

Vesting

Many of the retirement plans in NYCERS contain vesting provisions, which allow you to receive a retirement benefit in the future even if you leave City service before you are eligible to retire. Think of it as freezing your retirement benefit now and thawing it out later. The contributions you have made remain at NYCERS where they will continue to accrue interest at the rate of 5%, compounded annually.

Please see your plan brochure on nycers.org or refer to the summary of vesting provisions for Tier 3, 4 and 6 plans on page 4 to learn more about your vesting requirements, Payability Date (the date you are eligible to collect a Vested Retirement Benefit), and Vested Retirement Benefit calculation.

Filing a Notice of Intent to Vest Form

NYCERS encourages members who separate from City service to file [Notice of Intention to File for a Tier 3, 4, or 6 Vested Retirement Benefit Form #254](#). By doing so, NYCERS can send you important information regarding your retirement account. For example, you will receive a Vested Annual Disclosure Statement detailing your account balances and designated beneficiaries. Additionally, NYCERS will reach out to you when you near your Payability Date.

Payment of Your Vested Retirement Benefit

To begin receiving payment of your Vested Retirement Benefit, you must file [Application for Payment of a Tier 3, 4, or 6 Vested Retirement Benefit Form #266](#), or, if you are a Tier 4 member with Tier 3 Rights (joined NYCERS after July 26, 1976 and prior to September 1, 1983), [Application for Payment of a Vested Retirement Benefit Tier 4 Members with Tier 3 Rights Form #265](#). You may file the application as early as 90 days before your Payability Date. Your benefit will not start until you file this application; however, you are entitled to a Vested Retirement Benefit as of your Payability Date. If you file your Application for Payment after your Payability Date, your Payability Date is subject to review.

Loans

Except for 22-Year and 22-Year Enhanced Disability Plan participants, you are eligible to take out a loan while you are in active City service. Although your contributions remain in your account at NYCERS after you have separated from City service, you are **not** eligible to take out a loan after you have left City service.

If you have an outstanding pension loan at the time you separate from City service, there are important consequences you must know:

- You are still obligated to pay back the outstanding balance on the loan. A loan on which no payments have been made for over 90 days is considered a non-performing loan and it will be treated as income at the end of the tax year; NYCERS will send you a 1099 tax form.

- Any outstanding loan balance continues to accrue interest if left unpaid.
- If the outstanding loan balance is not paid by your Payability Date, your Vested Retirement Benefit will be reduced for your lifetime **except** if you are a 22-Year or 22-Year Enhanced Disability Plan participant with an outstanding loan from a prior plan, in which case your loan balance **must** be paid in full before you retire.

Required Contributions & Deficits

The retirement benefits payable from NYCERS are funded through employee contributions, employer contributions and the return on investments of the assets of the retirement system.

As an active member, you are required to make Basic Member Contributions (BMCs). For Tier 3 members (except 22-Year Plan and 22-Year Enhanced Disability Plan participants) and Tier 4 members (except Transit 25/55 Plan participants), you pay BMCs until the earlier of your tenth anniversary of membership or 10 years of Credited Service, but no earlier than October 1, 2000. For Tier 3 22-Year Plan and 22-Year Enhanced Disability Plan participants, you pay BMCs until you attain 25 years of contributions. For Tier 4 Transit 25/55 Plan participants and Tier 6 members, you must pay BMCs until retirement. If you are a member of a special plan or early retirement plan, you are also required to make Additional Member Contributions (AMCs).

Failure to make all of the contributions required of your retirement plan can result in a deficit in your accounts and may jeopardize your ability to collect a Vested Retirement Benefit. CO-20, SA-20, TBTA-20 and 6TB-20 Plan participants **cannot** receive a Vested Retirement Benefit unless an AMC deficit has been resolved. If your retirement plan allows you to receive a Vested Retirement Benefit with an unresolved deficit at your Payability Date, your Vested Retirement Benefit will be reduced for your lifetime.

Purchasing Service (Buyback)

As an active member, you are eligible to purchase previous public service rendered in New York City or New York State. If you have separated from City service, you may **not** submit an application to purchase previous service credit. However, if you are laid off for economic reasons, you may apply online by registering and logging in to your MyNYCERS account at mynycers.org or submit [Application to Purchase Credit for Service Rendered Prior to Membership Date in NYCERS Form #241](#), available at nycers.org, within 90 days from the date of your separation from City service.

If payments for the purchase of previous service were in arrears at the time you separated from City service, you can pay off the balance of those arrears in a lump sum and receive credit for the service as long as you have completed the purchase prior to making a final option selection (which occurs after your Payability Date has passed). If you decide to wait until you get closer to your Payability Date to complete the purchase, you should know that the payoff amount will continue to grow as interest continues to accrue on the unpaid balance. If you choose not to pay off the balance, you will receive credit for the time you've purchased up to your Separation Date.

Survivor Benefits

If you leave City service and your death occurs prior to your Payability Date, a lump-sum death benefit will be paid to the beneficiary/beneficiaries you last designated if you have 10 or more years of Credited Service at the time of your death. The death benefit amount is based on 50% of the death benefit that would have been payable if you had died on your last day in active service plus a refund of BMCs and, where applicable, either a full refund or a refund of the employee portion (50%) of AMCs. If you did not have 10 or more years of Credited Service, only a refund of BMCs will be payable to your Estate and, where applicable, either a full refund or a refund of the employee portion (50%) of AMCs.

Refunds

If you have less than 10 years of Credited Service upon leaving City service, you may receive a refund of your BMCs, plus interest. By withdrawing your contributions, however, you **terminate** your NYCERS membership, withdraw from the system, and forfeit the right to a Vested Retirement Benefit and all other benefits from NYCERS. To withdraw your BMCs, register and log in to your MyNYCERS account at mynycers.org to apply or file [Application for Refund of Member's Accumulated Salary Deductions Form #331](#), available at nycers.org. If you have between five and 10 years of Credited Service, you must also submit [Waiver of Right to a Vested Retirement Benefit Form #341](#). If you have 10 or more years of Credited Service, you are not permitted to withdraw your BMCs.

If you are in a special plan, you are eligible to obtain a refund of your AMCs if you have rendered less than a specified number of years of service depending on your retirement plan. Importantly, if you choose to apply for a refund of your AMCs, you **cannot** vest under the special plan provisions, but rather in your underlying plan. To withdraw your AMCs only, file [Application for Refund of Additional Member Contributions Form #333](#), available at nycers.org.

Transferring

After you leave City service, you are eligible to transfer your NYCERS membership to another New York City or New York State public retirement system. You must be a member of the retirement system to which you are transferring. To complete this transfer, register and log in to your MyNYCERS account at mynycers.org to apply or file [Application for Transfer of Member's Accumulated Salary Deductions to Another Retirement System Within New York State Form #321](#). NYCERS encourages you to consult with representatives of both retirement systems before you transfer your membership.

Health Coverage

NYCERS does not administer health benefits for employees of NYC mayoral agencies or for employees of any of the participating employers of NYCERS. It is strongly recommended that you visit your agency's personnel office to find out how you can continue your health benefit coverage into retirement.

NYC Office of Labor Relations: (212) 513-0470

NYC Transit Authority and MTA Bridges & Tunnels: (646) 376-0123

Final Average Salary

The compensation base used to calculate your Vested Retirement Benefit is known as your Final Average Salary (FAS). Your FAS is determined by the greater of the average annual wages earned during any three consecutive calendar years (five consecutive calendar years for Tier 3 CF-22E and SA-22E Plan participants retiring with an Enhanced Disability Benefit (EDB)) or the 36 months (60 months for Tier 3 CF-22E and SA-22E Plan participants retiring with an EDB) immediately preceding your retirement date.

For Tier 6 members who retired prior to April 20, 2024, the FAS was defined as the average of wages earned during any five consecutive years which provided the highest average wage. As a vested member who left City service, since you were likely off payroll during the 36 (or 60) months immediately preceding your retirement date, your FAS will be determined by either the 36 (or 60 for EDB) months immediately preceding your Separation Date or the average annual wages earned during any three (or five for EDB) consecutive calendar years.

Vesting Provisions for Tier 3, 4 and 6 Plans

You can vest in your retirement plan if you meet or exceed the minimum service requirements of your plan before separated from City service.

There are two types of service credit, Allowable Service and Credited Service, and the type you need to vest in your plan depends on the provisions of that plan. Certain special plans require only Allowable Service to vest. If you are a member of a special plan and cannot meet the minimum service requirements to vest with Allowable Service alone, you may vest in your underlying plan if you have enough Credited Service to meet the minimum service requirements of your underlying plan.

Please refer to your plan brochure on [nycers.org](https://www.nycers.org) or the summary below for your eligibility, Payability Date, and calculation of your Vested Retirement Benefit.

Tier 3 Vesting Provisions

If you had an active Tier 3 membership on or after July 17, 1998, you must have at least five years of service to vest. If your membership was terminated before July 17, 1998, your service requirement for a vested benefit is 10 years except for participants of the Correction Officer 20-Year Retirement Plan (CO-20) or Correction Captain 20-Year Retirement Plan (CC-20), in which case your service requirement is 15 years to vest.

Basic Tier 3 Plan (62/5) – generally for Tier 4 members with Tier 3 Rights

- Eligibility: Five or more years of Credited Service
- Payability Date: Age 62 (or as early as age 55 with a reduced benefit)
- Vested Retirement Benefit:
 - ▶ **Less than 20 years of Credited Service**: $1\frac{2}{3}\%$ times FAS times years of Credited Service, **minus** 50% Primary Social Security Benefit beginning at age 62
 - ▶ **20 or more years of Credited Service**: 2% times FAS times years of Credited Service up to 30 years, **minus** 50% Primary Social Security Benefit beginning at age 62

Correction Officer 25-Year Plan (CO-25)

- There are no vesting provisions under the CO-25 Plan. Participants who do not meet the minimum thresholds to retire for service under the CO-25 Plan may vest under their Basic Tier 3 (62/5) Plan.

Correction Officer 20-Year Plan (CO-20)

- Eligibility: Five or more years of Allowable Service (or Credited Service for certain participants), but less than 20, and any deficit in AMCs **must** be resolved
 - ▶ Only Allowable Service is counted toward the years needed to retire for participants who were mandated into the CO-20 Plan on or after December 19, 1990. All other participants who had an option to participate in the CO-20 Plan may retire with Credited Service.
- Payability Date: The date you could have retired with 20 years of Allowable Service (or Credited Service for certain participants)
- Vested Retirement Benefit: 2.5% *times* FAS *times* years of Allowable Service (or Credited Service for certain participants)

Correction Captain 20-Year Plan (CC-20)

- Eligibility: Five or more years of Allowable Service (or Credited Service for certain participants), but less than 20
 - ▶ Only Allowable Service is counted toward the years needed to retire for participants who were mandated into the CO-20 Plan on or after December 19, 1990. All other participants who had an option to participate in the CO-20 Plan may retire with Credited Service.
- Payability Date: The date you could have retired with 20 years of Allowable Service (or Credited Service for certain participants)
- Vested Retirement Benefit: 2.5% *times* FAS *times* years of Allowable Service (or Credited Service)

Correction Force 20-Year Plan (CF-20)

- Eligibility: Five or more years of Allowable Service, but less than 20
- Payability Date: The date you could have retired with 20 years of Allowable Service
- Vested Retirement Benefit: 2.5% *times* FAS *times* years of Allowable Service

Correction Force 22-Year Plan (CF-22)

- Eligibility: Five or more years of Credited Service, but less than 20, and any deficit in BMCs **must** be resolved
- Payability Date: The date you could have retired with 20 years of Credited Service (or as early as age 55 with a reduced benefit)
- Vested Retirement Benefit: 2.1% *times* FAS *times* years of Credited Service, **minus** 50% Primary Social Security Benefit beginning at age 62

Correction Force Enhanced Disability Benefit Plan (CF-22E)

- Eligibility: Five or more years of Credited Service, but less than 20, and any deficit in BMCs or AMCs **must** be resolved
- Payability Date: The date you could have retired with 20 years of Credited Service (or as early as age 55 with a reduced benefit)
- Vested Retirement Benefit: 2.1% *times* FAS *times* years of Credited Service, **minus** 50% Primary Social Security Benefit beginning at age 62

District Attorney Investigators 22-Year Plan (DA-22)

- Eligibility: Five or more years of Credited Service, but less than 20, and any deficit in BMCs **must** be resolved
- Payability Date: The date you could have retired with 20 years of Credited Service (or as early as age 55 with a reduced benefit)
- Vested Retirement Benefit: 2.1% *times* FAS *times* years of Credited Service, **minus** 50% Primary Social Security Benefit beginning at age 62

Sanitation Force 22-Year Plan (SA-22)

- Eligibility: Five or more years of Credited Service, but less than 20, and any deficit in BMCs **must** be resolved
- Payability Date: The date you could have retired with 20 years of Credited Service (or as early as age 55 with a reduced benefit)
- Vested Retirement Benefit: 2.1% *times* FAS *times* years of Credited Service, **minus** 50% Primary Social Security Benefit beginning at age 62

Sanitation Force Enhanced Disability Benefit Plan (SA-22E)

- Eligibility: Five or more years of Credited Service, but less than 20, and any deficit in BMCs or AMCs **must** be resolved
- Payability Date: The date you could have retired with 20 years of Credited Service (or as early as age 55 with a reduced benefit)
- Vested Retirement Benefit: 2.1% *times* FAS *times* years of Credited Service, **minus** 50% Primary Social Security Benefit beginning at age 62

Tier 4 Vesting Provisions

If you had an active Tier 3 or 4 membership on or after July 17, 1998, you must have at least five years of service to vest. If your membership was terminated before July 17, 1998, your service requirement for a vested benefit is 10 years except for participants of the Sanitation 20-Year Retirement Plan (SA-20) or Triborough Bridge and Tunnel Authority 20-Year Retirement Plan (4TB-20), in which case your service requirement is 15 years to vest.

Tier 4 member with Tier 3 Rights (joined NYCERS after July 26, 1976 and prior to September 1, 1983) are eligible to collect a reduced Vested Retirement Benefit before their Payability Date after separating from City service under the Basic Tier 3 (62/5) Plan. For more information, see page 4.

Basic Tier 4 Plan (62/5)

- Eligibility: Five or more years of Credited Service
- Payability Date: Age 62
- Vested Retirement Benefit:
 - ▶ **Less than 20 years of Credited Service**: $1\frac{2}{3}\%$ *times* FAS *times* years of Credited Service
 - ▶ **20 or more years of Credited Service**: 2% *times* FAS *times* years of Credited Service up to 30 years, **plus** 1.5% *times* FAS *times* years of Credited Service in excess of 30

57/5 Plan (57/5)

- Eligibility: Five or more years of Credited Service
- Payability Date: Age 57 (or age 50 with 25 years of Physically Taxing Service)
- Vested Retirement Benefit: Same as Basic Tier 4 (62/5) Plan

55/25 Plan (55/25)

- There are no vesting provisions under the 55/25 Plan. Participants who do not meet the minimum thresholds to retire for service under the 55/25 Plan may vest under their Basic Tier 4 (62/5) Plan. All requirements and benefits of the Basic 62/5 Plan will apply.

Automotive Member 25-Year/Age 50 Plan (AUT 25/50)

- Eligibility: Five or more years of Credited Service, but less than 25
- Payability Date: The date you could have retired with 25 years of Credited Service or age 50, whichever is later
- Vested Retirement Benefit: 2% *times* FAS *times* years of Credited Service

Deputy Sheriff 25-Year Plan (DSH-25)

- Eligibility: Five or more years of Credited Service, but less than 25
- Payability Date: The date you could have retired with 25 years of Credited Service
- Vested Retirement Benefit: 2.2% *times* FAS *times* years of Credited Service

Dispatcher 25-Year Plan (DIS-25)

- Eligibility: Five or more years of Allowable Service, but less than 25
- Payability Date: The date you could have retired with 25 years of Allowable Service
- Vested Retirement Benefit: 2% *times* FAS *times* years of Allowable Service

Emergency Medical Technician 25-Year Plan (EMT-25)

- Eligibility: Five or more years of Allowable Service, but less than 25
- Payability Date: The date you could have retired with 25 years of Allowable Service
- Vested Retirement Benefit: 2% *times* FAS *times* years of Allowable Service

Fire Protection Inspector 25-Year Plan (FPI-25)

- Eligibility: Five or more years of Allowable Service, but less than 25
- Payability Date: The date you could have retired with 25 years of Allowable Service
- Vested Retirement Benefit: 2% *times* FAS *times* years of Allowable Service

Police Communications Technician 25-Year Plan (PCT-25)

- Eligibility: Five or more years of Credited Service, but less than 25
- Payability Date: The date you could have retired with 25 years of Credited Service
- Vested Retirement Benefit: 2% *times* FAS *times* years of Credited Service

Sanitation 20-Year Plan (SA-20)

- Eligibility: Five or more years of Allowable Service, but less than 20, and any deficit in AMCs **must** be resolved
- Payability Date: The date you could have retired with 20 years of Allowable Service
- Vested Retirement Benefit: 2.5% *times* FAS *times* years of Allowable Service, **plus** 1% *times* Final Compensation *times* years of Credited Service other than Allowable Service

Sanitation 30-Year Plan (SA-30)

- Eligibility: Five or more years of Credited Service
- Payability Date: Age 62
- Vested Retirement Benefit: Same as Basic Tier 4 (62/5) Plan

Special Peace Officer 25-Year Plan (SPO-25)

- Eligibility: Five or more years of Allowable Service, but less than 25
- Payability Date: The date you could have retired with 25 years of Allowable Service
- Vested Retirement Benefit: 2% *times* FAS *times* years of Allowable Service

Transit Operating Force 25-Year/Age 55 Plan (T25/55)

- If 25 years of Allowable Service, but less than age 55, then:
 - ▶ Payability Date: Age 55
 - ▶ Vested Retirement Benefit: 2% *times* FAS *times* years of Allowable Service up to 30 years, **plus** 1.5% *times* FAS *times* years of Allowable Service in excess of 30
- If less than 25 years of Allowable Service, but five or more years of Credited Service, then:
 - ▶ Payability Date: Age 62
 - ▶ Vested Retirement Benefit: Same as Basic Tier 4 (62/5) Plan

Triborough Bridge and Tunnel Authority 20-Year Plan (4TB-20)

- Eligibility: Five or more years of Credited Service, but less than 20, and any deficit in AMCs **must** be resolved
- Payability Date: The date you could have retired with 20 years of Credited Service
- Vested Retirement Benefit: 2.5% *times* FAS *times* years of Credited Service

Tier 6 Vesting Provisions

Effective April 9, 2022, Tier 6 members must have at least five years of service to vest (prior to April 9, 2022, the service requirement for a vested benefit was 10 years).

For Tier 6 members, your Payability Date is age 63. Please note, if you are in Tier 6 and leave City service at age 63 or older with at least five years of Credited Service (or Allowable Service), but less than the minimum requirement for service retirement, you are **not** eligible to collect a Vested Retirement Benefit under your special plan and must collect a Service Retirement Benefit under your underlying 63/5 Plan instead.

Basic Tier 6 Plan (63/5)

- Eligibility: Five or more years of Credited Service
- Payability Date: Age 63
- Vested Retirement Benefit:
 - ▶ **Less than 20 years of Credited Service**: 1 $\frac{2}{3}$ % *times* FAS *times* years of Credited Service
 - ▶ **20 or more years of Credited Service**: 35% *times* FAS, **plus** 2% *times* FAS *times* years of Credited Service in excess of 20

Automotive Member 25-Year/Age 50 Plan (6AU-25)

- Eligibility: Five or more years of Credited Service, but less than 25
- Payability Date: Age 63
- Vested Retirement Benefit: 2% *times* FAS *times* years of Credited Service

Deputy Sheriff 25-Year Plan (6DS-25)

- Eligibility: Five or more years of Credited Service, but less than 25
- Payability Date: Age 63
- Vested Retirement Benefit: 2.2% *times* FAS *times* years of Credited Service

Dispatcher 25-Year Plan (6DI-25)

- Eligibility: Five or more years of Allowable Service, but less than 25
- Payability Date: Age 63
- Vested Retirement Benefit: 2% *times* FAS *times* years of Allowable Service

Emergency Medical Technician 25-Year Plan (6EM-25)

- Eligibility: Five or more years of Allowable Service, but less than 25
- Payability Date: Age 63
- Vested Retirement Benefit: 2% *times* FAS *times* years of Allowable Service

Fire Protection Inspector 25-Year Plan (6FP-25)

- Eligibility: Five or more years of Allowable Service, but less than 25
- Payability Date: Age 63
- Vested Retirement Benefit: 2% *times* FAS *times* years of Allowable Service

Police Communications Technician 25-Year Plan (6PC-25)

- Eligibility: Five or more years of Credited Service, but less than 25
- Payability Date: Age 63
- Vested Retirement Benefit: 2% *times* FAS *times* years of Credited Service

Special Peace Officer 25-Year Plan (6SO-25)

- Eligibility: Five or more years of Allowable Service, but less than 25
- Payability Date: Age 63
- Vested Retirement Benefit: 2% *times* FAS *times* years of Allowable Service

Transit Operating Force 25-Year/Age 55 Plan (6TR-25)

- Eligibility: 25 or more years of Allowable Service, but less than age 55, **or** if less than 25 years of Allowable Service, five or more years of Credited Service
- Payability Date: Age 63
- Vested Retirement Benefit:
 - ▶ **25 or more years of Allowable Service, but less than age 55**: 2% *times* FAS *times* years of Allowable Service up to 30 years, **plus** 1.5% *times* FAS *times* years of Allowable Service in excess of 30
 - ▶ **Less than 25 years of Allowable Service, but five or more years of Credited Service**: Same as Basic Tier 6 (63/5) Plan

Triborough Bridge and Tunnel Authority 20-Year Plan (6TB-20)

- Eligibility: Five or more years of Credited Service, but less than 20, and any deficit in AMCs **must** be resolved
- Payability Date: Age 63
- Vested Retirement Benefit: 2.5% *times* FAS *times* years of Credited Service