

# 55/25 Early Retirement Program



The Early Retirement Program enacted by Chapter 96 of the Laws of 1995 allows participants to retire at age 55 with at least 25 years of *Credited Service*.

Words that are italicized throughout this brochure have special meaning, and possibly require further explanation. The definitions of these words can be found on the back of this brochure.

## ELIGIBILITY

City employees who were employed in an *Eligible Position* on June 28, 1995 (Chapter 96 enactment date) AND who were NYCERS' members on that date, must have elected to participate in the 55/25 Early Retirement Program within 90 days after June 28, 1995 by filing an election form with NYCERS.

City employees who were employed in an *Eligible Position* on June 28, 1995, BUT WERE NOT NYCERS' members on that date, will have 90 days after the date they join NYCERS to file a plan election form with NYCERS in order to become a participant in the 55/25 Early Retirement Program.

## ELIGIBILITY TO QUALIFY FOR BENEFITS

### Service Retirement

A *Participant* must be at least age 55 AND have 25 or more years of *Credited Service*, of which at least two years is Membership Service, to be eligible to receive a Service Retirement Benefit. *Participants* must meet **BOTH** the AGE and SERVICE requirements of the Program. A *Participant* with 25 or more years of *Service* in *Physically-Taxing Positions* may retire as early as age 50 with no reduction in benefit due to age.

### Vested Retirement

There is no provision for vesting or deferring your retirement benefits under this program. *Participants* must meet both age and service requirements in order to be eligible for service retirement.

*Participants* who do not meet the age and service requirements may vest their retirement benefit under the 62/5 Plan (five or more years of *Credited Service* payable at age 62).

## SERVICE RETIREMENT BENEFIT

The Service Retirement Benefit is computed as follows:

2% times *Final Average Salary (FAS)* times years of *Credited Service*, up to 30 years of such service,

**plus**

1½% times *FAS* times years of *Credited Service* in excess of 30 years

ONCE AN ELECTION TO PARTICIPATE IN THE 25-YEAR AND AGE 55 EARLY RETIREMENT PROGRAM IS FILED WITH NYCERS IT MAY NOT BE REVOKED

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## AMCs are MANDATORY

In addition to the Basic Member Contributions of 3% of *Wages* that all Tier 4 members are required to pay, the following *Additional Member Contributions (AMCs)* are required:

- 4.35% for service through December 31, 1997
- 2.85% for service on or after January 1, 1998
- 1.85% for service after December, 2001
- *Participants* employed in *Physically-Taxing Positions* must contribute an additional 1.98% of their gross *Wages* each payroll period.
- *Participants* who previously were in the Transit 25/55 Program any time from December 15, 2002 until their entry into this Program are not required to pay *AMCs* for that time period

*Participants* who were not members of NYCERS or the Board of Education Retirement System (BERS) on July 1, 1993 are required to pay retroactive *AMCs* on *Wages* earned from all *Credited Service* (including buy-back, transferred, and non-eligible-position service) prior to the starting date of the 55/25 Program.

## REFUNDS

Refunds of the employee portion (50%) of the *AMCs*, with interest, are permitted only in the event of:

- death
- disability retirement
- service retirement at age 62 or later (vestees under the 62/5 plan are not eligible for refunds at age 62)
- termination for economic reasons
- transfer to another New York City or State retirement system (including BERS, provided the *Participant* does not hold an *Eligible Position* for BERS' 55/25 Program)

Refunds are also permitted (employee portion only) in the event of discontinuance of participation within two years of first becoming a *Participant*, or between 11/1/97 and 1/30/98, whichever is later, (by filing an election form with NYCERS to withdraw from participation in the Program), for members who cannot possibly accumulate 25 years of *Credited Service* by age 62.

*Participants* in the 55/25 Program who retire between the ages of 55 and 62, with 25 or more years of *Credited Service* in *Physically-Taxing Positions* (with *Active Service* as a *Participant* immediately prior to retirement, and a total of at least six months of *Active Service* as a *Participant* in each of the previous two 12-month periods) may receive a refund of the employee portion (50%) of their *AMCs* (at the 1.98% rate) that is attributable to *Physically-Taxing Service*.

NYCERS' Call Center:

(347) 643-3000 or 1-877-6NYCERS  
347-643-3501 - TTY (hearing impaired)

Mail:

335 Adams Street, Suite 2300  
Brooklyn, NY 11201-3724

Visit:

Customer Service Center:  
340 Jay Street, Mezzanine Level

Web Site:

[www.nycers.org](http://www.nycers.org)

## DEFINITIONS

**Active Service:** service rendered while the employee is on the payroll and being paid by the City of New York or a Participating Employer.

**Additional Member Contributions (AMCs):** contributions that are in addition to the Basic Member Contributions that are required to be paid each payroll period. All AMCs are maintained in the Retirement Reserve Fund.

**Credited Service:** service rendered while a member of NYCERS; service transferred from another New York City or New York State Public Retirement System; and/or all purchased service.

**Eligible Position:** any position in City service EXCEPT:

- any position held by a Transit Authority Member eligible to participate in the 25-Year and Age-55 Retirement Program (whether or not such a Member is a Participant in that Program)
- any position in the uniformed forces of the NYC Departments of Correction and Sanitation
- the positions of Bridge & Tunnel Officer, Bridge and Tunnel Sergeant, Bridge and Tunnel Lieutenant, Assistant Bridge and Tunnel Maintainer, Bridge and Tunnel Maintainer, Senior Bridge and Tunnel Maintainer, and Laborer with the Triborough Bridge and Tunnel Authority
- any positions in the Division of Housing and Urban Renewal
- any position in the Unified Court System
- any teaching position with the City University of New York (CUNY), and
- Investigators employed in a District Attorneys' office

**Final Average Salary (FAS):** the greater of the average annual wages earned during any three consecutive calendar year periods, or the final 36 months immediately preceding retirement. Salary earned during any year (included in whichever three-year average is utilized) cannot exceed the average of the previous two years by more than 10%.

**Participant:** a member of NYCERS who elects to participate in the 55/25 Early Retirement Program.

**Physically Taxing Position:** an eligible position on the official physically taxing list promulgated and maintained by the Office of Labor Relations.

**Wages:** any earnings paid for services rendered in public employment in NYC or NYS.