Membership Reinstatement

Current NYCERS members who were previously members of a public retirement system in New York City or State may be eligible to restore their original membership date and/or reinstate to their original Tier. It is important that you review the plan brochures available at nycers.org/plan-descriptions and consider how reinstatement will impact your contribution rates, survivor benefits, age and service requirements for retirement eligibility, and retirement benefit. To schedule an appointment for a phone, video, or in-person consultation with a NYCERS Retirement Counselor, contact NYCERS' Call Center at 347-643-3000.

Eligibility

You may be eligible for a change in your membership date or Tier status if you were a member of one of the following New York public retirement systems:

- NYC Employees' Retirement System (NYCERS)
- NYC Teachers' Retirement System (TRS)
- NYC Police Pension Fund (PPF)
- NYC Fire Pension Fund (FPF)
- NYC Board of Education Retirement System (BERS)
- New York State and Local Employees' Retirement System (NYSLRS)
- New York State and Local Police and Fire Retirement System (NYSPFRS)
- New York State Teachers' Retirement System (NYSTRS)

and your membership terminated:

a. because you received a refund of your accumulated contributions, **or**
b. by operation of law because you were out of City employment for more than five years, or seven years if you were a TRS member. (State system memberships are terminated after seven years without public service.)

Applying For Reinstatement

To apply, complete NYCERS' Membership/Tier Reinstatement Form (#181), available at nycers.org/reinstatement. Be sure to list all of your former memberships separately in the three spaces provided on Form #181. If eligible, you will receive a letter detailing the cost of reinstatement, plan information, and next steps should you decide to move forward with payment and complete your reinstatement (learn more on page 3).

Once your payment is received, the date of your NYCERS membership will be changed to your original date of membership with the previous retirement system. You will have all rights, benefits and privileges in effect on the original date of membership, including, if applicable, a change in Tier status.

Note: The date you became a member of NYCERS (or any other New York State public retirement system) determines your Tier status as follows:

- Tier 1 – Members who joined prior to July 1, 1973.
- Tier 2 – Members who joined between July 1, 1973 and July 26, 1976, and DA Investigators who joined between July 1, 1973 and March 31, 2012.
- Tier 3 – Correction Officers who joined between July 27, 1976 and March 31, 2012. General members who joined between July 27, 1976 and August 31, 1983 were originally Tier 3 members but became Tier 4 members with Tier 3 rights (Uniformed Correction Force members remained in Tier 3). Anyone who becomes employed in a NYC Uniformed Correction Force, Uniformed Sanitation Force, or DA Investigator title and joins NYCERS on or after April 1, 2012, or anyone with a membership date before April 1, 2012 who becomes employed in one of these titles on or after April 1, 2012, is a 22-Year Plan member subject to the provisions of Tier 3.
- Tier 4 – Members who joined between September 1, 1983 and March 31, 2012 (except Uniformed Correction Force, Uniformed Sanitation Force, and DA Investigators, who become 22-Year Plan members, as noted above).
- Tier 6 – Members who joined on or after April 1, 2012 (except Uniformed Correction Force, Uniformed Sanitation Force, and DA Investigators, who become 22-Year Plan members, as noted above).

Advantages of Membership Reinstatement

Reinstating your original membership date or Tier may result in significant changes to your future retirement benefit, as well as your contribution rate, loan repayment schedule and survivor benefits. For example, if your original membership date was prior to July 1, 1973, you will be eligible to reinstate to Tier 1. Tier 1 and 2 benefits are generally more favorable than those in Tier 3, 4 and 6. Regardless of your Tier, you will be credited with any NYCERS-eligible service between your reinstated membership date and your current membership date.

Original Membership Date Reinstatement

If your prior membership was during the same Tier you are currently in, you are not eligible to get into an earlier Tier but you may want to reinstate to your original membership date. Doing so could increase your years of service and the amount of your retirement benefit. An additional benefit for Tier 3 and 4 members is that you may be able to stop your Basic Member Contributions (BMCs) sooner. BMCs cease when you have attained 10 years of Credited Service or reached the tenth anniversary of membership, whichever is earlier.

Current Tier 4 Member

If you are a current Tier 4 member who had a prior Tier 3 membership (July 27, 1976 to August 31, 1983), you do not have the option to reinstate to an earlier Tier. However, you may reinstate the earlier membership date within your Tier, which will restore your Tier 3 rights.

Current Tier 6 Member

If you are a current Tier 6 member and had been a member during an earlier Tier, you may reinstate to an earlier Tier. By doing so, you would be eligible to retire at an earlier age, depending on the plan you are placed in upon reinstatement. If your prior membership falls within the dates for Tier 3, you would be reinstated to Tier 4, but would have Tier 3 rights.

Current 22-Year Plan Member

If you are a current 22-Year Plan member, your reinstatement to the Uniformed Correction Force, Uniformed Sanitation Force or District Attorney Investigator Plan in an earlier Tier could enhance your retirement benefits.

Reinstatement to Tier 1 or 2

If you reinstate to Tier 1 or 2 membership, you will be required to select a plan that was in effect at your restored membership date. Retirement benefits are generally more favorable in these earlier Tiers and Retirement Plans, but you may see significant changes to your contribution rates, loan rules and eligibility, and death benefits. Additionally, some retirement plans in Tier 1 and 2 do not have a vesting provision.

Regardless of which Tier you're reinstating to, in some cases, reinstatement may be disadvantageous or the cost may outweigh any advantages. NYCERS strongly recommends you schedule a consultation with a Retirement Counselor before committing to your reinstatement because once NYCERS receives your payment, your reinstatement is certified and **irrevocable**.

Reinstatement Process

After receiving your completed Membership/Reinstatement Form #181, NYCERS will verify your former membership dates and former membership refund status, and calculate the cost of your reinstatement. A cost letter detailing the amount you must pay to complete your reinstatement will be mailed and uploaded to your MyNYCERS account.

If your reinstatement involves changing your retirement plan, your cost letter will include a Plan Brochure for each plan you are eligible for so you can make an informed decision.

To complete your reinstatement, you will have **30 days** from the date on the cost letter to either: make a full lump-sum payment online via MyNYCERS, by mail, or in-person; or rollover the full amount from your NYC Deferred Compensation Plan or Individual Retirement Account (IRA). If NYCERS does not receive your lump-sum payment within this timeframe, your reinstatement will be cancelled.

In the event that there is no cost, such as when the cost was paid in full through buyback or no refund was issued, you will have **30 days** from the date on the cost letter to submit your decision in writing to authorize NYCERS to certify your membership reinstatement. If you are reinstating to Tier 1 or Tier 2, you will also need to submit a new membership application (Form #101), included with your cost letter. This application is not required for reinstating to any other Tier.

Your former membership date and Tier status (if applicable) will not be reinstated until NYCERS either receives your lump-sum payment or authorization to process your membership reinstatement. Once received, NYCERS will then certify your reinstatement and send you confirmation. If your reinstatement was cancelled and you decide to apply for reinstatement at a later date, you must file a new Form #181.

Reinstatement Cost

Generally, if you received a refund from your former NYCERS or other retirement system membership, you will be required to repay the full amount in a lump-sum payment to NYCERS, together with 5% interest compounded annually from the date of the refund to the date of repayment.

If you did not obtain a refund of your membership contributions, the cost of reinstatement is already covered by the funds in your membership account. Your cost letter will instruct you to submit your decision in writing to authorize NYCERS to certify your membership reinstatement.

If you fully paid for your previous membership service as a Tier 3, 4 or 6 member and now want to reinstate a former membership for the same period, the cost of reinstatement is already covered by the funds in your membership account. Your cost letter will show no balance owed and will instruct you to submit your decision in writing to authorize NYCERS to certify your membership reinstatement.

If you are currently purchasing previous membership service as a Tier 3, 4 or 6 member and now want to reinstate a former membership for the same period, the payments you have already made to purchase that period will not be applied to your reinstatement. Instead, you will be required to pay the full reinstatement cost quoted in your cost letter.

NYCERS will certify your reinstatement after the cost is paid in full, and your buyback payroll deductions will be adjusted or discontinued. If an overpayment was made, it will be refunded to you at a later date.

Any prior City service that is ineligible for NYCERS membership will incur a separate cost and will be explained in your cost letter.

If you are reinstating to an earlier Tier and paid the cost of Tier reinstatement, NYCERS will stop your payroll deductions for your current Tier. Your accumulated contributions will be transferred to your new membership account and the interest will be adjusted (for Tier 1 and 2 reinstatements only). You will be responsible for any contributions due in your restored Tier, as well as for any outstanding loans. The balance of any outstanding loan from a previous membership will be treated as a deficit.

In most cases, the benefits of reinstatement to an earlier Tier will outweigh any costs, but individual cases differ. Because contribution rates vary from Tier to Tier, reinstatement to an earlier Tier may create a deficit in your account that must be paid. Additionally, certain service previously purchased in Tier 4, for example, may not be credited or considered qualifying in Tier 1 or 2. In order to make an informed decision, contact NYCERS' Call Center at (347) 643-3000 and schedule an appointment to speak with a NYCERS Retirement Counselor.