



Employees' Retirement System  
of the State of Hawaii

# **Police Officers, Firefighters and Designated Categories**

## **Contributory Retirement Information**

November 2022

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

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## Retirement Planning

In planning for retirement, the first step is for you to decide on a retirement date. To help with your decision, visit our website at <http://ers.ehawaii.gov>. The Employees' Retirement System (ERS) website has information to guide you on the retirement process.

- (1) Website Information Tools to assist in planning for your retirement.
  - a. Member Information – Provides your retirement plan, membership date, and total creditable service.
  - b. Benefit Calculator – Use the Benefit Calculator to get estimated pension projections of a specific retirement date. Calculate as many different retirement date scenarios as you wish, nothing is saved on the website.
- (2) Contact the ERS – Once you have decided on a retirement date, you may file your application no earlier than 150 days and not less than 30 days before your retirement date. All retirement dates must be the first of the month except for December when retirement may be on the 1st or 31st. Contact the ERS on Oahu or any of our Neighbor Island offices for assistance in filing your application.
- (3) Application Process – Staff will assist you on filing your application, provide dates for cancellation or changes, calculate your estimate pension options, and provide a phone counseling session.
  - a. A member can file only three service retirement applications. The first two service retirement applications may be cancelled prior to their effective date; however, retirement is mandatory on the third application.
  - b. You must also notify your department to determine your 'close of business' (COB) date as well as your retirement date. Your last day on the payroll is your COB date. Your retirement date must be the 1<sup>st</sup> of the month except December, which can be the 1<sup>st</sup> or the 31<sup>st</sup>. Your COB date and retirement date cannot be the same.
  - c. Retirement applications must be notarized or signed in the presence of an ERS representative.
  - d. ERS must provide written notification of a member's retirement date, option selection, and beneficiary designation to the member's spouse/reciprocal beneficiary.
- (4) Proof of Birth Documents – The ERS is required to verify your birth date and your beneficiary's birth date should you select a joint survivor option. Besides a copy of your birth certificate, "Real ID" credentials (e.g., Driver's Licenses with "Gold Star" emblems or equivalent State Identification certificates), written statement from Social Security (which shows the date of birth), or baptismal certificate (which shows the date of birth and is recorded before age 5), the ERS can accept copies of any two (2) of the below listed documents, that show date of birth, in lieu of those listed previously:
  - Birth Registration Card
  - Passport (U.S. or Foreign)
  - Passport Card
  - Marriage Certificate
  - Naturalization Record
  - Military Record
  - Baptismal Certificate/Religious Record (Recorded after age 5)
  - Voter Registration Record
  - Hospital Treatment or Birth Record
  - Insurance Policy
  - Elementary School Record
  - Child's Birth Certificate (with member's age)
  - Census Record
- (5) Account number for electronic deposit of pension payments
- (6) Valid Government Issued Driver's License, State ID, Military ID, or Passport for verification of signature

## Designated Categories

Entitled to 2.5% or 2.25% Pension Calculation Benefit

Police Officers	All duly commissioned members of the Police Department of the Counties whose principal duties are law enforcement.
Firefighters	All regularly employed members of the State or County Fire Departments whose principal duties are to prevent and fight fires.
Corrections Officers	All regularly employed personnel designated as “adult corrections officers” who were employed prior to July 1, 1984, and who did not elect to transfer to the Noncontributory plan.
Investigators	All regularly employed investigators with the Prosecuting Attorney’s Office of the Counties who were employed prior to July 1, 1984, and who did not elect to transfer to the Noncontributory plan; all regularly employed investigators with the Department of the Attorney General; narcotics enforcement investigators; and investigative staff investigators with the Department of Public Safety.
Water Safety Officers	All class A Contributory members regularly employed as water safety officers with any County of the State of Hawaii.

To qualify for the 2.5% or 2.25% benefit formula, you need at least ten years of credited service (in any occupation), the last five years of which must be in this category.

The retirement pension is 2.5% or 2.25% of your average final compensation (AFC), not to exceed 80% of AFC excluding additional service provided by the unused sick leave. However, the last 5 or more years prior to retirement must be credited service in a designated occupation.

## Service Retirement Eligibility Requirements

Membership date after June 30, 2012		Membership date prior to July 1, 2012	
Normal Retirement	Age 60 w/10 yos Age 55 w/25 yos	Normal Retirement	Age 55 w/5 yos Any age w/ 25 yos
Early Retirement (Age Penalty)	Age 55 w/25 yos (mixed service)	Early Retirement (Age Penalty)	Any age w/25 yos (mixed service)
Multiplier	2.25%	Multiplier	2.5%
Vesting	10 yos	Vesting	5 yos
Average Final Compensation (AFC)	Average of 5 highest years of base pay	Average Final Compensation (AFC)	Average of 3 highest years of gross pay

yos = Years of Service

Note: Unused sick leave cannot be used to meet any service credit eligibility requirement

### **Pension Calculation**

As a defined benefit plan, your pension is based on your:

1. Years and months of ERS membership service
2. AFC
3. Benefit percentage

Pension Calculation Formula:

$$\text{Years of Credited Service} \times \text{AFC} \times \text{Benefit Percentage} = \text{Maximum Allowance}$$

### **Pension Benefit Formula Examples:**

Example A: (NO AGE REDUCTION)

Note: If below age 55 with at least 25 years of credited service in designated occupation categories of which the last 5 are in such capacities, pension shall be 2.5% of AFC for each year of service, unreduced for age.

Service: 25 years (all in designated occupation categories)

Age: 45

Membership Date is *Prior* to 7/1/2012

Pension Computation:

$$25 \text{ years} \times \text{AFC} \times 2.5\% = \text{Maximum Allowance}$$

Example B: (NO AGE REDUCTION ON ALL SERVICE)

Service: 30 years (first 5 years general employee and last 25 years in designated occupation categories)

Age: 50

Membership Date it *Prior* to 7/1/2012

Pension Computation:

$$(5 \text{ years} \times \text{AFC} \times 2\%) + (25 \text{ years} \times \text{AFC} \times 2.5\%) = \text{Maximum Allowance}$$

Note: If member has service as a general employee, such service shall be computed at 2% of AFC for each year, unreduced for age.

Example C: (AGE REDUCTION WITH SPLIT FORMULA)

Service: 25 years (first 2 years general employee and last 23 years in designated occupation categories)

Age: 45

Membership Date is *Prior* to 7/1/2012

Pension Computation:

$(2 \text{ years} \times \text{AFC} \times 2\%) + (23 \text{ years} \times \text{AFC} \times 2.5\%) \text{ LESS age reduction} =$   
Maximum Allowance

Note: If below age 55 with 25 years of credited service but with less than 25 years in designated occupation categories, pension shall be computed as in Example A and an age reduction will be applied to the total benefit.

Example D: (SPLIT FORMULA)

Service: 10 years (first 5 years as a Noncontributory general employee and last 5 years in designated occupation categories)

Age: 55

Membership Date is *Prior* to 7/1/2012

Pension Computation:

$(5 \text{ years} \times \text{AFC} \times 2.5\%) + (5 \text{ years} \times \text{AFC} \times 1.25\%) =$  Maximum Allowance

Note: If age 55 or older, pension shall be 2.5% of AFC for each year of service in designated occupation categories and 1.25% or 2% of AFC for each year of service as a general employee.

Example E: (MEMBER MAY EXCEED THEIR 80% PENSION LIMITATION WITH UNUSED SICK LEAVE CREDIT)

Service: 32 years (all in designated occupation categories)

Membership Date is *Prior* to 7/1/2012

Pension Computation:

$(32 \text{ years} \times 2.5\%) \times \text{AFC} =$  Maximum Allowance

80% of AFC = Maximum Allowance

Additional credited service in excess of 32 years will NOT increase your pension.

If employment continues beyond 32 years, only the AFC and accumulated additional sick leave credits can provide a higher benefit.

Service: 32 years

Unused sick leave: + 2 years

34 years  $\times$  2.5% = 85% of AFC = Maximum Allowance

Example F: (NO AGE REDUCTION)

Service: 25 years (all in designated occupation categories)

Age: 55

Membership Date is *After 7/1/2012*

Pension Computation:

$$25 \text{ years} \times \text{AFC} \times 2.25\% = \text{Maximum Allowance}$$

Example G: (NO AGE REDUCTION ON ALL SERVICE)

Service: 30 years (first 5 years as a Hybrid general employee and last 25 years in designated occupation categories)

Age: 55

Membership Date is *After 7/1/2012*

Pension Computation:

$$(5 \text{ years} \times \text{AFC} \times 1.75\%) + (25 \text{ years} \times \text{AFC} \times 2.25\%) = \text{Maximum Allowance}$$

Note: If member has service as a Hybrid general employee, such service shall be computed at 1.75% of AFC for each year, unreduced for age.

Example H: (AGE REDUCTION WITH SPLIT FORMULA)

Service: 28 years (first 8 years as a Hybrid general employee and last 20 years in designated occupation categories)

Age: 55

Membership Date is *After 7/1/2012*

Pension Computation:

$$(8 \text{ years} \times \text{AFC} \times 1.75\%) + (20 \text{ years} \times \text{AFC} \times 2.25\%) \text{ LESS age reduction} = \text{Maximum Allowance}$$

Example I: (SPLIT FORMULA)

Service: 30 years (first 5 years as a Hybrid general employee and last 25 years in designated occupation categories)

Age: 58

Membership Date is *After 7/1/2012*

Pension Computation:

$$(5 \text{ years} \times \text{AFC} \times 1.75\%) + (25 \text{ years} \times \text{AFC} \times 2.25\%) = \text{Maximum Allowance}$$

Example J: (MEMBER MAY EXCEED THEIR 80% PENSION LIMITATION WITH UNUSED SICK LEAVE CREDIT)

Service: 35 years and 6 months (all in designated occupation categories)

Membership Date is *After* 7/1/2012

Pension Computation:

$$(35.50 \text{ years} \times 2.25\%) \times \text{AFC} = \text{Maximum Allowance } 80\% \text{ of AFC} = \text{Maximum Allowance}$$

Additional credited service in excess of 35 years and 6 months will NOT increase your pension.

If employment continues beyond 35 years and 6 months, only the AFC and accumulated additional sick leave credits can provide a higher benefit.

Service: 35 years and 6 months

Unused sick leave: + 2 years

37 years and 6 months

$$37.5 \times 2.25\% = 84.5\% \text{ of AFC} = \text{Maximum Allowance}$$



## **Pension Payment Information**

Make plans to cover expenses for your first month of retirement. Your first pension payment will be retroactive to your retirement date. Your pension amount is based on the option you selected according to the latest estimate provided to you by the ERS. **You must sign up for the direct deposit of your pension to an account at a financial institution.** Entities such as Trust Accounts, Care Home Facilities, and Business Accounts cannot be used for ERS purposes.

### **Payment**

Your first pension payment will be direct deposited to your designated financial institution account on the last business day of the month of your retirement provided all application documents and department confirmations are received. You will receive a monthly pension, which will be paid on the last business day of every month.

### **Final Pension Adjustment**

Your pension is adjusted within 6 months following the month of retirement (7 months for December 31<sup>st</sup> retirements). The adjustment will include any eligible unused sick leave reported by your department. Your pension will be adjusted to an exact amount retroactive to your retirement date.

Effective January 1, 2004, ERS is required to pay interest per annum on pensions not finalized within 6 months after the retirement date. For retirement dates of 12/31, ERS is required to pay interest per annum on pensions not finalized within 7 months after the retirement date.

### **Federal Income Tax Withholding Change**

Changes to your Federal Income Tax Withholdings **must be requested in writing.** The Tax Withholding Form (Form W-4P) is available at our offices or website.

### **Mailing Address Change**

Mailing address changes may be reported in writing or requested via telephone to ensure correct mailing of any correspondence, tax forms, and other information. The Mailing Address Change Form (ERS-211) is available at our offices or website.

### **Financial Institution Change**

Financial institution changes for the direct deposit of your pension payment **must be requested in writing.** The Direct Deposit Agreement Form (ERS-210) is available at our offices or website.

## **Additional Service Credit**

Members may apply for additional service credit in the following categories prior to retirement. You must file a claim with the ERS before you retire.

*Note: ERS can accept monies from deferred compensation plans or tax-sheltered annuity plans to purchase allowable service credits. Please be advised that each tax-sheltered institution will need sufficient time to transfer funds to the ERS. All purchases must be completed prior to your retirement date.*

### **Military Service**

Any member who rendered honorable active military service in the armed forces of the United States can acquire up to 4 years of membership service for the military service effective July 1, 1989. Any member with:

- 8 years of credited service with the Employees' Retirement System (ERS) can acquire up to 2 years of military service if hired before June 18, 1996. (Act 136/97)
- 10 years of credited service with the ERS can acquire up to 2 years of military service if hired after June 17, 1996.
- 20 years of credited service with the ERS can acquire up to 3 years of military service.
- 25 years of credited service with the ERS can acquire up to 4 years of military service.

Military service in the reserve or National Guard is *not* considered active military service unless the service occurred in time of war or declared national or state emergency.

A member's military service is considered service in the member's occupation and percentage of full-time equivalence (FTE) at the time the service is credited and provides a corresponding retirement benefit.

If a member is eligible to acquire military service, the lump sum payment amount is based on an actuarial determination, which would take into consideration your age, investment yield rate, retirement age, and other actuarial assumptions.

Detailed information can be found in the Military Service Credit brochure. Claims can be submitted by using the Request to Acquire Previous Military Service Credit Form (Form 1551). These are available at our offices or website.

### **Previously Refunded Contributory Service**

Previously refunded State or County service earned while in the Contributory plan can be purchased. You will receive 1.75% or 2% per year for any general employee service and 2.5% or 2.25% per year for any service in this category.

The cost to purchase this service will be based on an actuarial determination, which would take into consideration your age, investment yield rate, retirement age, and other actuarial assumptions. Claims can be submitted by using the Member Information Form (ERS-243), which is available at our offices or website.

### **Forfeited Noncontributory Service**

Previous non-vested service earned while in the Noncontributory plan, which was forfeited after termination will be acquired on a monthly basis at no cost. Service in this capacity is credited at 1.25% in calculating your retirement benefit. Claims can be submitted by using the Member Information Form (ERS-243), which is available at our offices or website.

## Unused Sick Leave

An employee who retires in good standing and has a minimum of sixty days of unused sick leave shall be entitled to additional service credit. The unused sick leave credits cannot be used to fulfill eligibility requirements for retirement.

Sixty days of unused sick leave would increase the employee's years of service by 3 months; each additional 20 days would provide 1 more month of service credit as would any balance of 10 or more days. Any remaining balance of less than 10 days would provide no further service credit.

For example:

If you have 1,480 hours of unused sick leave credit at retirement.

$$\frac{1,480 \text{ hours}}{8 \text{ hours}} = 185 \text{ days}$$

$$\frac{185 \text{ days}}{20 \text{ days}} = 9.25 \text{ months}$$

- Round off to 9 months of additional service credit.
- If total months is 0.50 or more, round up to 1 month of additional service credit.

Sick leave conversion for firefighters who work 24-hour shifts would be calculated as follows:

$$\frac{\text{Number of hours of sick leave}}{24 \text{ hours}} = \text{Number of shifts}$$

$$\text{Number of shifts} \times 2.1 \text{ days} = \text{Days of unused sick leave}$$

Example:

$$\frac{2,000 \text{ hours}}{24 \text{ hours}} = 83.333333 \times 2.1 \text{ days} = 175 \text{ days}$$

After determining the number of unused sick leave days, additional service credit would be calculated as previously specified.

Upon retirement, please notify your department that the audited unused sick and vacation leave form will be needed to finalize your pension.

Note: Your vacation payout will be handled by your department.

## Example of a Pension Calculation

RETIREMENT DATE		
BIRTH DATE	MEMBER'S AGE: 47	
MEMBERSHIP DATE:	Prior to 7/1/2012	
BENEFICIARY BIRTH DATE	AGE: 48	
EARNED SERVICE	26 YRS	0 MOS
ACQUIRED SERVICE	2 YRS	6 MOS
TOTAL MEMBERSHIP SERVICE	28 YRS	6 MOS
*AFC = \$4,710.00/month		

Maximum Allowance payable:

Years of Credited Service x Average Final Compensation (AFC) x Benefit Percentage

$$28.5 \times \$4,710 \times 2.5\% = \$3,356$$

RETIREMENT OPTION	RETIREE'S MONTHLY PENSION	BENEFICIARY'S CONTINUING PENSION	POP UP TO RETIREE	INSURANCE RESERVE	REFUND AMOUNT	REFUND %
Maximum Allowance	\$3,356.00	---	---	---	---	---
One	\$3,333.00	---	---	\$460,401.00	---	---
Two (100% Survivor)	\$3,081.00	\$3,081.00	\$3,356.00	---	---	---
Three (50% Survivor)	\$3,215.00	\$1,607.50	\$3,356.00	---	---	---
Four (5 & Max)	\$2,955.00	---	---	---	\$53,979.00	---
Four (5 & Max)	\$2,888.00	---	---	---	\$63,047.00	50%
Four (5 & Max)	\$2,666.00	---	---	---	\$94,571.00	75%
Four (5 & 1)	\$2,939.00	---	---	\$405,947.00	\$53,979.00	---
Four (5 & 1)	\$2,873.00	---	---	\$396,878.00	\$63,047.00	50%
Four (5 & 1)	\$2,647.00	---	---	\$365,604.00	\$94,571.00	75%
Four (5 & 2)	\$2,716.00	\$2,716.00	\$2,955.00	---	\$53,979.00	---
Four (5 & 2)	\$2,656.00	\$2,656.00	\$2,888.00	---	\$63,047.00	50%
Four (5 & 2)	\$2,447.00	\$2,447.00	\$2,666.00	---	\$94,571.00	75%
Four (5 & 3)	\$2,835.00	\$1,417.50	\$2,955.00	---	\$53,979.00	---
Four (5 & 3)	\$2,772.00	\$1,386.00	\$2,888.00	---	\$63,047.00	50%
Four (5 & 3)	\$2,554.00	\$1,277.00	\$2,666.00	---	\$94,571.00	75%
Five	\$2,436.00	---	---	---	\$126,095.00	100%

## Retirement Options

One of the most important decisions you will make as you plan to retire is to select your retirement option. Option choices are designed to meet a range of retirement needs and goals. It is recommended that you consider your retirement lifestyle, projected expenses, beneficiary concerns and needs to make the best decision for you. Some of the options available provide a pension for your beneficiary.

Please be advised that retirement option changes are only allowed prior to your retirement date. All pensions are subjected to a 2.5% (for membership dates prior to July 1, 2012) or 1.5% (for membership dates after June 30, 2012) on the original pension amount each year on July 1, following the calendar year of retirement.

<b>OPTION COMPARISON SUMMARY</b>					
<b>Option</b>	<b>Lifetime Pension to Retiree</b>	<b>Lifetime Pension to Beneficiary</b>	<b>“Pop Up” Feature</b>	<b>Refund of Contributions</b>	<b>Refund Amount</b>
<b>Maximum Allowance<sup>1</sup></b>	Yes	No	No	No	None
<b>Option One</b>	Yes	No	No	No	None
<b>Option Two<sup>2</sup></b>	Yes	Yes (100%)	Yes	No	None
<b>Option Three<sup>3</sup></b>	Yes	Yes (50%)	Yes	No	None
<b>Option Four (Five &amp; Max)</b>	Yes	No	No	Yes	Pre-1987, 50% or 75%
<b>Option Four (Five &amp; 1)</b>	Yes	No	No	Yes	Pre-1987, 50% or 75%
<b>Option Four (Five &amp; 2)<sup>2</sup></b>	Yes	Yes (100%)	Yes	Yes	Pre-1987, 50% or 75%
<b>Option Four (Five &amp; 3)<sup>3</sup></b>	Yes	Yes (50%)	Yes	Yes	Pre-1987, 50% or 75%
<b>Option Five</b>	Yes	No	No	Yes	100%

<sup>1</sup> In the event a member dies after filing a retirement application but before the member’s retirement date the designated beneficiary may elect to receive the survivor benefit for the option selected by the member, or the ordinary death benefit (lump sum payment or Option Two survivor benefit).

<sup>2</sup> In the event a member dies within one year of retirement, the designated beneficiary may elect to receive the survivor benefit for the option selected by the member, or the ordinary death benefit (Option Two or Option Three depending on non-spouse beneficiary’s age).

<sup>3</sup> According to the Federal Treasury Regulations, if an ERS member designates a beneficiary who is not the member’s spouse; and the age difference between the member and non-spouse beneficiary exceeds the federal limit for the 100% Joint Survivor (Option Two). The ERS will determine if the non-spouse is eligible for Option Two, if not, Option Three will be available for the non-spouse.

## Summary of Options

### Options With No Refund

The following options offer a higher monthly pension because member's contributions are not refunded.

#### **Maximum Allowance - Highest lifetime monthly pension with no refund**

- No lifetime survivor benefit
- Trust, Estate, or multiple beneficiaries possible with changes allowed after retirement
- In the event of the retiree's death, beneficiary will be paid the difference between the retiree's unrefunded contributions at retirement and the retirement allowance paid prior to death

#### **Option One - Reduced lifetime monthly pension with no refund (short-term insurance)**

- Short-term (not lifetime) insurance (coverage depletes after approximately ten years)
- Large benefit if death occurs shortly after retirement
- Trust, Estate, or multiple beneficiaries possible with changes allowed after retirement
- In the event of the retiree's death, beneficiary will be paid the difference between the initial insurance reserve and the retirement allowance paid prior to death

#### **Option Two\* - Reduced lifetime monthly pension for retiree with no refund and 100% continuing pension for beneficiary in the event of retiree's death (\* See IMPORTANT NOTICE on page 13)**

- Beneficiary cannot be changed after retirement
- If the beneficiary predeceases the retiree, the retiree's pension "pops up" to the Maximum Allowance

#### **Option Three – Reduced lifetime monthly pension for retiree with no refund and 50% continuing pension for beneficiary in the event of retiree's death**

- Beneficiary cannot be changed after retirement
- If the beneficiary predeceases the retiree, the retiree's pension "pops up" to the Maximum Allowance

### Refund Options

Members with at least 10 years of credited service qualify for any one of the following refunds:

- Nontaxable pre-1987 contributions
- 50% of contributions
- 75% of contributions
- 100% of contributions (Option Five only)

#### **Option Four (5 & Maximum) - Highest lifetime monthly pension with partial refund**

- No lifetime survivor benefit (see Maximum Allowance)

#### **Option Four (5 & 1) – Reduced lifetime monthly pension with partial refund**

- Short term insurance reserve (see Option One)

#### **Option Four (5 & 2)\* - Reduced lifetime monthly pension for retiree with partial refund and 100% continuing pension for beneficiary in the event of retiree's death (\* See IMPORTANT NOTICE on page 13)**

- Beneficiary cannot be changed after retirement
- If the beneficiary predeceases the retiree, the retiree's pension "pops up" to the corresponding Option Four (5 & Maximum) based on the amount of the retiree's refund

#### **Option Four (5 & 3) - Reduced lifetime monthly pension for retiree with partial refund and 50% continuing pension for beneficiary in the event of retiree's death**

- Beneficiary cannot be changed after retirement
- If the beneficiary predeceases the retiree, the retiree's pension "pops up" to the corresponding Option Four (5 & Maximum) based on the amount of the retiree's refund

#### **Option Five - Lowest lifetime monthly pension for retiree with maximum refund of contributions**

- No lifetime survivor benefit
- 100% refund of contributions (and interest) with possible tax consequences
- Multiple beneficiaries with changes allowed after retirement

## Choosing the Best Retirement Option for You

Every family's financial circumstances differ, so we recommend that you consider the following factors when selecting the option that is best for you.

### A. Monthly Income

- Can you live on your pension income?
- Do you have any other source of income besides your pension (e.g., Social Security, investment income or a part-time job or business)?

### B. Death Benefits

- Do you need to provide for someone after your death (e.g., spouse, dependent children, parents or siblings)? Will there be adequate income for your spouse if you die first? Will your beneficiary be protected for your lifetime regardless which option you choose?
- What is your current health status?
- If you have a serious illness, consider survivor options.
- (Contributory or Hybrid Plan members) If you are a younger member in good health, Option 1 may not be appropriate because of the likelihood that you will outlive the insurance reserve (approximately 10 to 13 years). However, if your beneficiary is older than you are or is not in good health, Option 1 provides flexibility in allowing changes in your beneficiary designation if your beneficiary predeceases you after you retire.
- For survivor options, the younger the beneficiary the lower the monthly pension.
- If your spouse has his/her own pension benefit, can he/she survive without your monthly pension if you should die first?
- Do you have sufficient life insurance if you choose an option without any death benefits? Are you still insurable considering your age and health?
- The Employees' Retirement System provides benefits if your death occurs within the first year of retirement.

### C. Refund of Contributions (Hybrid and Contributory plan members only)

- The more you withdraw, the less your monthly pension will be.
- Do you want/need a lump sum refund of your contributions?
- Do you want to take advantage of the nontaxable feature?
- Are you willing to pay the additional federal taxes if you withdraw more than your nontaxable portion? If not, consider a rollover of your refund into an IRA account or qualified employer plan.
- Will you be in a higher tax bracket with the additional taxable contributions added to your current salary (in the year you retire)?
- If a taxable refund option is selected, the estimated initial taxable refund payment or rollover amount is the balance in your account at the time the payment is made. The final balance of the taxable refund will be made or rolled over to your IRA account or qualified employer plan when your pension is finalized.
- Do you have long range plans for your refund? Can you manage your investments wisely (or would you rather leave your contributions in for a higher monthly pension and leave the investment risks to the ERS)?

### D. Post Retirement Increases

- You will receive an increase of 2.5% (membership dates prior to July 1, 2012) or 1.5% (membership dates after June 30, 2012) each July 1 starting with the calendar year after your retirement date.
- This increase is based on your original monthly pension and is not compounded.
- The higher your monthly pension, the higher your post retirement increase in dollars.

## Important Notice

### RULE AFFECTING 100% JOINT & SURVIVOR RETIREMENT OPTIONS WITH NON-SPOUSE BENEFICIARY

The ERS was required by federal law to adopt a rule (Hawaii Administrative Rule § 6-28-8) that affects the retirement allowance options that are available if an ERS member designates a beneficiary who is not the member's spouse. If the age difference between the member and the non-spouse beneficiary exceeds the federal limit for 100% joint and survivor annuities, the member may not select Option 2 or Option 4 (5&2) under the Contributory and Hybrid plans or Option B under the Noncontributory plan.

The age difference for the purpose of the federal limit is determined first by calculating the number of years by which the age of the member in the calendar year of retirement is greater than the age of the beneficiary in that calendar year. Then, if the member is younger than age 70, the age difference is reduced by the number of years the member is below age 70 in the calendar year of retirement. If the adjusted age difference is more than ten years, the member may not select a retirement allowance option that provides a non-spouse beneficiary with lifetime benefits upon the member's death at 100% of the amount that the member was receiving.

Examples:

#1

Retirement Year:	2042	
Member Birthdate:	3/1/1982	60 (age in 2042)
Beneficiary Birthdate:	8/5/2012	<u>-30 (age in 2042)</u>
	Age difference	30 years
	Less (member age under 70)	<u>-10</u>
	Adjusted age difference	20 years

Since the adjusted age difference is more than 10 years: Member may not elect to receive retirement benefits under any of the 100% survivor options (Contributory and Hybrid plan Options 2 or 4 (5&2), or Noncontributory plan Option B).

#2

Retirement Year:	2042	
Member Birthdate:	5/1/1987	55 (age in 2042)
Beneficiary Birthdate:	1/5/2012	<u>-30 (age in 2042)</u>
	Age difference	25 years
	Less (member age under 70)	<u>-15</u>
	Adjusted age difference	10 years

Since the adjusted age difference does not exceed 10 years: Member may elect to receive retirement benefits under the 100% survivor option(s) for the plan to which Member belongs (Options 2 or 4 (5&2), if Member is in the Contributory or Hybrid plan. Option B, if Member is in the Noncontributory plan).



## Disability Retirement

The ERS offers disability retirement for members who are permanently unable to perform their work duties. The ERS Medical Board certifies your disability which is approved by the Board of Trustees.

<b>Types of Disability Retirements</b>	<b>Age</b>	<b>Service</b>	<b>Requirements</b>	<b>Maximum Allowance Payable</b>
<b>Ordinary</b> – Unrelated to work. Permanently mentally or physically incapacitated for performance of duty	None	10 years	Employee must be on the payroll to be eligible to apply or “in-service” which includes on “leave without pay”.	Years of Credited Service x AFC x 1.75%  (Minimum benefit = 30% of AFC)
<b>Service Connected</b> – Permanently mentally or physically disabled due to a work-related injury accident (which was not due to willful negligence)	None	None	Application must be filed within two years of the date of accident or within two years of the date the workers’ compensation benefits ceases.	50% of AFC, plus return of member’s contributions

If you are unable to work, please contact the ERS as you may be eligible for disability retirement.

Police officers/firefighters with 10 years of service who are medically disqualified from performing their police officer/firefighter duties due to a service connected disability will retain their retirement allowance at 2.5 % or 2.25% benefit formula for each year of credited service as a police officer/firefighter.

Members can continue to work in another position under the Contributory plan and later retire on a split formula. The employer’s physician will determine the permanent medical disqualification.

## Ordinary Death Benefits

An "Active Death" or "Ordinary Death" is when a member dies in active service or while on an authorized leave without pay and the death is not the result of an accident occurring while in the actual performance of duty.

The lump sum ordinary death benefit consists of the return of the member's accumulated contributions and payment of an amount equal to 50% of the salary earned by the member during the year immediately preceding death. If the member has more than 10 years of credited service, an additional 5% for each full year is payable up to a maximum of 100%.

### EXAMPLE: IN SERVICE AT TIME OF DEATH

SERVICE: 28 years 10 months

#### BENEFIT PAYABLE

SALARY EARNED IN YEAR PRECEDING DEATH (100% based on 28 years 10 months)	\$ 66,363
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RETURN OF CONTRIBUTIONS (including accrued interest)	+\$126,095
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TOTAL	\$192,458
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In lieu of the lump sum ordinary death benefit, the beneficiary may elect an Option Two benefit, with applicable age reduction, if the member was eligible for service retirement. If the member had 10 or more years of credited service, the beneficiary may elect an Option Three benefit. Payments will be effective starting on the first day of the month following the date of death.

**Options Two or Three are only available if one beneficiary was designated.** If the member designated multiple beneficiaries, the ordinary lump sum death benefit will be payable. If Options Two or Three are selected, the surviving spouse and dependent children may be eligible for health benefits under the Hawaii Employer-Union Health Benefits Trust Fund (EUTF). Please contact the EUTF directly at (808) 586-7390 for more information.

It is very important that the member's beneficiary designation on the Employees' Retirement System's Form 1A (Designation of Beneficiary) be current. By law (88-93), the designation becomes null and void when:

1. the beneficiary predeceases the member or former employee;
2. the member or former employee is divorced from the beneficiary;
3. the member or former employee is unmarried, and subsequently marries; or
4. the member or former employee enters into or terminates a reciprocal beneficiary relationship.

If the beneficiary designation is not updated when any of these situations occurs, an exception [88-84(b)] under Act 67/93 enables the surviving spouse, reciprocal beneficiary\*, or dependent children of an active member to receive benefits. The surviving spouse or reciprocal beneficiary can elect Option Two, with applicable age reduction, if the member was eligible for regular or early retirement, Option Three if the member had 10 or more years of credited service but was ineligible for regular or early retirement, or a lump sum ordinary death benefit. If there is no surviving spouse or reciprocal beneficiary, dependent children under age 18 can receive the lump sum ordinary death benefit without going through probate otherwise, member's estate will receive the benefits.

\* "Reciprocal beneficiary": legal partnership between 2 individuals over 18 years old who are prohibited from marriage. (Section 572C). Contact the State of Hawaii Department of Health for more information.

## Income Tax Information

You are responsible for your own tax planning and for the tax consequences of the benefits paid to you from the ERS. Because your tax circumstances may differ from those of other members and beneficiaries of the ERS and because tax laws are complex and subject to change, you should consult with a qualified tax advisor before applying for or receiving a distribution from the ERS. The following is a brief overview of federal and State of Hawaii tax rules applicable to benefits paid from the ERS as of July 1, 2020.

### **Federal Income Tax**

As a general rule, all benefits paid to you from the ERS are subject to federal income tax in the year paid to you. This is true for members, retirees, beneficiaries, and alternate payees under Hawaii domestic relations orders. If you made contributions to the ERS that were subject to federal income tax when contributed (e.g., regular employee contributions prior to 1988 or certain employee contributions used to purchase or convert service credit), you will be able to recover your after-tax cost (generally, over your expected lifetime). For more information with respect to the federal taxation of benefits paid from the ERS, please refer to IRS Publication 575, *Pension and Annuity Income*.

If you choose a distribution option that provides a benefit that is eligible to be rolled over to an IRA or an employer-sponsored, tax-qualified retirement plan, please refer to the ERS's "Special Tax Notice Regarding Rollover Options," which describes your rights to do a rollover, including a direct rollover, and the tax consequences if you do not elect a direct rollover (e.g., required 20% federal income tax withholding and possible 10% penalty tax if you receive a taxable distribution prior to age 59½).

For each year that you receive a benefit from the ERS, the ERS will issue you an IRS Form 1099-R, which will show the amount of the benefit paid to you that is subject to federal income tax in that year. It is possible that you will receive more than one Form 1099-R for a year.

If you are a foreign person (or are presumed to be a foreign person), the ERS will report your distribution on IRS Form 1042-S, and 30% withholding will apply. To claim a reduced rate under an income tax treaty, please complete IRS Form W-8BEN.

### **State of Hawaii Income Tax**

The State of Hawaii income taxation of ERS benefits is different from federal income taxation. Employee contributions to the ERS are subject to State of Hawaii income tax when contributed. As of July 1, 2020, benefits paid from the ERS (including the portion funded by the employer) are not subject to Hawaii income tax when paid from the ERS.

### **Income Taxes in Other States**

If you are a resident of or domiciled in another state, you should consult the tax authorities in that state as to the state income taxation of benefits paid from the ERS.

## Contacting the ERS

The Employees' Retirement System (ERS) office is located on the corner of Merchant and Alakea Streets on the 14th floor of the City Financial Tower in downtown Honolulu. Validated parking is available in the building. Enter the City Financial Tower parking entrance on Richards Street.

Office hours are from 7:45 a.m. to 4:30 p.m. Monday through Friday (except holidays).

### OFFICES:

<b>Oahu</b>	Employees' Retirement System City Financial Tower 201 Merchant Street, Suite 1400 Honolulu, HI 96813  Call Center: (808) 586-1735 Fax: (808) 587-5766
<b>Hawaii</b>	Hawaii District Office 101 Aupuni Street, Suite 208 Hilo, HI 96720  (808) 974-4074, (808) 974-4076 or (808) 974-4077 Toll-free to Oahu (808) 974-4000, Ext. 61735 Fax: (808) 974-4078
<b>Kauai</b>	Kauai District Office 3060 Eiwa Street, Room 302 Lihue, HI 96766  (808) 274-3010 or (808) 274-3011 Toll-free to Oahu (808) 274-3141, Ext. 61735 Fax: (808) 241-3193
<b>Maui</b>	Maui District Office 54 S. High Street, Room 218 Wailuku, HI 96793  (808) 984-8181 or (808) 984-8282 Toll-free to Oahu (808) 984-2400, Ext. 61735 Fax: (808) 984-8183
<b>Molokai/Lanai</b>	Toll-free to Oahu 1-800-468-4644, Ext. 61735
<b>US Mainland Only</b>	Toll-free to Oahu 1-888-659-0708, Ext. 61735
<b>Website</b>	<a href="http://ers.ehawaii.gov/">http://ers.ehawaii.gov/</a>
<b>Email</b>	dbf.ers.sss@hawaii.gov