

*THE EMPLOYERS' GUIDE
TO THE CMERS*

*THE CONNECTICUT MUNICIPAL EMPLOYEES
RETIREMENT SYSTEM*

JULY 2011

Introduction

The Connecticut Municipal Employee Retirement System (CMERS) is pleased to be able to provide this CMERS retirement guide to its employers and their benefit, human resource, payroll, and personnel directors.

This guide will go through the benefits that are available when an employee terminates employment. The first section discusses eligibility for the different benefits, the second section details the exact forms required for each. There is a special section at the end that covers a member who is deceased, either before or after retirement.

It is a work in progress. Future sections will include comprehensive information on Purchases, Contributions and similar topics. Employers will be notified as sections are added.

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When an Employee Terminates Employment

When any CMERS member leaves employment, notify the CMERS at our website email address: osc.muniinfocmers@po.state.ct.us Please note the person's name, date of hire, date of birth, date of termination and whether or not the person has already completed an application for a monthly benefit or a refund and provide the person's current address. The CMERS website is: <http://www.osc.ct.gov/rbsd/cmers/index.html> The website contains a great deal of information including frequently asked questions for both the municipality and the member, plan documents and forms, a retirement "Workshop on the Web" and a CMERS retirement benefit estimator which may be used by the employee or employer to estimate an employee's retirement benefit. These are located at: <http://www.osc.ct.gov/rbsd/cmers/membretire/workshop.htm>

If you have an employee who is terminally ill, it is imperative that you speak a staff member at the CMERS in order to ensure that the proper paperwork is filed to obtain the maximum benefit for the surviving spouse.

Types Of Retirement And Retirement Actions

Any employee who terminates should be applying for one of the following benefits at the time of separation:

- Regular or Normal Retirement
- Early Retirement
- Vested Rights Retirement
- Disability Retirement
- Withdrawal of Retirement Service Credit and Contributions (non-vested members only)

A member is *vested* when they are *eligible* to receive a monthly retirement allowance although they may not be entitled to begin receiving benefits until reaching a certain age. A member is vested in the CMERS upon the completion of five (5) years of continuous active service when the member was actively working and contributing to the CMERS. It is important to note that any employee who terminated prior to 10/1/2001 must have ten continuous years of service or 15 total years of active service to be vested in the CMERS.

Retirement Eligibility

Regular or Normal Retirement

Eligibility Requirements Regular or Normal Retirement (for CMERS members who did not terminate prior to 10/1/2001):

- A minimum of age 55 with a minimum of 5 continuous years of active service or 15 years total of active service with a participating municipality **OR** any age if they have a minimum of 25 years of total service, inclusive of purchased time, which includes a minimum of 5 continuous years of active service or 15 years total of active service with a participating municipality. Continuous service is active service as an employee, receiving pay, without an unpaid absence of more than 90 days, except for absences due to layoff or approved leaves.

Other important information about Regular or Normal Retirement:

- If the employee contributed to Social Security in addition to contributing to the CMERS, this

benefit will be reduced upon attaining age 62 or upon receipt of a Social Security Disability Award. The employee must notify the CMERS as soon as they receive a Social Security Disability Award. There is no reduction for employees who did not pay Social Security contributions during their CMERS membership.

- For Police Officers and Firefighters, this benefit will be offset by any Heart and Hypertension payments received concurrently. The employer must notify the CMERS of any Heart and Hypertension payments made to any police officer or firefighter who has retired.
- A completed retirement application package must be received before any retirement benefit can be paid. The next section has a list of required forms and documentation for this type of retirement. There are links to these forms later in this guide.

Early Retirement

The CMERS statutes allow for early retirement prior to age 55 at an actuarially reduced level.

Eligibility Requirements for Early Retirement (for CMERS member who did not terminate prior to 10/1/2001):

- Employee is under 55 years of age.
- Employee has at least 5 continuous years of service but less than 25 years total service. (Continuous service is active service as an employee without an unpaid absence of more than 90 days, except for absences due to layoff or approved leaves)
- Must transition directly into retirement from last day of active employment (i.e. must *apply* to receive a retirement benefit within thirty calendar days of the day they separate from service). If the completed application package is not received within thirty days of the day the member separates from service, the member will be considered to have opted for vested rights retirement and the procedures with regard to a vested rights retirement will be followed by the CMERS.

Other important information regarding early retirement:

- If the employee contributed to Social Security in addition to contributing to the CMERS, this benefit will be reduced upon attaining age 62 or upon receipt of a Social Security Disability Award. The employee must notify the CMERS as soon as they receive a Social Security Disability Award. There is no reduction for employees who did not pay Social Security contributions during their CMERS membership.
- For Police Officers and Firefighters, this benefit will be offset by any Heart and Hypertension payments received concurrently. The employer must notify the CMERS of any Heart and Hypertension payments made to any police officer or firefighter who has retired.
- **A completed retirement application package must be received before any retirement benefit can be paid. The next section has a list of required forms and documentation for this type of retirement.**

Vested Rights Retirement

The CMERS statutes allow a vested member to wait until age 55 to begin receiving their retirement benefits, thereby avoiding the penalty for early retirement.

Eligibility requirements for Vested Rights Retirement (for employees who did not terminate prior to 10/1/2001):

- Employee separates from service and has at least 5 years of continuous service in the CMERS. (Continuous service is active service as an employee without an unpaid absence of more than 90 days, except for absences due to layoff or approved leaves)
- Employee does not wish to transition directly into retirement from the last day of active employment (i.e. does not wish to receive a retirement benefit at this time).

Other important information regarding vested rights retirement:

- To apply for this benefit, a completed retirement application must be submitted at the time of separation from active employment with all pertinent information and documentation. However, do not have the member complete an option form, spouse waiver form or marital status affidavit at this time. These forms will be sent to the member by the CMERS several months before they reach age 55 and must be completed based on their marital status at that time.
- It is the employee's responsibility to notify the CMERS of all address changes. This is VERY important.
- If the employee contributed to Social Security in addition to contributing to the CMERS, this benefit will be reduced upon attaining age 62 or upon receipt of a Social Security Disability Award. The employee must notify the CMERS as soon as they receive a Social Security Disability Award. There is no reduction for employees who did not pay Social Security contributions during their CMERS membership.
- For Police Officers and Firefighters, this benefit will be offset by any Heart and Hypertension payments received concurrently. The employer must notify the CMERS of any Heart and Hypertension payments made to any police officer or firefighter who has retired.
- **A completed retirement application package must be received before any retirement benefit can be paid.** No retroactive benefits will be paid for completed applications received more than thirty days after the individual's 55th birthday: payments will only be retroactive to the date the rest of the application package (i.e. the option forms, spouse waivers, etc.) was received by the CMERS from the employee. **There are links to these forms later in this guide.**

Disability Retirement

If an employee terminates employment due to a disabling medical condition they may be eligible to apply for disability retirement. The application must be received by the CMERS within one year of the last time the employee was paid by the employer (other than for workers compensation or heart and hypertension benefits). *It is important to note the eligibility standard for any CMERS disability retirement.*

Sec. 7-432. Retirement for disability. Any member shall be eligible for retirement and for a retirement allowance who has completed at least ten years of continuous service if he becomes *permanently and totally disabled from engaging in any gainful employment in the service of the municipality*. ... [s]uch retirement allowance shall continue during the period of such disability. For purposes of this section, "gainful employment" shall not include a position in which a member customarily works less than twenty hours per week.

The statute does not state that entitlement to a disability retirement is based upon being permanently and totally disabled from the employee's own occupation or from "suitable and comparable" employment. Rather, the statute states that an individual must be permanently and totally disabled from **any** gainful employment. "Gainful employment" therefore is not limited to the type of work done prior to the disability nor is it restricted to employment that is suitable to someone's experience and training. It also does not matter if there are any available positions at the time of application. It is a medical standard.

In essence, to be eligible for disability retirement benefits, a person must be physically or mentally disabled from being able to work more than 20 hours per week on a customary basis. By way of example, if someone is disabled from being a firefighter because he or she can no longer carry 100 pounds but has the physical ability to work as a building inspector, assistant assessor, elected official or is physically capable of working in any position for at least 20 hours per week, he or she would most likely not meet the definition of disability under the statute.

Non-Service Connected Disability Retirement

Eligibility Requirements for Non-Service Connected Disability Retirement:

- No minimum age requirement.
- A minimum of ten continuous years of service. Continuous service is active service as an employee, receiving pay, without an unpaid absence of more than 90 days, except for absences due to layoff or approved leaves.
- Employee is disabled from any gainful employment with the municipality as detailed above.
- A completed retirement application package must be received before any retirement benefits can be paid. This package must be complete and received within one year from the time the employee last received a salary payment from the employer. It must include the additional disability documentation requested. **The next section has a list of required forms and documentation for this type of retirement.**

Other important information regarding Non-Service Disability Retirement:

- If approved, the non-service connected disability retirement benefit is calculated with the same formula as a regular retirement, but with no actuarial reduction for early retirement.
- If the employee contributed to Social Security in addition to contributing to the CMERS, this benefit will be reduced upon attaining age 62 or upon receipt of a Social Security Disability Award. The employee must notify the CMERS as soon as they receive a Social Security

Disability Award. There is no reduction for employees who did not pay Social Security contributions during their CMERS membership.

- For Police Officers and Firefighters, this benefit will be offset by any Heart and Hypertension payments received concurrently. The employer must notify the CMERS of any Heart and Hypertension payments made to any police officer or firefighter who has retired.

Service Connected Disability Retirement

Eligibility Requirements for Service Connected Disability Retirement:

- No minimum age requirement
- No minimum service requirement.
- Employee is disabled from any gainful employment with the municipality as outlined above.
- Employee is disabled due to the accidental injury or occupational disease of the employee which originated while the employee was engaged in the line of the employee's duty in the business or affairs of the employer upon the employer's premises, or while engaged elsewhere upon the employer's business or affairs by the direction, express or implied, of the employer.
- A completed retirement application package must be received before any retirement benefits can be paid. This package must be complete and received within one year from the time the employee last received a salary payment from the employer. It must include the additional disability documentation requested. **The next section has a list of required forms and documentation for this type of retirement.**

Other important information regarding Service Connected Disability Retirement:

- If approved, a service connected disability retirement is calculated the same as a normal retirement, with no actuarial reduction for early retirement provided the annual retirement allowance is a minimum of 50% of the person's pay at the time the disability was incurred.
- For employees covered by Social Security, this benefit will be reduced upon attaining age 62 or upon receipt of a social security disability award if sooner, provided this reduction does not result in a benefit that is less than the minimum benefit of 50% of their pay at the time the disability was incurred. The employee must notify the CMERS immediately of any Social Security Award or benefit they receive.
- A service connected disability retirement may be taxable or non-taxable to the retiree. The CMERS cannot make this determination as there are a number of factors that must be considered. It is up to the individual to find out whether their benefit is taxable for their specific situation. If the service connected disability retirement application is approved, the CMERS will, at that time, provide information about the individual's disability benefit calculation which will enable the Internal Revenue Service to determine whether or not the disability benefit will be taxable. The CMERS does not make this determination.
- A service connected disability retirement benefit must be reduced for any concurrent workers compensation or Heart and Hypertension benefit payments. The employer is required to provide to the CMERS all information regarding workers compensation payments or settlements and/or

Heart & Hypertension payments or settlements made to the retiree subsequent to their date of retirement.

Here are some examples to help navigate this area:

1. Sam Jones, a Public Works truck and snowplow operator in the City of Nutmeg, was deemed by the Medical Examining Board to be permanently and totally disabled from performing any gainful employment and receives a disability retirement benefit. During the winter, his department asks him to work on an intermittent basis – Sam would sit at a desk and answer residents' phone calls from 7:00 a.m. to 1:00 p.m. during day time snowstorms. It is anticipated that he will be called into this work one or two days per week during winter months. Sam can take this position without affecting his disability retirement benefit.
2. Sam Jones, a Public Works truck and snowplow operator in the City of Nutmeg, was deemed by the Medical Examining Board to be permanently and totally disabled from performing any gainful employment and receives a disability retirement benefit. During the winter, his department asks him to work – the position would sit at a desk and answer residents' phone calls from 7:00 a.m. to 1:00 p.m. every day during the winter months of January, February and March. Sam cannot take this position without stopping his disability retirement benefit: it is gainful employment over 20 hours per week in the service of the municipality.
3. Sam Jones, a Public Works snowplow operator in the City of Nutmeg, was deemed by the Medical Examining Board to be permanently and totally disabled from performing any gainful employment and receives a disability retirement benefit. Sam relocates to Maine and works full time as a driver-laborer for a private landscape company which mows lawns in the summer and plows in the winter. Sam cannot take this position without stopping his disability retirement benefit. While the re-employment is not with a municipality, in addition to it being over 20 hours per week, it indicates a cessation of Sam's disabling condition which no longer entitles him to a disability retirement benefit.
4. Sam Jones, a Public Works snowplow operator in the City of Nutmeg, was deemed by the Medical Examining Board to be permanently and totally disabled from performing any gainful employment and receives a disability retirement benefit. Sam decides to run for public office and becomes the town tax collector - a paid position with office hours totaling 22 hours per week (4 hours a day; two hours on Monday evenings). Sam cannot take this position without stopping his disability retirement benefit: it is gainful employment over 20 hours per week in the service of the municipality.

Withdrawal of Retirement Service Credit and Contributions

Upon termination of employment and prior to retirement, all employees who have terminated employment and are not eligible for a retirement benefit should apply for a refund of their contributions and interest. A refund will cancel the employee's retirement service credit and he or she will forfeit all rights to any and all CMERS retirement or retirement related benefit.

Eligibility Requirements for withdrawal of retirement service credit and contributions for employees who did not terminate before 10/1/2001:

- An employee has less than five years of service and is not considered otherwise eligible for a CMERS retirement benefit. (Employees who terminated prior to 10/1/2001 need ten continuous

years of service or fifteen total years of active service to be vested and eligible for a CMERS retirement benefit),

- Upon termination of employment, a non-vested employee may apply for either (1) a full refund of his contributions and interest or (2) a rollover of his contributions and interest to delay any tax consequences until retirement. The Internal Revenue Service (IRS) requires that the CMERS withhold 20% from the refund if the member does not roll over the funds to a qualified retirement plan or IRA. Other taxes and penalties may also apply. To apply for the refund, complete and forward to the CMERS a form CO-1212, "MERS Application for Refund of Retirement Contributions for Non-vested Member"

Other important information regarding withdrawal of service credit and contributions:

- If the employee is subsequently reemployed, they will be able to reinstate this service credit by repaying the amount of the refund plus additional interest.
- The employee does not receive employer contributions. Employer contributions remain in the Retirement System for payment of future retirement benefits for career employees.
- Refund applications generally take 60 days to process. The sixty-day period generally provides the CMERS with sufficient time to receive and process the individual contribution (payroll) information provided to the CMERS by the employer. This period of time insures the employee is paid all of their contributions. Additionally, such payments are only made during and at certain times of the month.
- If not refunded to the employee, contributions for non-vested employees escheat to the State after 10 years: this means the employee "loses" the contributions to the state after 10 Years and is no longer entitled to a refund. This is one reason why it is imperative that the employer notify the CMERS when an employee terminates service and why a former employee needs to inform the CMERS of any address change.

FILING FOR BENEFITS

When to File

The municipality must submit the following to the CMERS for any member who is transitioning directly into retirement at the time of their separation from service. (Both early retirement and normal retirement) This application must be received in the CMERS no more than thirty days after the requested date of retirement. It is important to remember that you should not delay filing a retirement application if you are missing wage or attendance information. A delay in filing may cause a retiree to lose benefits retroactive to their requested retirement date.

The CMERS calculates a retiree's initial benefit as an estimate upon receipt of the application. You must initially

include the forms and other documentation. However information concerning wages, final wages or attendance can be estimated by the CMERS until the exact information can be provided. Within six months after retirement, the benefit calculation will be re-calculated using the final information for anything that was estimated. Any retroactive benefits due as a result of an increase in the monthly benefit will be paid to the retiree at that time.

Please see the "Vested Rights" section below for those opting to have their benefits start when they attain age 55.

Normal or Early Retirement

Completed Retirement Application Form

- For members not covered by social security, use "Application for MERS Retirement Benefits, Part A" (Form CO-1207)
- For members who ARE covered by Social Security as well as the CMERS, use "Application for MERS Retirement Benefits , Part B" (Form CO-1200)

A retiree's monthly benefit is determined by their length of service and their earnings. The CMERS must have accurate information regarding anything that affects a retiree's length of service or earnings. We ask for this information on the retirement application and it must be completed completely and accurately.

- Last Day of Active Employment: this is the last day the employer paid the retiree.
- Date of Hire: the date of the retiree's membership in the CMERS. It should be the date they were hired into a regular full time position. There is no probationary period for CMERS coverage.
- Date of Retirement: The first day the person is retired and expects to be paid from the CMERS i.e. if the person worked on the 21st and then retired, their retirement date is the 22nd. A member who retires on June 30th or earlier will receive their first cost of living increase effective July 1st. This may be important for a retiree to consider if retiring near July 1st. For example, if a retiree elects a retirement date of June 30th or prior, their benefit will increase on July 1st by at least 2.5%. If the person chooses a retirement date of July 1st, they will not get an increase until the following July 1st.
- Retroactive Salary Payments: If an employee received a retroactive payment of wages, the retroactive payment must be removed from the month in which it was reported and added to the period for which it was earned. In order for the CMERS to do this, we need to know the amount of the retroactive payment, the date it was paid, and the dates it covered.

For example: Sam Jones received a payment of \$4,328.71 in August 2009. It is a contract settlement that covers 7/1/2008 to 7/31/2009. The CMERS will deduct the \$4,328.71 from the August 2009 wages that were reported. The CMERS will then add it to the months of July 2008 through July 2009, in proportion to the wages already reported.

- Unpaid Leaves: If no pay was reported to the CMERS, an employee does not get service credit towards retirement for that period. If the retiree was ever out of work and no pay was reported to the CMERS, please provide the exact dates and the reason why the person was out. It is important to note that workers compensation benefits paid to an employee for a period they are temporarily unable to perform their job duties due to a work related injury is considered pay just

as though the person were working. Contributions to the CMERS are required on these workers compensation benefits from both the employer and the employee. If such benefits were paid from a third party and no contributions were reported to the CMERS, please provide the details of the amount of such benefits, the exact dates covered and the type of workers compensation benefits received. The municipality will be sent an invoice for the required contributions.

Two often overlooked items:

- Employee Signature
- Municipality signature

Completed Payment Option Form

The retiree must select one of these four options. The person named to get a continuing monthly benefit in the event of the retiree's death is called the *contingent annuitant*. A person named to receive a refund of a member's retirement contributions and interest in the event of a member's death, either before or after retirement, is the *beneficiary*.

- Option A Form CO-1201 - In the event of the retiree's death, the surviving spouse gets 50% of the retiree's benefit for the rest of their life. If the spouse predeceases the retiree, the retiree continues to receive the reduced monthly allowance with no payments after the retiree's death.
- Option B – Form CO-1202 - In the event of the retiree's death, the survivor gets either 50% or 100% of the retiree's monthly benefit for the rest of their life. **If a married member wishes to elect this option for the benefit of someone other than his or her spouse, a Spouse Waiver Form, CO-1205 must be completed and the spouse's signature must be notarized on that form.** If the contingent annuitant predeceases the retiree, the retiree continues to receive the reduced monthly allowance with no payments after the retiree's death.
- Option C – Form CO-1202 - Payments are guaranteed for either ten or twenty years from the retiree's date of retirement. The retiree receives a lifetime benefit, regardless of how long they live after retirement. However, if the retiree dies before the expiration of the guaranteed period, the contingent annuitant will receive the retiree's benefit for the remainder of the guaranteed period. If the contingent annuitant predeceases the retiree, the retiree may name a new contingent annuitant. This is the only option that allows this opportunity. **If a married member wishes to elect this option, a spousal waiver form CO-1205 must be completed and the spouse's signature must be notarized on that form.**
- Option D- Form CO-1203 - No monthly payments continue after the retiree's death. **If a married member wishes to elect this option, a Spouse Waiver Form CO-1205 must be completed and the spouse's signature must be notarized on that form.**

Spouse Waiver Form Form CO-1205 - For married members who do not provide a lifetime benefit for their spouse in the event of their death. See notes on option choices above.

Certificate of Marital Status Form CO-1206 - All single retirees must complete this form. (Or retirees who have been married less than one year at the time of their retirement) Remember, an employee whose spouse passed away is legally considered single and must complete this form.

For Police Officers and Fire Fighters A listing of any payments made pursuant to the Heart and Hypertension Act subsequent to the date of retirement must be provided for all retirements.

Marriage Certificate

Retiree Birth Certificate AND Contingent Annuitant's Birth Certificate

Puerto Rico voided all birth certificates issued prior to July 1, 2010. For birth certificates from Puerto Rico, they must be issued on or after July 1, 2010 to be considered valid. Certificates issued prior to that date will not be honored and must be replaced.

Items That Will be Accepted as Proof of Date of Birth:

One of These Primary Documents: The employer must see the original, the CMERS will accept photocopies for the file although the CMERS reserves the right to request/inspect originals

- A United States birth certificate or registration of birth. Must be original or certified copy, have a seal and be issued by an authorized United States government agency such as the Bureau of Vital Statistics or State Board of Health. Hospital issued certificates are NOT acceptable
- A valid current US issued passport

If a primary document is unavailable, two of the following secondary documents must be submitted, one of which must be photo identification.

- Current Military ID or dependent card with photograph and date of birth
- Court Order: Must be original or certified copy and contain full name and date of birth. Examples include name change, adoptions, marriage or civil union certificate, marriage or civil union dissolution, gender change (Does not include abstract of criminal or civil convictions)
- Marriage license (certified copy only)
- Pilot's license (issued by the U.S. DOT Federal Aviation Administration: will have photo and date of birth)
- Connecticut State Department of Social Services (DSS) issued photo public assistance I.D. card

- Baptismal certificate or similar document
- State or Federal Government Employee Identification with signature, photograph and date of birth.
- Foreign birth certificate, certified copy, with certified translation if in other than english
- Foreign passport with photograph; must include U.S. Citizenship and Immigration Services (USCIS) documents. USCIS documents must be a valid unexpired document as follows:
 1. Certificate of Naturalization
 2. Certificate of Citizenship
 3. Permanent Resident Card

What to Include with the Application Package for Vested Rights Retirement

For members who are vested and terminate their employment prior to age 55 with less than 25 years total service, but do not want to transition directly into retirement, they may opt to have their benefit become effective at age 55. To apply for this benefit, a completed retirement application must be submitted at the time of separation from active employment with all pertinent information and documentation. However, do not have the member complete an option form, spouse waiver form or marital status affidavit at this time. These forms will be sent to the member by the CMERS several months before the retiree reaches age 55 and must be completed based on their marital status at that time. A retirement benefit is not automatic at the age 55: a vested rights retiree still must execute and return the forms sent to him or her. No retirement benefit will be paid until the forms are received.

What to Include with the Application Package for Non-Service Disability Retirement

- All of the forms and information required for early or regular retirement listed above (Remember to check off the box for non service connected disability retirement on the retirement application form) plus the following:
 - A completed form CO-1213 Member's Statement – Application for Disability Retirement and requested documents.
 - A completed form CO-1214 Physician's Statement – Application for Disability Retirement and requested documents.
 - A completed form CO-1215 Employer's Statement – Application for Disability Retirement and requested documents.
- For Police Officers and Fire Fighters, a listing of any payments pursuant to the Heart & Hypertension Act that are made subsequent to the member's date of retirement must be provided.

What to Include with the Application Package for Service Connected Disability Retirement

- All of the forms and information required for early or regular retirement listed above (Remember to check off the box for service connected disability retirement on the retirement application form) plus the following
- A completed form CO-1213 Member's Statement – Application for Disability Retirement and requested documents.
- A completed form CO-1214 Physician's Statement – Application for Disability Retirement and requested documents.
- A completed form CO-1215 Employer's Statement – Application for Disability Retirement and requested documents.
- Acknowledgement Form - SCD (CMERS)(CO-1209). This is an acknowledgement that the employee is aware of the offset for workers compensation. An application for a service connected disability benefit will not be processed until this form has been received by the CMERS.
- Accident Report or first report of injury or incident
- A listing of any workers compensation benefits or heart and hypertension benefits paid for any period subsequent to the date of retirement, including any settlements. This list must show the type of workers compensation or heart and hypertension benefit payments, the dates covered and the amounts. A printout from the insurance company paying the benefits is acceptable provided it shows the details requested.

DECEASED EMPLOYEES

Prior to Retirement

Pre Retirement Death Benefit – A monthly benefit for a surviving spouse

Eligibility:

- If the member dies while actively employed and
- Member was age 55 and vested with a minimum of five years of continuous service or had 25 years of service at any age and
- Has been married at least twelve months prior to death

Benefit:

- The benefit is calculated to be one half of the average of what the member would have received under option A and option D. (*i.e.* If the member's benefit under Option A is \$600, and under Option D the member's benefit is \$800, the average is \$700 and the

survivor gets 50% of that or \$350)

- If the member had 25 years of service but was not yet 55 years old, the benefit will be calculated as if the member was 55 years old at the time of death.

How to apply:

- Complete a retirement application using the surviving spouse's information. Attach a copy of the death certificate, the deceased's birth certificate, the survivor's birth certificate and a copy of their marriage certificate. No other forms are needed.

Refund of Retirement Contributions of a Deceased CMERS member

Eligibility:

- Prior to a member's retirement, a beneficiary is entitled to a refund of a deceased member's contributions if there is no surviving spouse or if the surviving spouse is not eligible for a pre-retirement death benefit. If there is an eligible surviving spouse, the monthly pre-retirement death benefit will be paid to the spouse and there will be no refund of contributions to the beneficiary.

How to Apply:

- The named beneficiary or executor completes form CO-675-1, "Application For Refund Of Municipal Retirement Contributions Of Deceased Member", and attaches a copy of the death certificate.

Member's Death After Retirement

If you are notified of a retiree death, you may refer them to the CMERS at 860-702-3500. Please notify the CMERS of the death via website email address. osc.muniinfocmers@po.state.ct.us Attach a copy of death certificate and/or obituary to the email if available. Here is the basic information you can provide to the family:

- Any checks dated after the date of death must be returned if they have not been deposited.
- If the retiree elected a payment option that provides a monthly benefit to another person in the event of their death, the contingent annuitant will start being paid once the CMERS receives a copy of the death certificate.
- If the retiree did not elect a payment option providing another person with a monthly benefit, and if there are any contributions and interest remaining, the balance of the contributions and interest will be refunded to the beneficiary named on the option form. (A retiree's monthly benefit is deducted from the total of his contributions and interest until they are exhausted, then payments come directly from the retirement fund. If someone has been retired for more than three or four years, there are probably no contributions or interest left to be refunded but the beneficiary should check with the CMERS to be sure.)
- The CMERS will need to have the notice of Appointment as Fiduciary from the Probate Court if

money is owed to the estate of the deceased.

RE-HIRED RETIREES

The Legislature recently changed the statute to exclude part time positions (a position that is *less than 20 hours* per week on a customary basis) from the CMERS re-hired retiree limitations. Once a CMERS employee retires he or she is prohibited from returning to work in the same municipality or in a municipality that participates in the CMERS except in a 90 working day temporary capacity or if the individual works less than 20 hours per week.

Whether a rehired retiree falls under the restrictions of CGS Section 7-438 is now a three prong determination.

The first prong is to determine if the retiree is working at the *"same municipality from which he was retired or any other participating municipality"*. If the retiree returns to work for an employer that participates in the CMERS he meets the first prong. This is true whether or not the department of the participating municipality where the retiree is re-employed participates in the CMERS or not. It is important to note that Housing Authorities, Boards of Education and towns are generally considered to be separate employers under CMERS. If a Town belongs to the CMERS and a Board of Education does not, a "Town" retiree can work for the Board of Education without invoking the restriction. However, for example, the Public Works Department of a municipality is a member of the CMERS and no other departments are; any employment with any department of that municipality will still be subject to the 90 day re-employment provision.

The second prong is to determine whether the position is less than 20 hours a week. If the retiree is hired for a position that is customarily less than 20 hours per week he or she will be exempted from the rehired retiree provisions of the CMERS. For example, a retiree hired to answer phones Monday, Wednesdays and Fridays mornings for 15 hours a week would be exempt from the rehire provisions: however – if at any time the employee had to work over 20 hours the entire work week (5 days) would be "counted" toward the 90 day restriction.

The last prong concerns the 90 working days. "Working days" will be determined by the number of hours and number of days worked in a week. If the number of hours worked in a week is 20 hours or greater – then the days worked will be considered "working" days for purposes of rehire restrictions regardless of actual hours worked each day. For example, a retiree is hired to answer telephones Monday, Wednesdays and Fridays for a total of 21 hours a week. This retiree will incur three working days toward the 90 day restriction. The days do not have to be continuous or be full eight hour days to be counted as a day. If a retiree is rehired to work a varying number of hours, as needed; any week where the retiree works 20 hours or more will have every day the retiree worked counted as a working day for the 90 day limitation. Any week when this retiree works less than 20 hours a week will not have the days counted as working days towards the 90 day limitation.

Here are some examples to help navigate this area:

1. A CMERS employee vests after five (5) years and can take a retirement at any age (albeit actuarially reduced). Sam Jones, a 30 year old employee worked for the City of Nutmeg (a participating municipality) for six years. He left to work for the Town of Habit, a non-CMERS municipality and started to start to receive a CMERS retirement benefit (albeit substantially reduced) at the age of 36. There is no rehired retirement restriction with regard to this

employment.

2. Former Fire Fighter John Smith retired July 9, 2005 from the City of Nutmeg Fire Department with 25 years of service. He collects a CMERS pension benefit. He went directly from fire fighter to the position of full time building inspector in the City of Nutmeg – a position not covered by the CMERS retirement system but in the same municipality. Smith is covered by the rehired retiree restrictions and subject to the 90 day rule.
3. Former Fire Fighter John Smith retired July 9, 2005 from the City of Nutmeg Fire Department with 25 years of service. He collects a CMERS pension benefit. He went directly from fire fighter to the full time position of Special Building Project Coordinator with the Board of Education in the City of Nutmeg – an entity/employer which his not covered by the CMERS retirement system. There is no restriction with regard to this employment.
4. Former Fire Fighter John Smith retired July 9, 2005 from the City of Nutmeg Fire Department with 25 years of service. He collects a CMERS pension benefit. He went directly from fire fighter to a full time position of Special Building Project Coordinator with the Board of Education in the City of Nutmeg – an entity/employer which is covered by the CMERS retirement system. Smith is covered by the rehired retiree restrictions and subject to the 90 day rule.
5. Former Fire Fighter John Smith retired July 9, 2005 from the City of Nutmeg Fire Department with 25 years of service. He collects a CMERS pension benefit. Several years after retirement, he accepts the part time position of Special Building Project Coordinator (2 days a week @ 8 hours a day) with the Board of Education in the City of Nutmeg – an entity/employer which is covered by the CMERS retirement system. There is no restriction with regard to this employment.
6. Former Fire Fighter John Smith retired July 9, 2005 from the City of Nutmeg Fire Department with 25 years of service. He collects a CMERS pension benefit. Several years after retirement, he accepts the part time position of Special Building Project Coordinator (3 days a week @ 8 hours a day) with the Board of Education in the City of Nutmeg – an entity/employer which is covered by the CMERS retirement system. Because this position works 24 hours a week, Smith is covered by the rehired retiree restrictions and subject to the 90 day rule. Smith would be considered as working 3 days a week – he would reach the 90 day restriction in about 30 weeks.
7. Former Fire Fighter John Smith retired July 9, 2005 from the City of Nutmeg Fire Department with 25 years of service. He collects a CMERS pension benefit. Several years after retirement, he accepts the part time position of Special Building Project Coordinator (2 days a week @ 8 hours a day) with the Board of Education in the City of Nutmeg – an entity/employer which is covered by the CMERS retirement system. There is no restriction with regard to this employment. However, a building situation occurs where Smith must work two extra days a week over the summer to prepare the buildings for school opening. During these weeks, Smith would be considered as working 4 days a week and all his time would count toward the 90 day restriction.
8. Former Fire Fighter John Smith retired July 9, 2005 from the City of Nutmeg Fire Department with 25 years of service. He collects a CMERS pension benefit. Several years after retirement, he accepts the part time position of Special Building Project Coordinator (2 days a week @ 8 hours a day) with the Board of Education in the City of Nutmeg. Both entities/employers are covered by the CMERS retirement system. He also ran for public office and is elected to the Assessor position a paid position with office hours totaling 12 hours per week. The total amount of time exceeds 20 hours a week. John must either give up one of his position or be subject to the 90 day restriction in approximately 13 weeks.

CMERS Forms

For All Retirements:

Application for CMERS Retirement Benefits (Part A, No Social Security)	PDF format	WORD format
Application for CMERS Retirement Benefits (Part B, With Social Security)	PDF format	WORD format
CMERS Income Payment Election Form - Option A	PDF format	WORD format
CMERS Income Payment Election Form - Option B	PDF format	WORD format
CMERS Income Payment Election Form - Option C	PDF format	WORD format
CMERS Income Payment Election Form - Option D	PDF format	WORD format
Spouse Waiver Of Monthly Survivor Benefit (CMERS)	PDF format	WORD format
Certification Of Marital Status (CMERS)	PDF format	WORD format
Direct Deposit, Electronic Funds Transfer (PDF format)	PDF Format	
Retiree Change of Address Form	PDF Format	

Additional forms for all disability retirements:

Application for Disability Retirement - Member's Statement	PDF format	WORD format
Application for Disability Retirement - Physician's Statement	PDF format	WORD format

Application for Disability Retirement - Employer's Statement

[PDF format](#)

[WORD format](#)

Additional form(s) for service connected disability retirement

Application Acknowledgement Form

[PDF format](#)

[WORD format](#)

Forms for refund of retirement contributions (in PDF format):

[Application for Refund of Retirement Contributions for Non-vested members](#)

[Application for Refund of Contributions of Deceased Member](#)

Tables

Early Retirement Factors:

[PDF Format](#)