

# Tier 1 Public Safety



Utah Retirement Systems  
Public Safety  
Retirement Systems Highlights

2015-16  
Effective July 1, 2015

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Welcome to the  
Public Safety Retirement Systems!



## The Public Safety

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Noncontributory and Contributory Retirement Systems are defined benefit retirement plans under Utah Retirement Systems (URS) intended to provide a meaningful retirement benefit to the employees who have chosen a career in public service. They are qualified tax-deferred plans under Internal Revenue Code Section 401(a). The laws that govern these retirement systems are set forth in Utah Code Title 49.

## Membership Eligibility

You qualify for membership if you initially began full-time employment prior to July 1, 2011, and your employment normally requires an average of 2,080 hours of regularly scheduled employment per year,

**AND**

You work in a recognized public safety department, as a law enforcement officer, correctional officer, or special function officer, and in the course of employment, your life or personal safety is at risk, and you have completed a certified training program that is documented with our office, for anyone enrolled since Jan. 1, 1984.

**OR**

You are an eligible certified dispatcher whose employer elected coverage in the Public Safety system.

**OR**

You are a full-time member of the Board of Pardons and Parole.

If you don't meet the eligibility requirements outlined above, based on your employer's participation, you will be enrolled in either the Public Employees Contributory or Noncontributory Retirement System as long as you meet eligibility requirements.

If you transfer from one participating public safety employer to another, you'll become a member of the system to which your new employer belongs.

## Employees who may exempt from retirement coverage by filing a URS exemption form with our office:

- » The commissioner of public safety;
- » The executive director of the Department of Corrections,
- » The elected or appointed sheriff, or
- » The chief of police of a public safety organization.

In all cases, an *exemption* form must be filed with our office *before the date of exemption*.

## Defined Benefit Annual Retirement Statement

*URS Defined Benefit (pension) Annual Retirement Statements* reflect salary, contributions paid by you and/or your employer on your behalf, (Contributory Retirement System), or transferred from the Contributory Retirement System, service credit, and designated beneficiaries. Statements are mailed to your home address and are also available online. Go to [www.urs.org](http://www.urs.org) and login to myURS.

## Refunds

If you terminate all URS-covered employment you may request a refund of your member contributions, if applicable.

If you elect to take a refund, you forfeit contributory service credit for the periods covered by your member contributions.

Your refund will be processed after 60 days from the last date of the pay period for which contributions were paid.

**You are not eligible for a refund under the following conditions:**

- » You transfer from one participating employer under URS to another.
- » You terminate your employment with one participating employer and you are subsequently rehired by the same or a different participating employer even though there may be a break in service.
- » You terminate employment, apply for a refund, and subsequently accept employment with another participating employer before the disbursement of your refund payment.
- » You are exempt from retirement coverage as a chief of police, sheriff, or commissioner of public safety.
- » You are receiving or have applied for long-term disability benefits through an agency that has a benefit protection contract with our office.
- » You are on a leave of absence from any position covered by this system.

*If you have exempted from retirement coverage, you may request a direct rollover of member contributions, if applicable, to a qualified defined contribution plan.*

**A Word of Caution** — refunds are subject to:

- A 20% federal income tax withholding on the eligible portion of your distribution, unless you make a direct rollover to a 401(k) or eligible plan.
- Utah state income tax.
- Possible taxes of the state where you reside if other than Utah.
- A 10% early withdrawal penalty if taken before age 59½.

If you are a qualified public safety employee who separated from service after age 50, you aren't subject to the 10% early withdrawal tax imposed by the IRS. A *qualified public safety employee* provides police protection, firefighting or emergency medical services within the jurisdiction of the employing state or political subdivision.

*Note: You do not lose service credit if you withdraw your URS Savings Plans (401(k), 457, IRAs) balances. For more information regarding the 401(k) plan, 457 plan, and IRAs please see the section marked URS Savings Plans.*

## Reinstating Withdrawn Contributions

As long as you have an existing record of eligible, nonforfeited, service credit with our office, you or your employer may reinstate qualified service you previously withdrew. The cost to reinstate your account is the amount you withdrew plus interest from the date of withdrawal to the date of repayment. The entire amount of withdrawn contributions plus interest may be paid in a lump-sum or by installment payments through payroll deduction. The reinstatement must be completed before your retirement date. Reinstating eligible service may qualify you for an earlier retirement and/or increase your monthly benefit.

See the section marked **Payment Options** (page 7) for reinstating withdrawn contributions.

## Service Purchase

If you are an active member, have an existing record of four or more years of eligible service credit with our office, and the service credit you intend to purchase has been forfeited under any other retirement system or plan, you or your employer may purchase the following:

- » Active full-time United States military service if it does not otherwise qualify for service credit under a system administered by URS.

### OR

- » Any portion of the following qualified service if the service has been forfeited under any other retirement system or plan. This includes:
  - 1.) Forfeited United States federal employment,
  - 2.) Forfeited private school employment based in the United States, if you received an employer-paid retirement benefit for the employment,
  - 3.) Forfeited public employment in another state or territory of the United States that qualified you for membership in the public plan or system covering the employment,
  - 4.) Forfeited public service in this state,
  - 5.) Full-time public employment while on an approved leave of absence,
  - 6.) Exempt service,
  - 7.) Worker's compensation, long-term and short-term disability benefit periods for which you were paid and no benefit protection contract existed,
  - 8.) Employment covered by the Teachers Insurance and Annuity Association of America (TIAA) retirement plan if you forfeit any retirement benefit from that plan for the period of employment to be purchased, or

- 9.) Forfeited Utah Charter School employment.

The purchase must be credited to the system under which you are currently covered and be completed before your retirement date set with our office.

To qualify for a purchase, service credit you've earned in other public employment outside of URS coverage must meet the minimum qualifications of the system you're in at the time of purchase. Under this system, a minimum of 2,080 hours of employment per year is required.

For detailed information on the types of service you may purchase, refer to the *Purchasing Service Credit* brochure available on our website and from our office.

See the following section, *Payment Options*, for making a purchase.

## Payment Options

You may reinstate eligible service you previously withdrew or purchase service according to one of the following options:

- 1.) **Lump-sum payment** made anytime before your effective date of retirement set with our office.
- 2.) **Payroll deduction** (with your employer's approval) must be completed before your effective date of retirement and within 60 months of your first payment.
- 3.) **Direct rollover** you arrange from your 401(k) or other qualified plan, or from an eligible plan such as a 403(b), 457, or conduit IRA.
- 4.) **Payment made by your employer** must be received by our office no later than the day before your retirement date.

All payments must be received before your date of retirement set with our office.

For specific information about purchases, please contact the Defined Benefit Retirement Department at 801-366-7770 or 800-695-4877.

## Disability Benefits

Your employer's long-term disability (LTD) program describes your benefits. If your employer has a benefit protection contract with our office and you have been approved for LTD benefits, you will continue to accrue service credit while receiving LTD benefits until you retire through URS or qualify for an unreduced retirement benefit.

## Death Benefits

### Division A

*(With Social Security coverage)*

#### Non-Retired Member (Active)

If you die in the line of duty, your spouse, at the time of death, will receive a lump-sum payment equal to six months of your final average salary plus a monthly benefit of 30% of your final average monthly salary.

If your death is not in the line of duty, and you have fewer than 10 years of public safety service credit, your beneficiary(ies) will receive a \$1,000 lump-sum payment or a refund of member contributions, whichever is greater. If you have 10 or more years, your spouse will receive a \$500 lump-sum payment, plus a monthly benefit of 2% of your final average monthly salary for each year of service, up to 30% of your final average monthly salary.

#### (Noncontributory Only)

If you die and have 20 or more years of public safety service credit, you will be considered retired. Your spouse, at the time of death, will receive 65% of your monthly benefit.

### Division B

*(Without Social Security coverage)*

#### Non-Retired Member (Active)

If you die in the line of duty, your spouse, at the time of death, will receive a lump-sum plus a monthly benefit of 37.5% of your final average monthly salary. Each unmarried child under age 18 or dependent unmarried child who is mentally or physically disabled will receive \$50 per month, if you have two or more years of public safety service credit. Total monthly payments cannot exceed 75% of your final average monthly salary.

If your death is not in the line of duty and you have fewer than two years of public safety service credit, your spouse, at the time of death, will receive a refund of member contributions plus 50% of your last 12 months' salary. If you have two or more years, your spouse, at the time of death, will receive a lump-sum payment of \$1,500 plus a monthly benefit of 37.5% of your final average monthly salary. Each unmarried child under age 18 or dependent unmarried child who is mentally or physically disabled will receive \$50 per month, if you have two or more years of public safety service credit. Total monthly payments cannot exceed 75% of your final average monthly salary.

### Both Divisions

#### Non-Retired Member (Active)

If you die and leave no spouse or minor children, your beneficiary(ies) will receive a 100% refund of member contributions or \$500, whichever is greater.

#### Non-Retired Member (Inactive)

If you are an inactive member with less than 20 years of public safety service credit, your spouse, at the time of death, or if you die leaving no spouse or minor children, your beneficiary(ies) will

receive a refund of member contributions or \$500, whichever is greater.

If you are an inactive member with 20 or more years of public safety service credit when you die, your spouse, at the time of death, will receive a benefit of 50% of the amount payable to you had you retired on the first of the month, following the month, in which your death occurred.

**Retired Member**

After your death, your spouse, at the time of death, will receive a monthly benefit equal to 65% of your monthly benefit. If you elected a smaller monthly benefit at the time of retirement, your spouse will receive 75% of your monthly benefit.

If you retired under Division B and you die leaving unmarried children, refer to Division B, Non-Retired Member (Active) on page 8.

*Note: In order for your spouse's benefit to be effective the first day of the month following the month of your death (the benefit effective date), your spouse must file an application with our office within 90 days of your death. If the application is received 90 days after your death, the benefit effective date will be the first day of the month following the month in which the application is received.*

After your death, any money in your URS Savings Plans (401(k), 457, IRAs) will be payable to your beneficiary(ies).

**Retirement Qualifications**

You qualify for a monthly retirement benefit if you are:

- 65 with 4 years of service.
- 60 with 10 years of service.
- Any age with 20 years of service.

You receive credit for any part of a year for which contributions have been paid.

**Benefit Formula**

To estimate your monthly retirement benefit, follow the steps below or go to [www.urs.org](http://www.urs.org) and use the **Retirement Benefit Estimate Calculator**.

- 1.) **TOTAL** your three highest years of salary\* \$ \_\_\_\_\_
- 2.) **DIVIDE** line 1 by 36, this is your final average monthly salary \$ \_\_\_\_\_
- 3.) **MULTIPLY** your years of service:
  - a. Multiply years of service through 20 by 2.5% (.025) \_\_\_\_\_
  - b. Multiply years of service over 20 by 2% (.02) \_\_\_\_\_
- 4.) **ADD** lines 3a and 3b \_\_\_\_\_
- 5.) **MULTIPLY** line 2 by line 4 for your **TOTAL** \$ \_\_\_\_\_

\*Salary refers to the **regular work period** certified by the employer.

If any one of the years used exceeds the previous year's salary by more than 10%, plus a cost-of-living adjustment determined by the consumer price index, the year(s) in question will be limited.

**Service in Other Utah Retirement Systems**

If you were employed in more than one Utah Retirement System or URS Retirement Plan and the service is not concurrent, you may combine your service credits to determine your eligibility to retire from the system you are in at the time of your retirement. The service you render in any one year cannot count for more than one year of qualifying service credit. Your benefit is computed using the service from the system in which you currently participate plus the transferred service

which is increased or decreased to reflect the value of the assets transferred.

*Note: If your service is coming from a Public Employees' Retirement System, and if you have less than a total of 30 years of service, and you are under age 65, an early age reduction applies.*

## Steps to Retirement

### Get an Estimate

Before making the decision to retire, you can compute an estimate of your potential benefit by going to [www.urs.org](http://www.urs.org) and using the **Retirement Benefit Estimate Calculator**. Contact our office for a URS-generated estimate if you're planning to retire in the next 12 months.

### Once You Decide to Retire

When you decide to retire, make an appointment with a retirement advisor or request an application by mail. Your application setting your retirement date must be filed with our office not more than 90 days before or after your retirement date. Your signature on the application must be notarized.

### Setting a Retirement Date

You may set your retirement date for the first or the 16th day of the month following your last actual working day. You must actually terminate employment, from all participating employers covered by URS on or before your retirement date.

### When You'll Receive Payment

Your retirement benefit is paid monthly. Retirement checks for the month of payment are mailed the last working day of each month. Although your first check may be delayed up to three months following your effective retirement date, the amount of your check is retroactive to

the date your retirement began. This delay is due in part to the time required to receive and post salary information from your employer and to receive verification of your termination and your service credit eligibility.

### Filing Your Application

When you file your retirement application, you need to provide an original or legible photocopy of your marriage certificate as well as birth certificates or other proof-of-age documents for yourself and your spouse. *You may cancel or change your application anytime up to the date of your retirement.*

*Note: There is a three-day rescission period from the date your application is signed during which time you may elect to make a change.*

For more information, the **Steps to Retirement** brochure is available on our website and from our office.

## Partial Lump-Sum Option (PLSO) at Retirement

At retirement, you have the option to receive a lump-sum payment equal to 12 months or 24 months of your lifetime monthly retirement benefit. By electing to receive a lump-sum payment, you accept a permanently reduced lifetime monthly retirement benefit.

## URS Savings Plans

URS offers four retirement savings plans: 401(k), 457, traditional IRA, and Roth IRA. You and/or your employer have the option of contributing to a 401(k) and/or 457 plan, if your employer participates, and you have the option of contributing to a traditional and/or Roth IRA.

Each plan has been established under separate sections of the Internal Revenue Code. Therefore, a separate set of laws and regulations governs each plan. As a result, there are some differences among the plans.

Information about the savings plans is available [www.urs.org](http://www.urs.org) or by contacting the Defined Contribution Department at 801-366-7720 or 800-688-401k (press "0" to speak with a counselor during normal business hours).

*URS Savings Plans Quarterly Statements* are mailed to your home address and are also available at [www.urs.org](http://www.urs.org), via myURS.

## Things to Know

Federal law requires you, if you are no longer working, to begin receiving benefits on or before April 1, following the year you turn age 70½. If you are still working after age 70½ you must begin receiving benefits on or before April 1, following the year you terminate employment. If you fail to meet this **required minimum distribution (RMD)**, you may be subject to a substantial federal excise tax.

**An additional 3%** may be added to your monthly retirement benefit if you had retirement service in your account on *January 1, 1989*. If you refund and subsequently reinstate withdrawn contributions, you forfeit the 3%.

**Federal and Utah state income taxes** can be withheld from your retirement check. Federal income tax will be withheld beginning with your first retirement check unless you tell us otherwise. If you're a nonresident, check your state's tax laws for the status of your Utah retirement benefits. You may change your withholding status at anytime. Forms are available from our office and at [www.urs.org](http://www.urs.org).

If you had contributions withheld from your paycheck, you may exclude a percentage of your

monthly benefit from taxation. This information will arrive with your first retirement check under separate cover. Every January you will receive a 1099-R showing the gross and taxable amounts of benefits paid to you the previous year and the taxes withheld. Consult a tax professional regarding your own situation.

**Social Security benefits** are federally sponsored. For information, contact your local Social Security office.

**Health insurance** after retirement is based on your employer's benefit package and should be reviewed carefully with your employer *before* you retire. You should also check with your employer about any early retirement incentives. A supplement to Medicare is available at age 65 to you and your spouse through Public Employees Health Program (PEHP). For more information, call PEHP at 801-366-7555 or 800-765-7347 or visit [www.pehp.org](http://www.pehp.org).

**Cost-of-living (COLA) increases** of up to 2.5% of your original retirement benefit begin one year after you retire, based on the consumer price index (CPI). Some employers provide an enhanced cost-of-living (COLA) benefit to their eligible Public Safety retirees that will raise the maximum COLA from 2.5% to 4% based on the CPI.

**Returning to work after retirement** is possible under the provisions described in the *Post-Retirement Employment* brochure available on our website and from our office.

**Lost or misplaced checks** can be replaced if you request it in writing.

**Direct deposit** is available for monthly checks once you retire. Forms are available from our office and at [www.urs.org](http://www.urs.org).

We need to know if your **address changes** in order to keep you informed about your retirement benefits. Our having your current address ensures

that you receive your *defined benefit annual retirement statement*, your *defined contribution quarterly statement (401(k), 457, IRAs)*, informative publications, and information you request on your account. You may change your address by logging into your myURS account at [www.urs.org](http://www.urs.org) or you may request a form by contacting our office. Statements are also available by logging into myURS.

**Your right to privacy is protected.**

Information can be given over the telephone to you only if you can demonstrate your identity through knowledge of personal information. If such knowledge cannot be demonstrated, account information will not be discussed over the telephone. Because your file is confidential, we cannot release information to your spouse, relatives, or group representative. Information provided through our website and interactive voice response (IVR) system is permitted only with a valid user identification (ID) and personal identification number (PIN).

**Beneficiary designations** should be kept current and on file in our office at all times. You may change your beneficiary(ies) at any time by logging into your account at [www.urs.org](http://www.urs.org) under myURS. When updating your beneficiary(ies), you revoke all previous designations. Forms are also available from our office or at [www.urs.org](http://www.urs.org).

## Administrative Information

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### **Nonassignability of Benefits or Payments**

Retirement benefits or payments are not subject to alienation or assignment by you and are not subject to attachment, execution, garnishment, or any other legal or equitable process except for a domestic relations order (DRO) and IRS tax levies. If there is a valid DRO on your URS Defined Benefit Retirement (pension) account or your URS

Savings Plans (401(k), 457, traditional or Roth IRA), part of your benefits will be paid to your alternate payee (ex-spouse), as specified in the DRO. Our office cannot begin payment of your defined benefit retirement (pension) to an alternate payee until you terminate employment and apply for retirement benefits. Payments from your URS Savings Plans to an alternate payee can begin as soon as a valid DRO is filed with our office. The defined benefit plans (pension) and the defined contribution savings plans have separate model DROs, available from our office, to help attorneys prepare an acceptable order.

### **Appeals**

If you disagree with the calculation of a benefit, accrual of service credit, or with some other action taken by a department of our office, you may appeal such decisions pursuant to Utah Code Ann. § 49-11-613.

If you decide to seek reversal of a decision by a department of our office, you'll need to write a letter to the executive director stating the facts of the situation, the remedy you seek, and the legal or equitable basis for the reversal. The executive director will review the case and either grant or deny your request. If it is denied, you may, within 30 days of the denial, file a written petition with the hearing officer. Steps for filing the petition will be sent to you at that time.

## A Final Word

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This brochure is general in nature. For specific information on your account, contact our office in Salt Lake City or St. George.

For more information regarding the URS Savings Plans (401(k), 457, IRAs) contact our Defined Contribution Department at 801-366-7720 or at 800-688-401k.

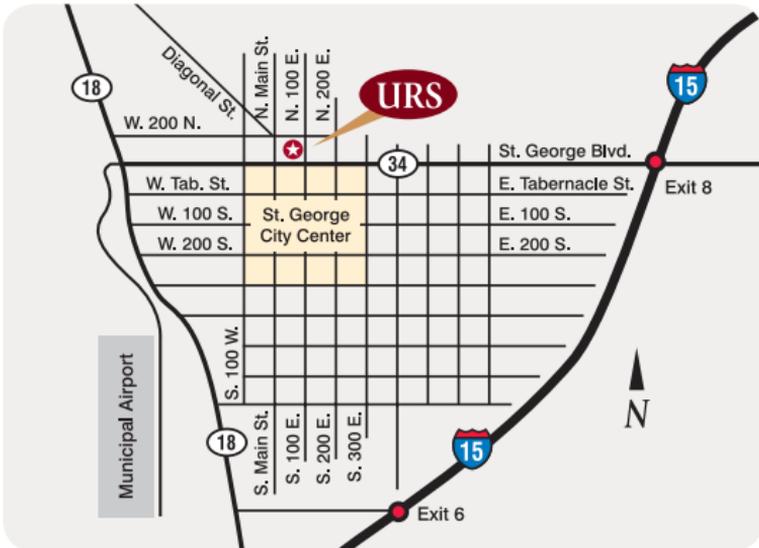


### Salt Lake City Office

560 East 200 South, Suite 240  
Salt Lake City, UT 84102-2021  
801-366-7700 • 800-365-8772  
TTY 800-877-8339 or 711  
Visit: Monday - Friday, 8:00 a.m. - 5:00 p.m.

### Salt Lake Office Mailing Address

P.O. Box 1590 • Salt Lake City, UT 84110-1590



### Southern Utah Branch Office

165 North 100 East, #9  
St. George, UT 84770-2505  
435-673-6300 • 800-950-4877

For more information: [www.urs.org](http://www.urs.org)

On the Cover:  
Jared Rigby, Chief Deputy (left), and Detective Ray Baeza (right),  
Wasatch County Sherriff's Office, Heber City