

Correction Officer 25-Year Retirement Plan (CO-25)



NYC EMPLOYEES'
RETIREMENT SYSTEM

Tier 3

June 2025

This brochure describes the benefits of the Correction Officer 25-Year Retirement Plan (CO-25 Plan). The CO-25 Plan is available **ONLY** to members of the uniformed force of the NYC Department of Correction who became Tier 3 NYCERS members before December 19, 1990 (the start date of the Correction Officer 20-Year Plan).

Contributions

Effective October 1, 2000, CO-25 Plan participants are required to contribute 3% of their pensionable gross wages until they attain 10 years of Credited Service or reach the tenth anniversary of their membership date – whichever is earlier. These contributions are referred to as Basic Member Contributions (BMCs) and they are held in the Member Contribution Accumulation Fund (MCAF).

All contributions are Federal tax deferred, meaning that a member does not pay Federal taxes on the contributions, only New York State and local taxes. Contributions made while on Union leave are **not** Federal tax deferred.

Note: If participants were previously enrolled in another special plan, AMCs may still be required under the previous plan(s).

Deficits

Failure to pay any of the required contributions will result in a deficit in the MCAF (for BMCs). If the deficit is identified prior to retirement, NYCERS will notify the participant so they can resolve the deficit.

If there is an unresolved BMC deficit at retirement in the MCAF, NYCERS will notify the participant of the choice to either pay the deficit in full or apply an actuarial reduction (a lifetime reduction to their pension based on their deficit amount) to resolve the deficit. Unpaid deficits may also impact disability and death benefits.

Loans

CO-25 Plan participants may borrow up to 75% of the BMCs held in the MCAF account. Any loans taken are subject to the same terms and conditions applicable to Tier 3 members. Please consult [Loans Brochure #911](#) for additional information.

Credited Service

Credited Service includes most public service rendered in New York City or New York. Credited Service includes: Membership Service, Transferred Service, all Purchased Service, Military Service, Union Leave Service, Part-time Service and Purchased Service for periods of Child Care Leave.



Buy-Back

CO-25 Plan participants may purchase previous public service rendered anywhere in New York City or New York State. The cost is 3% of the wages earned during the period they are buying back, plus 5% interest compounded annually from the date of their previous service until the date of payment.

Child Care Leave

Participants in the CO-25 Plan may also purchase up to one year of service credit for each instance of authorized child care leave* if they:

- Are in active service, **and**
- Apply within 90 days of the termination of the child care leave by filing [Application to Purchase Service for Child Care Leave Form #246](#); **and**
- Pay an amount equal to what their required contributions would have been during the child care leave, **plus** accrued interest.

***Participants can only receive up to one year of service for each period of authorized child care leave.**

Military Buy-Back

Federal and state laws allow members to purchase service credit for time spent in U.S. Military service – the Uniformed Services Employment and Reemployment Rights Act (USERRA) and Article 20 of the New York State Retirement and Social Security Law (RSSL), respectively. Under Article 20, the cost is 3% *times* the number of years of military service being purchased *times* the salary they earned during the 12 months prior to the date of their application. Under USERRA, the cost is the equivalent of the contributions required if they had never left for military service. No interest is charged on military buy-back.

Refunds

CO-25 Plan participants who have rendered less than 10 years of Credited Service and who leave City service may apply for a refund of BMCs, plus accrued interest, effectively terminating their membership. Participants with between five and 10 years of Credited Service must also waive their right to a Vested Retirement Benefit. Refunds will be reduced by the present value of any loan. Refunds of BMCs are not possible for participants with 10 or more years of Credited Service, except in cases of a participant's death.

Vested Retirement

If a participant ends their employment with at least five years of Credited Service, two of which are Membership Service, they are entitled to a Vested Retirement Benefit. The Vested Retirement Benefit is payable at age 62 and is calculated using the following formula:

For members with less than 20 years of Credited Service:

- ▶ $1\frac{2}{3}\%$ *times* Final Average Salary (FAS) *times* years of Credited Service

For members with 20 or more years of Credited Service:

- ▶ 2% *times* FAS *times* years of Credited Service



FAS is defined as the greater of:

The average of wages earned during any three consecutive calendar years,

or

The average of wages earned during the 36 months immediately preceding a participant's retirement date.

Note: Wages earned in any year used in the FAS computation cannot exceed more than 10% of the average of the previous two years.

Vested CO-25 Plan members may elect to receive their Vested Retirement Benefit in the form of an Early Service Retirement Benefit, which is payable as early as age 55 and results in a permanent reduction in their retirement benefit.

The following table shows the percentage reduction for various ages:

Age Payment Begins	Percentage of Benefit Reduction
61	6.7%
60	13.3%
59	16.7%
58	20.0%
57	23.3%
56	26.7%
55	30.0%

PLEASE NOTE: The percentages shown in the table assume retirement at exact ages for illustration purposes. Retirement between ages will be calculated on a prorated basis per month.

Service Retirement

Participants in the CO-25 Plan are eligible to receive a Service Retirement Benefit upon attaining 25 years of Credited Service without regard to age.

The Service Retirement Benefit is 50% of FAS (the benefit cannot exceed this amount).

The escalation of benefits provisions applicable to Tier 3 general members does not apply to CO-25 Plan participants.

Disability Retirement

Members of the uniformed force of the NYC Department of Correction who become physically or mentally incapacitated and can no longer perform the duties of their job title may apply for Disability Retirement Benefits. There are four separate disability provisions in the NYS Retirement and Social Security Law (RSSL) under which they may qualify. The chart on pages 4 and 5 summarizes the qualifications and the benefits provided under each of these provisions. In addition, such members are covered under certain special disability provisions described in the section Other Disability Benefits on page 4.



Other Disability Benefits

Heart Law (RSSL §507-c, GML §207-o):

The Heart Law provides a presumption to members of the uniformed force of the NYC Department of Correction that a disease of the heart was incurred in the performance of duty. Members of the uniformed force of the NYC Department of Correction who are approved for disability under the Heart Law are entitled to a disability benefit equal to 75% of FAS minus 100% of the annual payment from the Workers' Compensation Board associated with the disease of the heart. This presumption may be rebutted by competent medical evidence.

Hepatitis, AIDS and Tuberculosis (HAT) Law (RSSL §507-c, GML §207-n):

The HAT Law provides that a member of the uniformed force of the NYC Department of Correction who contracts HIV (where they may have been exposed to bodily fluids of an inmate or a person confined to an institution under the jurisdiction of the NYC Department of Correction or Department of Health) tuberculosis or hepatitis, will be presumed to have contracted such disease in the performance and discharge of duty. Members approved for disability under this law are entitled to a disability benefit equal to 75% of FAS minus 100% of the annual payment from the Workers' Compensation Board associated with the disease. The presumption may be rebutted by competent medical evidence.

World Trade Center Disability Law (RSSL §507-c):

The World Trade Center (WTC) Disability Law provides that NYCERS members, vested members or retirees (retired after 9/11/01) who Participated in WTC Rescue, Recovery, or Clean-up Operations during a Qualifying Period may be entitled to a presumption that any current or future disability caused by a Qualifying Condition or Impairment of Health arose from participation in such operations, unless the contrary is proven. A Notice of Participation must be filed no later than September 11, 2026. For more information, visit NYCERS' website at [nycers.org](https://www.nycers.org) and review [WTC Disability Law Fact Sheet #703](#).

Correction Force Disability Provisions at a Glance

	Ordinary	Accidental	Dual Purpose Disability Statute	Performance-of-Duty (also see HAT Law, p.4)
RSSL Section	506	507	507-a	507-c
What is the service requirement?	5 or more years of Credited Service	None	10 or more years of Credited Service. If less than 10 years, may qualify if injury is due to on-the-job accident.	None



Correction Force Disability Provisions at a Glance

	Ordinary	Accidental	Dual Purpose Disability Statute	Performance-of-Duty (also see HAT Law, p.4)
RSSL Section	506	507	507-a	507-c
How does the member qualify for disability?	Member qualifies if the Social Security Administration finds them to be disabled and awards Primary Social Security Disability Benefits.	Member qualifies if (i) the Social Security Administration finds the member disabled for the claimed body part, and (ii) the member is found by NYCERS to have been disabled as a result of an accidental injury that was sustained in the performance of their duties while a member of NYCERS, and such accident must not have been a result of the member's own willful negligence.	NYCERS' Medical Board determines that the member is physically or mentally unable to perform the duties of their job title. If the member has less than 10 years of service, the Medical Board must also determine if the injury was the natural and proximate result of an accident not caused by their own willful negligence.	NYCERS' Medical Board determines that the member is disabled as the natural and proximate result of injuries sustained in the performance of duties by an act of an inmate or any person confined under the jurisdiction of the Department of Correction or Department of Health.
How is the disability benefit calculated?	The greater of: $\frac{1}{3}$ times Final Average Salary (FAS) OR 2% times FAS times Credited Service up to 30 years, reduced by 100% of any Workers' Compensation benefit and 50% of the Primary Social Security Disability Benefit	60% times FAS reduced by 100% of any Workers' Compensation benefit and 50% of the Primary Social Security Disability Benefit	The greater of: $\frac{1}{3}$ times FAS OR $1\frac{2}{3}\%$ times FAS times Credited Service, OR The Service Retirement Benefit, if eligible for Service Retirement	75% times FAS, reduced by 100% of any Workers' Compensation benefit



Death Benefits

In the event of a member's death prior to retirement, their beneficiary/beneficiaries may be entitled to a death benefit. There are two primary types of death benefits: an Ordinary Death Benefit and an Accidental Death Benefit.

The Ordinary Death Benefit is:

- Three *times* the member's salary, **plus**
- A refund of their BMCs, **plus** interest.

The Ordinary Death Benefit is payable only if the member was in City service for at least 90 days and was in active service at the time of their death.

The Accidental Death Benefit is an annual pension of 50% of the member's wages during their last year of City service.

The Accidental Death Benefit is payable to an Eligible Beneficiary (defined in law in a priority order, not designated by the member) if the member was in active service at the time of their death and their death was the result of an accident sustained in the performance of duties.

Heart Law-Accidental Death Benefit:

Members of the uniformed force of the NYC Department of Correction who die from a disease of the heart may be entitled to a presumption that the disease was incurred in the performance of duty, unless the contrary is proven by competent medical evidence. Their Eligible Beneficiary/Beneficiaries would be entitled to the Accidental Death Benefit and Special Accidental Death Benefit (described below) which are paid in accordance with the relevant statutes that govern such benefits.

World Trade Center Law-Accidental Death Benefit:

The World Trade Center (WTC) Law provides that deceased NYCERS members, vested members or retirees (retired after 9/11/01) who Participated in WTC Rescue, Recovery, or Cleanup Operations during a Qualifying Period may be entitled to a presumption that their death was caused by a Qualifying Condition or Impairment of Health which arose from participation in such operations, unless the contrary is proven. A Notice of Participation must be filed no later than September 11, 2026. For more information, visit NYCERS' website at nycers.org and review [WTC Law Disability Fact Sheet #703](#).

Special Accidental Death Benefit

A Special Accidental Death Benefit is a supplemental monthly payment in addition to the Accidental Death Benefit of 50% of Wages. The effect of this benefit is to continue paying the equivalent of the decedent's salary including earned overtime, night differential, longevity payments and any other type of pensionable earnings, where applicable.

If the member was in the uniformed force of the NYC Department of Correction and died of injuries sustained in the line of duty as the natural and proximate result of an accident, not caused by their own willful negligence, or while in military service, the benefit is paid to:

- The widow/widower; **or**
- The children of the deceased (under 18 years of age or under the age of 23 if a student) **if** the widow/widower is deceased; **or**
- The parents of the deceased **if** there are no eligible children.



The Special Accidental Death Benefit is generally increased annually by a percentage determined on the basis of the Consumer Price Index (CPI). The maximum potential benefit will be reduced by the basic amount of any Social Security survivors' benefit and Workers' Compensation award.

