



The State University
of New York

Retirement Programs

For New Faculty and Staff

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Introduction

This booklet is prepared as a general guide to the retirement programs available to new unclassified service employees of the University. It cannot provide you with the complete details on retirement matters. In particular, those persons who have had previous public employment and who are or have been members of a public retirement system, should seek additional information on their specific situations. Only representatives of the retirement programs are sufficiently knowledgeable in this area to offer you guidance.

As it is not possible to deal adequately with many of the technical matters affecting benefits under the three retirement programs in this brief booklet, we can only indicate the basic points for your consideration, and invite you to contact representatives of the retirement system concerned if you wish any additional information or explanation.

The provisions of law concerning the retirement programs are quite complex, and the representatives of the retirement programs concerned are the only persons who may speak with authority when advising you on matters involving your rights, privileges or benefits under any one of the programs.

Choosing Your Retirement Annuity Program at SUNY

Full-time unclassified service staff members and part-time staff members who have term appointments or are designated management/confidential at State-operated campuses, or by local contract at community colleges, are eligible to elect one of the three retirement programs:

1. **New York State Teachers' Retirement System (TRS)** – Membership is open to employees in the unclassified service, both full-time and part-time, who are employed in a select group of titles. To be eligible for TRS you must be employed in a faculty, librarian or coach title, or in the title of chancellor, president, vice-president, provost, dean, associate dean, or assistant dean.
2. **New York State Employees' Retirement System (ERS)** – Membership is open to all employees.
3. **SUNY Optional Retirement Program (ORP)** – Membership is open to full-time unclassified staff members and part-time staff members who have term appointments or are designated management/confidential at State-operated campuses, or by local contract at community colleges.

If you have questions about your eligibility, please contact your Human Resources Office.

An election form is provided on the next to the last page of this booklet. You should complete this form and return it to the Human Resources Office at your campus. You will then be given appropriate application and other forms for enrollment in the program you elect.

If you are a full-time employee, you must elect to participate in one of these programs within 30 days of the effective date of your appointment. If you do not make a timely election, and are in a position eligible for TRS membership, you will then be required to join TRS. All other full-time employees who do not make a timely election will be required to join ERS. Staff members employed by State University units at Cornell University or Alfred University will be required to join ERS.

Part-time employees are not required to join a retirement system and may join at any time.

Once you become a participant in one of these programs, either through election or by failure to make a timely election, you will not be able to change from one to another during employment by the University.

Exception: If you are not now eligible for a particular retirement program and later become eligible for that program, you will be permitted to change to that program at that time.

If you are a part-time employee and choose to participate in a retirement program, you may not later cancel your enrollment.

Each of these programs offers certain advantages. You should consider each program in relation to your particular needs and objectives. This booklet summarizes and contrasts the benefits and provisions of each program. More detailed information is contained in the individual booklets on each program which you have received along with this booklet. There is a Human Resources Officer on your campus whom you may contact if you need additional assistance. Representatives of the public retirement systems and of the other programs are also available to assist you.

Programs Available

The public retirement systems (TRS and ERS) are both “defined benefit” retirement programs. The benefits you receive at retirement will be determined based on a benefit formula, using a specific formula factor, your final average salary, age and years of service. The Optional Retirement Program is a “defined contribution” program. The amount of benefits you receive at retirement will be based on the amount of funds contributed to your account, the investment earnings on those funds, your age when you take income and the benefit option you choose.

TRS

This is a State retirement system which, if you join under present law, permits retirement at age 63 or older with ten or more years of creditable service. Retirement is permitted at age 55, but there is an age reduction in the benefit formula of 6.5% for each year retirement precedes age 63.

ERS

This is a State retirement system which, if you join under present law, permits retirement at age 63 or older with ten or more years of creditable service. Retirement is permitted at age 55, but there is an age reduction in the benefit formula of 6.5% for each year retirement precedes age 63.

OPTIONAL RETIREMENT PROGRAM (TIAA-CREF; ALTERNATE FUNDING VEHICLES)

This is a retirement program under which individual contracts, providing retirement and death benefits for or on behalf of electing employees, are purchased from TIAA-CREF and or one or more of the alternate funding vehicles (Fidelity, MetLife, VALIC, and Voya). Contracts are issued to and become the property of the electing employee. Payments are made in accordance with the contracts, and the State is not liable for the payment of benefits provided under such contracts. Benefits are designed for retirement at any age.

If you wish to participate in TIAA-CREF, you may allocate the combined employee and University contribution to choose from among the TIAA traditional annuity, the TIAA Real Estate Account, CREF variable annuity contracts, and/or mutual fund based TIAA access funds. Contributions may be allocated to the above accounts in any percentage of your choice.

At your discretion, you may participate in TIAA-CREF or in one or more of the Alternate Funding Vehicles. Each AFV has a variety of investment instruments. If you participate in an AFV you are required to open a TIAA-CREF account. AFV contributions are initially directed into your TIAA-CREF account. TIAA-CREF will automatically transfer all (100%) or a specified dollar amount from any of your CREF account accumulations or the TIAA Real Estate account to the alternate funding vehicles you select. Transfer will be made on the 15th of each month or on the first business day thereafter if you sign up for systematic transfer services. You may also make transfers from CREF or the TIAA Real Estate account to an AFV, from one AFV to another, or from an AFV to TIAA-CREF, any time upon completion of appropriate forms. There is no charge for transfers.

Contribution Rates

All three programs provide for contributions by the employees as well as the University. Your contributions will be made on a before-tax basis (federal taxes only) via payroll deduction. In general, the University makes appropriate contributions based on the salary paid by the State in connection with your employment by the University.

TRS

*Employees will be required to make contributions based upon their estimated gross annual wages in a given calendar year, as follows:

- Wages of \$45,000 or less 3%
- Wages of \$45,000.01 to \$55,000 3.5%
- Wages of \$55,000.01 to \$75,000 4.5%
- Wages of \$75,000.01 to \$100,000 5.75%
- Wages of \$100,000 or more 6%

University Contribution - a State Pension is provided.

ERS

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- Wages of \$45,000 or less 3%
- Wages of \$45,000.01 to \$55,000 3.5%
- Wages of \$55,000.01 to \$75,000 4.5%
- Wages of \$75,000.01 to \$100,000 5.75%
- Wages of \$100,000 or more 6%

University Contribution - a State Pension is provided.

OPTIONAL RETIREMENT PROGRAM (TIAA-CREF; ALTERNATE FUNDING VEHICLES)

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- Wages of \$45,000 or less 3%
- Wages of \$45,000.01 to \$55,000 3.5%
- Wages of \$55,000.01 to \$75,000 4.5%
- Wages of \$75,000.01 to \$100,000 5.75%
- Wages of \$100,000 or more 6%

University Contribution -

- a. 8% of State salary for first seven years of participation in the ORP
- b. 10% of State salary for the eighth and ninth years of participation in the ORP.

**Should you cease public employment with less than ten years of credited service, you may terminate your membership and withdraw your accumulated contributions plus interest.*

Participation

TRS

Membership commences effective the first day of your full-time service. Membership for other than full-time employees will begin the first day of employment on or after the notarization date of your completed membership application. If you were previously a member of TRS or another public retirement system within NYS (excluding the ORP) or held a position in which you were eligible for membership but did not join a retirement system, it may be possible for you to purchase credit for such service as prior service.

ERS

Membership becomes effective on the date your membership application is received by the Retirement system. If you were previously a member of ERS or another public retirement system within NYS (excluding the ORP) or held a position in which you were eligible for membership but did not join a retirement system, it may be possible for you to purchase credit for such service as prior service.

OPTIONAL RETIREMENT PROGRAM

Participation at State-operated campuses is limited to full-time faculty and professional staff and to part-time faculty and staff who have term appointments, as well as management/confidential employees. Participation at community colleges is limited to full-time faculty and professional staff and to part-time faculty and staff in accordance with local contract provisions.

Participation is effective as of your entry into service for those new persons who, at the time of employment, have TIAA-CREF or AFV retirement contracts and elect the Optional Retirement Program. University contributions will start immediately and together with employee contributions will be transmitted to TIAA-CREF. You will be required to apply for new annuity contracts.

For those new employees electing the Optional Retirement Program, who do not at the time of employment own retirement contracts issued by any of the optional retirement program carriers, University contributions will be made upon the completion of 366 days of service. At the end of the initial 366 days of service, the University will make a single lump sum contribution with interest to TIAA-CREF for this initial period, and will make regular biweekly contributions thereafter. If you do not serve for at least 366 days, no contributions on the part of the University will be made.

The amount of employee contributions deducted during the initial 366 days of service, with interest, will be transmitted to TIAA-CREF at the end of the 366-day period. If services do not continue for at least 366 days, the employee contribution, with interest, will be refunded to the employee. In this case, no University contributions will have been made on behalf of the employee for the purchase of TIAA-CREF contracts.

Contributions designated for an alternate funding vehicle will be forwarded by TIAA-CREF to the AFV for employees at State-operated campuses. Contributions to an AFV for employees at community colleges may be made directly, or be made through a common remitter selected by the campus.

Retirement Benefits (Other Than Disability)

Under TRS and ERS there is no annuity derived from employee contributions, and the entire retirement benefit is based on a pension from the State. Your employee contribution helps to fund this pension.

Under the Optional Retirement Program, retirement benefits are derived from the individual annuity contracts purchased with the University and employee contributions.

Under ERS and TRS the earliest age at which retirement is possible is 55. Under the Policies of the Board of Trustees there is no mandatory age of retirement.

TRS

- With less than 20 years of service credit, the benefit equals 1/60th (1.66%) of the FAS for each year of service credit.
- With 20 years of service credit, the benefit equals 35% of the FAS.
- Members will receive an additional 2% of their FAS for each year of service credit in excess of 20 years.

ERS

Your pension factor equals either:

- 1.67% per year if you have less than 20 years of service, or
- 1.75% per year for all service if credited with 20 years.
- Under Tier 6, you would receive 35% plus 2% per year beyond 20 years if credited with more than 20 years of service.

OPTIONAL RETIREMENT PROGRAM

An annuity based on the accumulated value of employee and University contributions. At the age of retirement, you may receive either a fixed or variable annuity or both. Cash withdrawal is possible if the employee is separated from service. Participants in TIAA-CREF and the Alternate Funding Vehicles receive quarterly reports regarding investment earnings, or can choose to receive online statements. In addition, participants will receive an annual report which includes an estimate of the amount of annuity income payable at age 65 or whatever age you specify.

Disability Retirement

If disability occurs before the member is credited with 10 years of New York State service (except for an on-the-job accidental disability), no benefit is payable. If credited with the required years of New York State service, you are eligible for the following.

TRS

You must: **a)** have at least 10 years of NYS service, **and b)** be totally and permanently incapacitated from all further gainful employment, **and c)** file a disability application with NYSTRS within 12 months from the last date you were on the payroll (or, if you are placed on leave of absence without pay for medical reasons, no later than 12 months after the date your leave has been terminated). The service requirement is waived if the disability resulted from an accident sustained in the performance of your duties. A disability retirement benefit is generally one-third of your final average salary. However, the benefit may be more or less depending on your age and service credit.

ERS

If you become unable to perform your duties because of a permanent physical or mental incapacity, you may be eligible for a disability retirement benefit, which is a lifetime pension based on your final Average Salary, service credit and age at retirement. If your disability results from an on-the-job accident not due to your own negligence, no minimum amount of service credit is required; otherwise, you need ten years of service credit to qualify. There are also specific filing requirements that must be met.

OPTIONAL RETIREMENT PROGRAM

No special disability provision, but you may elect to receive an annuity from the accumulated value of employee and University contributions, based on age at the time disability begins. In addition, all active full-time employees at state-operated campuses and certain part-time professional staff members participate in State University's Group Disability Insurance Program. You may obtain a descriptive booklet from your Human Resources Office.

Death Benefits

The following benefits are payable in the event of death before retirement. Death benefits after retirement, if any, will be determined by the retirement income option selected.

TRS

You are covered by an in-service death benefit if you have been credited with at least one year of service since last becoming a member, and at the time of death: were in service being paid for employment reportable to TRS, **or** had been in service within the previous year **and** had at least one year of continuous employment since last entering your employer's service **and** not otherwise been gainfully employed since leaving service, **or** you had left the payroll because of a disability and died while on an approved medical leave.

The in-service death benefit is generally equal to one year's salary after a year of service, and increases to a maximum of three years' salary after three or more years of service. After age 60 the benefit is reduced by 4% per year, up to a maximum reduction of 40% at age 70.

If the in-service death benefit is in effect at retirement, coverage would generally continue after retirement if you retire no later than one year after you leave the payroll. Employment, other than service with a TRS participating employer, between the date you ceased teaching and the date of your retirement will jeopardize your eligibility for this benefit.

The post-retirement benefit amount depends on how soon after retirement your death occurs, as follows:

- 1st Year: 50% of the death benefit in effect at retirement
- 2nd Year: 25% of the benefit at retirement
- 3rd and Ensuing Years: 10% of the benefit at age 60 or at retirement if earlier.

If you die as the result of an accident sustained in the performance of your duties, certain surviving family members may be entitled to receive an accidental death benefit in lieu of an in-service death benefit. The annual payment to your beneficiary would be 50% of the regular salary earned during your last year of service.

You are covered by a vested death benefit if you: **a)** have at least 10 years of service credit, and **b)** are not covered by the in-service death benefit, and **c)** die before retirement. The benefit would equal half the in-service death benefit that would have been paid if you had died on the last day of creditable service.

An accelerated death benefit is available that would be paid to you while you are still alive. This benefit is designed for terminally ill members and members requiring extraordinary care. You might consider this benefit if you do not have the need to provide for a beneficiary or if you have less than 10 years of service credit and would not otherwise be eligible for a disability retirement. You may elect to receive a death benefit while living if: **a)** you qualify for a disability retirement benefit (not including the service credit requirement, which would be waived), **and b)** have either a terminal illness resulting in a life expectancy of no more than 12 months or a medical condition requiring extraordinary care or treatment. This benefit would be a one-time only payment equal to the death benefit that would have been paid if you had died on the last day of reportable service. It is paid in lieu of a monthly retirement benefit, and no death benefit would be payable to a beneficiary.

ERS

If you die while you are in public service, your beneficiary may be entitled to a death benefit payment. If your death is due to an on-the-job accident, no minimum amount of service credit is required; otherwise, you must have at least one year of service credit to qualify for an ordinary death benefit. Your member contributions plus interest earned are also payable to your beneficiary.

If you leave public employment with at least ten years of service credit, 50 percent of the ordinary death benefit may still be payable. If you die after retirement, your beneficiary may be entitled to a post-retirement death benefit payment.

OPTIONAL RETIREMENT PROGRAM

The full current value of your annuity accumulation, including the portion attributable to University contributions, will be paid to the beneficiary you have named. A full array of payment options including a single sum payment, lifetime annuities and fixed period payments may be selected by a named beneficiary, such as a spouse or child, unless you file a written election designating a specific payout. If your beneficiary is a corporation, association or your estate, a single sum payment will be made.

For participants with more than 90 days service, if the value of that portion of the death benefit attributable to the University's contributions is less than 1/2 final salary, a survivor's benefit to bring this benefit up to 1/2 of final salary (but not less than \$2,000 nor more than \$10,000) is payable. This survivor's benefit is provided by the Survivor's Benefit Law, which is subject to annual reenactment.

Vesting

Vesting refers to the retention by an employee who terminates service prior to retirement (for reasons other than death or disability) of eligibility for retirement benefits at a later date.

TRS

- A. Before ten years of New York State credited service, there is no vesting of retirement benefits. The terminating employee receives a refund of contributions, with interest. Members who leave public employment prior to attaining ten years of credited service can terminate their membership in the Retirement System and withdraw their contributions plus interest.
- B. With ten or more years of New York State credited service, the terminating employee has a vested right to a deferred retirement allowance payable at age 55. This allowance is based on the number of years of credited service at the time employment ceased. There is a reduction for age, if under 63. Accumulated contributions must be left in the system. The retirement allowance payable as the result of vesting is computed in the same manner as the service allowance previously described. In the event of death prior to the effective date of retirement, any employee contributions, plus interest, are paid to the named beneficiary. If you have 10 or more years of service a vested death benefit is also payable.

ERS

Members who leave public employment prior to age 55 and have ten or more years of credited service are eligible for a vested retirement benefit at age 55. Members who leave public employment prior to attaining ten years of credited service can terminate their membership in the Retirement System and withdraw their contributions plus interest.

With ten or more years of credited service, you have a vested right to a deferred retirement allowance payable at age 55. This allowance is based on the number of years of credited service at the time employment ceased and your final average salary. The benefit is reduced if you retire prior to age 63. Accumulated contributions must be left in the System. The retirement allowance, payable as the result of vesting, is computed in the same manner as the service allowance previously described. In the event of death prior to the effective date of retirement, any employee contributions, plus interest, are paid to the named beneficiary. An out of service death benefit may also be payable to the named beneficiary if you had ten or more years of credited service when you left public employment.

OPTIONAL RETIREMENT PROGRAM

Upon completion of 366 days of service (waived for employees who enter service with retirement contracts from any of the ORP carriers) the participant has full and immediate vesting in all retirement and death benefits provided by the retirement annuities purchased through the employee and the University's contributions. Under certain circumstances, the participant may be able to repurchase the value of his or her annuities. If you were hired after January 1, 1992, you can repurchase the full value of your accumulations upon separation from service, including your contributions and those of the University, provided that your total ORP accumulation is no greater than \$4,000, the total accumulation in Fixed Asset accounts is no greater than \$2,000.

Retirement Income Options

When you are ready to retire, you will receive information from the retirement system you have elected as to the options available and the amount of income available under each option. There are a number of different options offered by each program, but they all fall into the following general categories:

1. Income for the life of the participant and ceasing at participant's death.
2. Income for the life of the participant and continued in the same or a reduced amount to a surviving beneficiary.
3. Income for the life of the participant, but guaranteed for a period of years to the surviving beneficiary.
4. Full or partial cash payments (ORP only).

The amount of periodic payments to the retiree under 2 or 3 above will be smaller than under 1 in order to provide benefits for surviving beneficiaries.

Social Security

Social security coverage is required for participants in all three retirement programs. Social security taxes must be paid in addition to the employee contribution to the appropriate retirement system.

Transfer

TRS

In general, transfer is possible to and from any other public retirement system of this state. Although New York State law provides for reciprocal transfer to other state systems having a like provision, no other state has such a provision in effect at this time.

ERS

In general, transfer is possible to and from any other public retirement system of this state. There are no provisions permitting transfer to and from public retirement systems of other states.

OPTIONAL RETIREMENT PROGRAM

As vested ORP benefits provided by contract are owned by the individual, transfer among thousands of public and private universities, colleges, private schools, teaching hospitals, foundations and other educational and research organizations throughout the country is possible.

Loans

TRS

Members with at least one year of service credit may borrow up to 75% of their member contribution balance. The minimum loan is \$1,000.

ERS

Same as TRS.

OPTIONAL RETIREMENT PROGRAM

Employees may borrow up to 50% of the accumulated value of their contracts, subject to regulations promulgated by the ORP carriers.

All loans are subject to Internal Revenue Service regulations. Current IRS regulations set a maximum loan balance of \$50,000.

Employee Contributions

ERS, TRS and ORP employee contributions are not subject to Federal income tax, but are included for State and local income tax purposes.

The TRS and ERS contributions are refundable if you do not qualify for a retirement allowance.

The Internal Revenue Service imposes a 10% tax penalty on refunds if you are under age 59 1/2 and do not roll the refund over into an Individual Retirement Account.

It should be noted that employees may also participate in the SUNY Voluntary Savings Programs. These programs provide employees the opportunity to contribute additional money toward retirement subject to limitations imposed by the Internal Revenue Code. Federal and state taxes on contributions are deferred until retirement. Additional information is available from your Human Resources Office.

Some Key Points

- Detailed information concerning the retirement programs is contained in the individual booklets for each program. If you need assistance, the Human Resources Officer at your campus, when necessary, will refer you to the appropriate representative from the programs for more complete information.
- If you are a full-time permanent employee, your election of a retirement program must be made within 30 days of your initial date of service. This will be your only opportunity to make such election during your employment with State University.
- If you are a part-time employee you may elect to join ERS, TRS (if eligible), or the ORP (if eligible) at any time.
- The two State systems, TRS and ERS, are designed primarily for those persons entering or continuing a career of public service within New York State. Under present legislation, ten years of member service are required in order to vest retirement benefits.
- The SUNY Optional Retirement Program offers mobility of pension benefits as annuity contracts are fully vested with the individual immediately upon issue. This coupled with the transferability to other educational and research organizations throughout the nation, permits University employees electing the ORP to continue their contracts if they leave State University.

- If you are an active member of another public system within New York State, you may be eligible to transfer your membership from that system to TRS or ERS. Or, if you were previously a member of TRS, ERS or another public retirement system within New York State (excluding the ORP) or eligible for such membership, you may be able to purchase credit for such service.
- Should you elect the Optional Retirement Program and at a later date leave the University to accept employment with another State agency, and thereby become an active member of TRS or ERS, you will not be permitted to establish credit for any service for which state contributions under the Optional Retirement Program were made on your behalf.
- Changes of benefits under TRS and ERS have been approved by the legislature from time to time. Under the Optional Retirement Program, benefits are provided in accordance with the terms of the contracts issued to individuals, and legislation affecting TRS or ERS would not apply to such contracts.
- Benefits under both State systems are guaranteed by constitutional provision. ORP benefits are payable in accordance with contracts issued by private insurers, and are not covered by constitutional provision.
- If you become a member of the Optional Retirement Program you may, at any time, commence participation with, terminate participation with, or transfer assets between any of the authorized investment providers.
- Members of ERS and TRS may purchase service credit for military service at a contribution rate of 6%. This benefit is not available in the Optional Retirement Program.

Retirement Program History Sheet

This form is used to communicate prior participation in a retirement system.

Name: _____

Social Security Number: xxx-xx-_____ Phone Number: _____

Title: _____

Email Address: _____

Campus: _____

1. Have you ever been a member of the SUNY
Optional Retirement Program (ORP)? Yes No

Name of Campus	Title of Position	Full or Part Time	From Mo/Day/Yr	To Mo/Day/Yr	Contract Number (If known)

2. Do you currently own a Fidelity, MetLife, VALIC,
or Voya basic retirement annuity contract to which
employer contributions were made? Yes No

Name of Vendor	Contract Number	Contributing Employer

3. Are you presently a member of the New York State
Employee's Retirement System (ERS)* or the
New York State Teacher's Retirement System (TRS)? Yes No

Name of Retirement System	Membership Number	Membership Date

4. Are you presently receiving a retirement benefit from
any public Retirement System of New York State? Yes No

Name of Retirement System	Retirement Date

Signature: _____ Date: _____

**If yes, and you desire to join the ORP but have less than ten years of service credit, contact your Human Resources Office and request Form ORP-4. Attach that form to this one when sending.*

Retirement Program Election Form

(PLEASE TYPE OR PRINT)

Name: _____

Social Security Number:

Phone Number: _____

Campus: _____

(This form must be submitted to the Office of Human Resources at your campus within 30 days of your initial date of eligible appointment.)

Having satisfied myself as to the desired retirement program available to me by or pursuant to law in connection with my employment by State University of New York, I hereby elect to participate in the retirement program specified below.

- 1. New York State Teachers' Retirement System
- 2. New York State Employees' Retirement System
- 3. Optional Retirement Program
 - A. Teachers Insurance and Annuity Association and College Retirement Equities Fund (TIAA-CREF)
ALTERNATE FUNDING VEHICLES (AFV)
(Note: If you participate in an AFV at a State-operated campus, you must also elect TIAA-CREF)
 - B. Fidelity Investments
 - C. Metropolitan Life and Affiliated Companies
 - D. Variable Annuity Life Insurance Company (VALIC)
 - E. Voya Financial Services
- 4. I have been advised of my eligibility and elect to decline membership in a retirement system at this time (only for non-mandatory positions).

Signature: _____ Date: _____

NOTE: Upon timely receipt of this form, the Human Resources Officer will send you the appropriate application and other forms for the retirement program you elected above.



Office of University-wide Human Resources
State University Plaza
Albany, New York 12246
www.suny.edu/benefits