Retirement Facts 14

Law Enforcement and Firefighter CSRS Retirement

The information in this publication is a non-technical summary of the relevant laws and regulations dealing with the subject. It should not be relied upon as a sole source of information. For further information concerning law enforcement or firefighter retirement, you should contact your employing or personnel office.

Titles of CSRS and FERS Pamphlets:
- Court-ordered Benefits for Former Spouses Under CSRS, FERS, FEHB & FEGLI (RI 84-1)

- Federal Payments That May Be Available to Federal Employees and Their Families When Employees are Injured or Die on the Job (RI 84-2)

- Life Events and Your Retirement and Insurance Benefits (For Employees) (RI 84-3)

Other titles in the CSRS Retirement Facts Series:
- *Retirement Facts #1 -* The Civil Service Retirement System (RI 83-1)

- *Retirement Facts #2 -* Military Service Credit Under the Civil Service Retirement System (RI 83-2)

- *Retirement Facts #3 -* Deposits and Redeposits Under the Civil Service Retirement System (RI 83-3)

- *Retirement Facts #4 -* Disability Retirement Under the Civil Service Retirement System (RI 83-4)

- *Retirement Facts #5 -* Survivor Benefits Under the Civil Service Retirement System (RI 83-5)

- *Retirement Facts #6 -* Early Retirement Under the Civil Service Retirement System (RI 83-6)

- *Retirement Facts #7 -* Computing Retirement Benefits Under the Civil Service Retirement System (RI 83-7)

- *Retirement Facts #8 -* Credit for Unused Sick Leave Under the Civil Service Retirement System (RI 83-8)

- *Retirement Facts #9 -* Refunds Under the Civil Service Retirement System (RI 83-9)

- ***Retirement Facts #10 -*** Voluntary Contributions Under the Civil Service Retirement System (RI 83-10)

- ***Retirement Facts #11 -*** Information for Separating CSRS Employees Who Are Not Eligible for an Immediate Annuity (RI 83-11)

- ***Retirement Facts #12 -*** Information About Reemployment for CSRS Annuitants (RI 83-18)

- ***Retirement Facts #13 -*** CSRS Offset Retirement (RI 83-19)

Titles of Federal Employees Retirement System (FERS) Pamphlets:
- ***FERS Pamphlet -*** FERS (RI 90-1)

- ***FERS Pamphlet -*** Information for Separating FERS Employees Who Are Not Eligible for an Immediate Annuity (RI 90-11)

- ***FERS Pamphlet -*** Information About Reemployment for FERS Annuitants (RI 90-18)

Titles of Health and Life Insurance Pamphlets:
- Temporary Continuation of Coverage (TCC) under the Federal Employees Health Benefits Program (RI 79-27)

- FEGLI Booklet (RI 76-21)

Who is a Law Enforcement Officer or Firefighter?

Law enforcement officers and firefighters are employees who occupy a position designated by their employing agency head (or designee) as a law enforcement or firefighter position. Employees in these positions pay an extra one-half percent salary deduction to the Civil Service Retirement System (CSRS) because of the special designation.

Generally, a law enforcement officer is an employee whose primary duties are the investigation, apprehension, or detention of individuals suspected or convicted of offenses against Federal criminal laws.

A firefighter is a person whose duties are primarily to perform work directly connected with the control and extinguishment of fires, or the maintenance and use of firefighter apparatus and equipment.

If you believe that you should be designated as a law enforcement officer or firefighter, you have only 1 year in which to claim that your position qualifies. You should contact your personnel office for this purpose.

What is Law Enforcement and Firefighter Retirement?

The special retirement provision for law enforcement officers and firefighters is found in section 8336(c) of title 5, United States Code. It is sometimes referred to as 6(c) retirement. The 6(c) provision of the Civil Service Retirement law allows a law enforcement officer or firefighter to receive special retirement benefits after meeting the age and service requirements. This pamphlet describes these benefits.

Eligibility to Retire Voluntarily

You may retire voluntarily at an early age with a special annuity computation if you meet the age and service requirements for 6(c) retirement. To meet the age and service requirements, you must be at least age 50 at the time of retirement, and have 20 years of law enforcement and\or firefighter service. You must also have been under CSRS coverage for 1 out of the last 2 years before retirement. Neither military service nor sick leave can be used to meet the minimum service requirements. The minimum age and service requirements apply even if you retire involuntarily or due to disability. You do not need to separate from a special 6(c) covered position at the time of your retirement. After you accumulate 20 years of law enforcement and\or firefighter service, you can move to a regular position and still receive the special retirement computation.

Mandatory Separation

You will be subject to mandatory separation based on age if you are occupying a law enforcement position at age 57 or firefighter position at age 55, and you have completed the necessary 20 years of service under the special 6(c) provisions. If you have not completed the 20 years, you will be separated at the end of the month in which you complete 20 years of law enforcement or firefighter service. You must be given a 60-day notice prior to mandatory separation.

How is the Basic Law Enforcement and Firefighter Annuity Computed?

Your basic annuity as an employee eligible to retire under the special provisions for law enforcement officers and firefighters is computed as follows:

> 50 Percent of your high-3 average salary
>
> *Plus*
>
> 2 percent of your high-3 average salary multiplied by years and whole months of service exceeding 20, plus unused sick leave.

Your high-3 average salary is the highest 3 years of salary you earned in any consecutive 3-year period (usually your last 3 years). Premium pay you receive as a firefighter or law enforcement officer under section 5545(c), or availability pay under section 5545(a), of title 5, United States Code, is included in your high-3 average salary. Your high-3 is then used in the 2-part formula above.

For example, after 25 years of service, your 6(c) computation will pay 60 percent of your high-3 average salary. This includes 50 percent of the high-3 for the 20 years of your law enforcement and/or firefighter service, plus 10 percent for the remaining 5 years of service multiplied by 2 percent of your high-3 average salary. By law, the maximum annuity payable is 80 percent of the high-3 average; however, unused sick leave can be used to produce a higher percentage.

Your unused sick leave is added to your service. The total number of years and whole months of service plus credit for unused sick leave is used in computing your annuity. However, the time representing days of unused sick leave is not counted towards your high-3 average salary or for establishing eligibility for retirement. It is added to the 2 percent portion of your annuity computation.

Unlike most other Federal employees, there is no reduction in the basic annuity for retirement under

age 55. However, your basic annuity amount may be reduced to provide survivor benefits, or if you have service for which you received a refund or that was not covered by retirement deductions.

Example: If your highest 3 years of earnings totals $150,000 from July 1, 1995 to July l, l998, this is divided by 3 to provide a high-3 average salary of $50,000.

Using the average salary of $50,000 and assuming that you have worked for the Government for 25 years, are under the special coverage explained above (including 20 years of law enforcement/firefighter service), and have the equivalent of 1 year of unused sick leave, the computation before any applicable reductions would be:

$50,000 x 50%	=	$25,000
$50,000 x 2% x 6* years	=	$6,000
		$31,000

   * includes 1 year of unused
     sick leave

There could then be a reduction for deposit service. This is usually temporary service during which you were not covered by the CSRS. For periods of service prior to October 1, 1982, your annuity will be reduced by one tenth of the amount you would have paid in as a covered employee, plus interest to the date of retirement. For service after October 1, 1982, a deposit must be made, or the time cannot be used in computing your annuity. In our example, we will assume you have a deposit due of $1000 for service that occurred before October 1, 1982. One tenth of that amount is $100 ($1,000 x 10 percent = $100).

If you are married, your annuity will be reduced automatically to provide the maximum survivor annuity unless you and your spouse jointly agree to provide a lesser amount or none at all. Your annuity would be reduced by 2 1/2 percent of the first $3,600 in basic annuity, and 10 percent of the remainder of your basic annuity. (The same rules that govern reductions for insurable interest and court ordered survivor annuity benefits in regular

CSRS computations apply to the special formula.) In the following example, we have used the entire basic annuity, already reduced to $30,900 per year for unpaid deposit service:

Basic annuity $30,900

Annuity reduced to provide a survivor benefit (2 1/2 percent of the first $3,600 ($90) and 10 percent of the amount over $3,600).

$30,900 - $3,600	=	$27,300
$27,300 x 10 percent	=	$2,730
$90 + $2,730	=	$2,820 -2,820
		$28,080

Your basic annual annuity of $28,080 would be $2,340 per month and provides a survivor annuity after your death of 55 percent of your basic annuity (before reduction to provide survivor benefits), of $16,995 per year.

If you owe a redeposit for a refund of retirement contributions, see *Retirement Facts 7* for details on an actuarial reduction or redeposit of the amount due.

If you are a CSRS Offset employee, you are covered by Civil Service Retirement and Social Security at the same time. You will receive a full CSRS annuity special computation, if you qualify as explained above. However, the CSRS Offset annuity will be reduced if you become eligible to receive Social Security benefits, usually at age 62. See *Retirement Facts 13* on CSRS Offset Retirement for details.