



# Law Enforcement Officers (PERS-LEO) Member Guidebook Addendum



## INTRODUCTION

N.J.S.A. 43:15A-97 established the Law Enforcement Officer (LEO) category as a special group of the Public Employees' Retirement System (PERS). The LEO group is eligible for enhanced retirement benefits not available to regular PERS members.

This Guidebook Addendum addresses the benefits available to LEO members that are different from the benefits available to regular PERS members. If a topic is not specifically addressed in this addendum, LEO members should refer to the information in the *Public Employees' Retirement System (PERS) Member Guidebook*.

Benefits and provisions of the PERS are subject to changes by the legislature, courts, and other officials. While this guidebook addendum outlines the benefit and contribution schedules of the PERS, it is not a final statement. Complete terms governing any employee benefit program are set forth in the New Jersey Statutes Annotated. Regulations, new or amended, are published in the New Jersey Register by the State Office of Administrative Law supplementing the New Jersey Administrative Code.

## MEMBERSHIP

### Eligibility

Individuals who do not meet the age or medical requirements for entry into the Police and Firemen's Retirement System (PFRS) as a result of employment in the titles listed below are eligible to participate in the LEO category or as a regular member of the PERS.

Any person employed in an eligible job title who meets the enrollment criteria will be enrolled in the LEO category of PERS membership, unless the member specifically signs a *Law Enforcement Officer — Waiver Form* within 90 days of receiving the LEO eligibility notification. A LEO-eligible individual who signs the waiver will be enrolled as a non-law enforcement officer in the regular PERS retirement system; however, all employees holding LEO-eligible titles are subject to the Compulsory Retirement provisions (see the "Compulsory Retirement" section).

The category of individuals authorized to participate as LEO members is limited and is specifically defined in the law by titles of positions (N.J.S.A. 43:15A-97).

### PERS LEO-Eligible Titles

The following titles are covered by the LEO designation:

#### **Division of Fish and Wildlife**

Conservation Police Officer

#### **Office of County Prosecutor**

County Detective

Lieutenant of County Detectives

Captain of County Detectives

Chief of County Detectives

County Investigator

#### **Office of County Sheriff**

Sheriff's Officer

Sergeant Sheriff's Officer

Lieutenant Sheriff's Officer

Captain Sheriff's Officer

Chief Sheriff's Officer

Sheriff's Investigator

#### **Palisades Interstate Park Commission**

Patrolman

Police Officer

## VESTING

LEO members must have contributed for at least 10 years in order to receive the LEO calculation of the benefit.

## RETIREMENT

Individuals classified as LEOs are entitled to enhanced retirement benefits, provided they retire directly from a LEO-eligible position and meet the age and service requirements outlined below. LEO members can retire at a younger age than non-LEO members of the PERS. The following are the retirement qualifications and calculations that are unique to LEO members, and are based on your Final Average Salary.

**'Final Average Salary' (FAS)** means your average base salary for the three years immediately preceding your retirement. If your last three years are not your highest years of salary, your allowance will be calculated using your three highest fiscal (July 1 - June 30) years of salary.

### Service Retirement

Service Retirement is permitted at age 55 after 20 years of LEO service. The annual retirement allowance is equal to two percent of the FAS times the number of years of LEO service for which contributions were made, up to 25 years, plus one percent for each year of LEO service over 25 years. LEO members who have other non-LEO PERS service are also entitled to an additional 1.81 percent of the FAS for each year of non-LEO PERS service credit.

N.J.S.A. 43:16A-11.1 provides for a supplementary "special" retirement allowance equal to five percent of the FAS for LEO members who retire with 25 or more years of LEO service. However, under no circumstances can a LEO member receive a total retirement allowance greater than 70 percent of FAS.

**Non-LEO Service Retirement** – A LEO member with 10 or more years of LEO service, who either does not meet the qualifications for a Service Retirement as outlined above or is not in an eligible LEO position at the time of retirement may retire under the Service Retirement provisions available to non-LEO members of the PERS if the member meets the age requirements (based on the applicable membership tier).

In addition to any retirement allowance based on non-LEO service, the LEO member is entitled to a retirement allowance equal to two percent of the FAS times the number of years of LEO service for which contributions were made (up to 25 years, plus one percent for each year of LEO service over 25 years).

See the *PERS Member Guidebook* for more information on non-LEO Service Retirement.

### Ordinary Disability Retirement

Ordinary Disability Retirement is permitted after five years of LEO service. The annual retirement allowance is equal to 43.6 percent of the FAS.

See the *PERS Member Guidebook* for more information on Ordinary Disability Retirement.

### Accidental Disability Retirement

While all other benefits of a LEO Accidental Disability Retirement are similar to that of the regular PERS (72.7 percent of the base salary at the time of the traumatic event), there is a minimum \$5,000 group life insurance death benefit in the event of death after retirement.

See the *PERS Member Guidebook* for more information on Accidental Disability Retirement.

### Accidental Disability for World Trade Center Responders

P.L. 2019, c. 157 (Chapter 157), the Bill Ricci World Trade Center Rescue, Recovery, and Cleanup Operations Act, permits Tier 1, 2, and 3 PERS LEOs to file for an Accidental Disability Retirement benefit if the member is or is to become totally and permanently disabled due to participation in the rescue, recovery, or cleanup operations at the World Trade Center.

For more information, please refer to the *Accidental Disability Retirement Under Chapter 157* Fact Sheet.

### Compulsory Retirement

Non-veterans must retire by the first day of the calendar month after attaining age 65. However, veterans who lack 20 years of PERS service credit at age 65 must retire as soon as they have 20 years of such service or on attainment of 70 years of age, whichever is earlier.

**Note:** A PERS member who is eligible to participate as a LEO, regardless of whether he or she waives the right to participate in the LEO category or not, is subject to the Compulsory Retirement provisions applicable to LEO-eligible members.

### **OPTIONAL SETTLEMENTS AT RETIREMENT**

The pension payment options available to LEO members and their survivors are the same as for regular PERS members. Please see the *PERS Member Guidebook* for more information.

### **HEALTH BENEFITS COVERAGE AT RETIREMENT**

If your employer participates with the State Health Benefits Program (SHBP), see your employer or the *Health Benefits Coverage — Enrolling as a Retiree* Fact Sheet for more information.

If your employer participates with a different health benefits plan, see your employer about any post-retirement health benefits coverage options available to you.

**Chapter 330** — A LEO member who retires from an employer who does not provide any payment towards the retiree's health coverage or reimbursement of Medicare Part B premiums may be eligible for SHBP enrollment under P.L. 1997, c. 330 (Chapter 330). Further information about Chapter 330 is detailed in the *Health Benefits Retired Coverage Under Chapter 330* Fact Sheet, which is available on the New Jersey Division of Pensions & Benefits (NJDPB) website: [www.nj.gov/treasury/pensions](http://www.nj.gov/treasury/pensions)

### **OTHER PROVISIONS OF THE PERS**

The rules regarding Contribution Rates, Purchasing Service Credit, Loans, Group Life Insurance (with the exception of Accidental Disability Retirement), and Withdrawal from the PERS LEO are the same as those for regular PERS members. Please see the *PERS Member Guidebook* or your benefits representative for more information regarding these benefits.