

# Tier 6 Benefit Information

## Comparison of Employees' Retirement System (ERS) Key Benefits

New York State Office of the State Comptroller  
Thomas P. DiNapoli



Tiers 3 & 4	Tier 5	Tier 6												
<b>Membership Dates</b>														
<b>Tier 3:</b> July 27, 1976 through August 31, 1983  <b>Tier 4:</b> September 1, 1983 through December 31, 2009	January 1, 2010 through March 31, 2012	April 1, 2012 and after												
<b>Vesting</b>														
After earning 5 years of service credit	After earning 10 years of service credit	After earning 10 years of service credit												
<b>Employee Contributions</b>														
3% of gross salary until 10 years of membership or service credit	3% of gross salary for all years of public service except: <ul style="list-style-type: none"> <li>State Correction Officers whose contributions are limited to 30 years</li> <li>Uniformed Court Officers and Peace Officers employed by the Unified Court System (UCPO) who contribute 4% for all years of public service</li> </ul>	Same as Tier 5 except for the percentage rate: <ul style="list-style-type: none"> <li>From April 1, 2012 — March 31, 2013, all Tier 6 members contributed 3% of gross salary, except Uniformed Court Officers and Peace Officers employed by the Unified Court System who contributed 4%</li> <li>Beginning April 1, 2013, contribution rates are based on annualized wage</li> </ul> <table border="1" data-bbox="1036 898 1479 1125"> <thead> <tr> <th>Wages</th> <th>Contribution Rate</th> </tr> </thead> <tbody> <tr> <td>\$45,000 or less</td> <td>3.00%</td> </tr> <tr> <td>\$45,000.01 to \$55,000</td> <td>3.50%</td> </tr> <tr> <td>\$55,000.01 to \$75,000</td> <td>4.50%</td> </tr> <tr> <td>\$75,000.01 to \$100,000</td> <td>5.75%</td> </tr> <tr> <td>More than \$100,000</td> <td>6.00%</td> </tr> </tbody> </table>	Wages	Contribution Rate	\$45,000 or less	3.00%	\$45,000.01 to \$55,000	3.50%	\$55,000.01 to \$75,000	4.50%	\$75,000.01 to \$100,000	5.75%	More than \$100,000	6.00%
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<b>Retirement Age</b>														
<ul style="list-style-type: none"> <li>Full benefits at age 62, or at age 55 with at least 30 years of credited service</li> <li>Reduced benefits at age 55 with less than 30 years of credited service</li> </ul>	<ul style="list-style-type: none"> <li>Full benefits at age 62</li> <li>Reduced benefits at age 55</li> <li>Full benefits at age 55 for UCPOs with at least 30 years of creditable service</li> </ul>	<ul style="list-style-type: none"> <li>Full benefits at age 63</li> <li>Reduced benefits at age 55</li> </ul>												
<b>Reductions for Early Retirement</b>														
27% permanent reduction at age 55  <i>See plan booklet for entire benefit reduction chart.</i>	38.33% permanent reduction at age 55  <i>See plan booklet for entire benefit reduction chart.</i>	52% permanent reduction at age 55  <i>See plan booklet for entire benefit reduction chart.</i>												
<b>Final Average Salary (FAS) Calculation</b>														
The average of the wages earned during the <b>three</b> highest consecutive years of service, subject to limitations.	The average of the wages earned during the <b>three</b> highest consecutive years of service, subject to limitations.	The average of the wages earned during the <b>five</b> highest consecutive years of service, subject to limitations.												
<b>FAS Limitation</b>														
The wages in any year cannot exceed the average of the previous <b>two</b> years by more than 10%.	The wages in any year cannot exceed the average of the previous <b>two</b> years by more than 10%.	The wages in any year cannot exceed the average of the previous <b>four</b> years by more than 10%.												

Tiers 3 & 4	Tier 5	Tier 6
<b>Payments Not Included in FAS</b>		
<ul style="list-style-type: none"> <li>• Unused sick leave</li> <li>• Payments made as a result of working vacation</li> <li>• Any form of termination pay</li> <li>• Payments made in anticipation of retirement</li> <li>• Lump sum payments for deferred compensation</li> <li>• Any payments made for time not worked</li> </ul>	<ul style="list-style-type: none"> <li>• Unused sick leave</li> <li>• Payments made as a result of working vacation</li> <li>• Any form of termination pay</li> <li>• Payments made in anticipation of retirement</li> <li>• Lump sum payments for deferred compensation</li> <li>• Any payments made for time not worked</li> </ul>	<ul style="list-style-type: none"> <li>• Unused sick leave</li> <li>• Payments made as a result of working vacation</li> <li>• Any form of termination pay</li> <li>• Payments made in anticipation of retirement</li> <li>• Lump sum payments for deferred compensation</li> <li>• Any payments made for time not worked</li> <li>• Lump sum payments for accumulated vacation</li> <li>• Wages in excess of the Governor's salary, currently \$179,000</li> <li>• For members paid by three or more employers, wages paid by more than two of those employers</li> </ul>
<b>Overtime Limit</b>		
None	<ul style="list-style-type: none"> <li>• Overtime pay that exceeds the limit cannot be used in the FAS calculation</li> <li>• The limit increases by 3% each calendar year (January 1 - December 31). View the overtime limitation chart at <a href="http://www.osc.state.ny.us/retire/employers/tier-5/ers_benefits.php">www.osc.state.ny.us/retire/employers/tier-5/ers_benefits.php</a>.</li> </ul>	<ul style="list-style-type: none"> <li>• Overtime pay that exceeds the limit cannot be used in the FAS calculation <i>Jan-Dec</i></li> <li>• The limit increases each State <del>year</del> <i>calendar</i> year (April 1 - March 31) based on the consumer price index as of December 31 of the previous year. View the overtime limitation chart at <a href="http://www.osc.state.ny.us/retire/employers/tier-6/ers_benefits.php">www.osc.state.ny.us/retire/employers/tier-6/ers_benefits.php</a>.</li> </ul>
<b>Service Retirement Benefit Calculation</b>		
<ul style="list-style-type: none"> <li>• <b>With &lt; 20 years of service:</b> 1.66% of FAS times years of credited service</li> <li>• <b>With 20–30 years of service:</b> 2% of FAS times years of credited service</li> <li>• <b>For years of service &gt; 30:</b> Additional 1.5% of FAS</li> </ul>	<ul style="list-style-type: none"> <li>• <b>With &lt; 20 years of service:</b> 1.66% of FAS times years of credited service</li> <li>• <b>With 20–30 years of service:</b> 2% of FAS times years of credited service</li> <li>• <b>For years of service &gt; 30:</b> Additional 1.5% of FAS</li> </ul>	<ul style="list-style-type: none"> <li>• <b>With &lt; 20 years of service:</b> 1.66% of FAS times years of credited service</li> <li>• <b>With 20 years or more of service:</b> 35% of FAS for 20 years of service plus 2% of FAS for years of service &gt; 20</li> </ul>
<b>Sick Leave Credit (Section 41(j) RSSL)</b>		
Eligible members may receive service credit for up to 165 days (200 days for some members employed by New York State) of unused, unpaid sick leave days at retirement.	Eligible members may receive service credit for up to 165 days (200 days for some members employed by New York State) of unused, unpaid sick leave days at retirement.	Eligible members may receive service credit for unused, unpaid sick leave days at retirement. The maximum number of creditable sick leave days is generally 100, but can be 165 (or 200 days for some members employed by New York State).