disability. Any other pertinent medical reports, X-rays, etc., that may be of value to the ERS Medical Board should be submitted.</p> <p>If Form ERS-35 is not submitted within 60 days from the date you filed a disability application, your application will be cancelled.</p> <p>ERS will request a copy of your Employer's Workers' Compensation (WC-1) and an Employer's Statement Concerning Service-Connected Disability (ERS-32) stating the time, place, and conditions of the service you rendered which resulted in the disability through no willful negligence on your part.</p>
Interview Process	You will be scheduled for an interview with the ERS Medical Board which consists of three physicians. The purpose of the interview is to seek more information or to clarify information contained in the medical reports which

	have been reviewed. The ERS Medical Board will not be conducting a physical examination. The responsibility of providing evidence of the injury/condition, the incapacity, and the relationship between the accident and injury/condition is with the member applying for the disability retirement. Therefore, be sure to submit your x-ray films, laboratory results, or other reports pertaining to your injury/condition.
ERS Medical Board Recommendation	<p>After the interview, the ERS Medical Board will prepare and submit a “recommendation” report to the ERS staff to review and prepare for the Board. There is no decision made at the interview.</p> <p>All inquiries regarding your application process should be made directly to the ERS office located on Oahu. The ERS Medical Board is an advisory board only to the ERS; therefore, they have been instructed to refer all applicant calls directly to us. Because the ERS holds your complete service and disability record, we will be able to better assist you with your specific questions.</p>
Decision	After the ERS staff reviews the recommendation, a memorandum is prepared for the Board. The Board will approve, deny, or remand (return for review) the ERS Medical Board’s recommendation on the disability application. This process may take approximately 12 months depending on the complexity of the case.
Pension Benefit	<p>The benefit amount of your service-connected disability retirement consists of:</p> <ol style="list-style-type: none"> (1) For accidents that occurred prior to July 1, 2004, 1.25% multiplied by your years of credited service times your average final compensation (AFC) or average salary with no age reduction, but not less than 15% of the AFC; <u>or</u> (2) For accidents that occurred on or after July 1, 2004, 35% of the AFC
Contact Information	<p>For further information, you can contact our office from Monday through Friday 7:45 a.m. to 4:30 p.m.</p> <p>Note: The ERS is closed on all State observed holidays.</p> <p>Hawaii: (808) 974-4074; (808) 974-4076; (808) 974-4077</p> <p>Kauai: (808) 274-3010; (808) 274-3011</p> <p>Maui: (808) 984-8181; (808) 984-8282</p> <p>Oahu: (808) 586-1735</p> <p>Fax No. (808) 587-5766</p>
<i>Please call the following toll-free numbers to contact our Oahu office from the neighbor islands.</i>	<p>Hawaii: 974-4000, ext. 61735</p> <p>Kauai: 274-3141, ext. 61735</p> <p>Maui: 984-2400, ext. 61735</p> <p>Molokai/Lanai: 1-800-468-4644, ext. 61735</p>

This material provides information on service-connected disability retirement for Noncontributory plan members. It is only a summary and does not constitute a legal document or contract and is subject to change. Nothing contained herein shall be construed to amend, modify, override, or nullify a state statute, rule, policy, procedure or document used in the retirement process.

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This information is available in an alternate format. Please call (808) 586-1735 for information.