

# Stanislaus County Employees' Retirement Association

## Tier II Information



1937 Act Retirement System

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**OCTOBER 2000**

TO THE MISCELLANEOUS TIER 2 MEMBERS OF THE STANISLAUS COUNTY EMPLOYEES' RETIREMENT ASSOCIATION:

This booklet has been prepared by the Stanislaus County Employees= Retirement Division (StanCERA) to provide you with a basic review of the more important provisions of your retirement benefits as governed by the County Employees' Retirement Act of 1937 (Government Code Sections 31450 et seq.). Because of changes in both the law and its interpretation along with effects of Federal regulations this booklet does not seek to contain all of the answers. Please feel free to contact StanCERA with any questions, which are unanswered in this booklet.

Contact information is included below:

Stanislaus County Employees= Retirement Association  
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Modesto, CA 95353-3150  
Phone: (209) 525-6393  
Fax: (209) 525-4334  
Internet: [www.stancera.org](http://www.stancera.org)  
E-Mail: Groupwise - retirement  
E-Mail: Internet - [retirement@mail.co.stanislaus.ca.us](mailto:retirement@mail.co.stanislaus.ca.us)

The intent of this booklet is to inform you about the basic retirement benefits available to you through your employment. State law, Board of Supervisor's actions, and the Board of Retirement Bylaws and actions govern your retirement benefits and the administrative procedures to derive those benefits.

Sincerely,

Robert Harmon, Administrator  
Stanislaus County Employees'  
Retirement Association

## **RETIREMENT ASSOCIATION SYSTEM WIDE INFORMATION**

The following information deals with the Retirement Association's history, composition, structure and benefits.

### **GENERAL INFORMATION**

Your 1937 Act retirement benefits are a significant part of your benefits package as an employee and as such we strongly recommend that you and your beneficiaries become thoroughly aware of the provisions of the retirement system and keep this booklet with other important personal records.

Statements in this booklet are general in nature and grossly simplified. The final determination of any retirement issue is governed by administrative decisions made pursuant to pertinent Federal and State laws and both Board of Supervisors and the Board of Retirement actions and Bylaws.

### **BRIEF HISTORY**

Date	Event
July 1, 1948	Board of Supervisors established the retirement system
May 1, 1958 (Effective 01/01/56)	Miscellaneous members' integration with Social Security retroactive to January 1, 1956
Year 1960 (Effective 01/01/56)	Safety members' integration with Social Security retroactive to January 1, 1956
January 1, 1970	Effective date of maximum 3% cost-of-living adjustment for retirees' allowances
January 1, 1971	Fixed Formula and "Safety Member" provisions adopted
September 1, 1971	Final average salary based on member's highest 12 months salary (instead of highest 36 months)
March, 1973	Minimum retirement age lowered to 50 (from 55)
May 8, 1973	\$750.00 death benefit for retired employees
June 19, 1973	Members allowed to add other public service credit

## **BRIEF HISTORY CONTINUED**

Date	Event
July 1, 1974	Board of Supervisors' adopts higher Miscellaneous member benefits of Government Code Section 31676.12
December 1, 1975	County begins paying one-half of members' contributions as an employer contribution
September 8, 1976	Survivor benefits extended to children as well as surviving spouses
June 8, 1977	Employees with 30 years of service cease to contribute to contributions providing the member was a member on March 7, 1973 and remained in membership continuously until credited with 30 years= service. Due to County's payment of 2 of member's contributions - 30 year members receive additional pay
July 1, 1980	Tier 2 retirement plan commencement
July 1, 1981	Payment of hospitalization insurance for retirees began
December 1, 1984	Raised retiree death benefit from \$750.00 to \$1,000.00
April, 1986	Elective Tier 3 retirement plan implemented (Miscellaneous members only)
January 1, 1990	New hires are subject to IRS Code Section 415 limits Probation Officers became Safety Members
July 1, 1990	Managers with reciprocity allowed into Tier 1 if they had higher benefits in the preceding reciprocal system
September 1, 1990	Probation Officers are Misc. members for 3 years before becoming Safety members (Repealed 05/13/98)
January 4, 1997	Group Supervisors are Misc. Members for 3 years before becoming Safety members (Repealed 05/13/98)
January 7, 1997	Management and Confidential members can convert sick leave accrued above employee's individual maximum to service credit on an hour for hour basis upon retirement.

## **BRIEF HISTORY CONTINUED**

May 13, 1998	Group Supervisors, Senior Group Supervisors, Deputy Probation Officer, or Supervising Probation Officers shall become a safety member on the first day of entrance into service.
July 8, 1998	50th Anniversary of Association Celebration
January 1, 1999	Retiree health insurance of 5% of maximum per year of employer service (up to a maximum \$320) paid per month.  Raised retiree death benefit from \$1,000 to \$5,000  Retiree adhoc Special COLA paid to retirees with 25%+ in COLA credits (retired on or before April 1, 1981)

## **BENEFIT ORIGINATION**

The retirement benefits described in this booklet originate from California State law as approved by the Stanislaus County Board of Supervisors through resolution, memorandum of understanding with employee bargaining units or other action. These other documents govern your retirement benefits.

The retirement system is self-funded and unique. No other California county has exactly the same retirement system that we enjoy as members of the Stanislaus County Employees' Retirement Association.

All of the retirement plans administered by StanCERA are DEFINED BENEFIT plans. Defined benefit plans are based on criteria other than your contributions and accrued interest. Our retirement plans are all based on three factors: your final average salary, your length of service and your age. All three factors are multiplied together with the result that the higher your salary is, the longer you serve and the older you are the greater your retirement allowance will be.

## **MANAGEMENT AND ADMINISTRATION**

The California State legislature realized that managing retirement benefits would require a specialized board. Therefore, the State mandated that the management of the retirement system be directed by a board consisting of elected and appointed individuals. The Retirement Board is comprised of nine members. The seat designations, manner of joining and terms are listed below:

## **MANAGEMENT AND ADMINISTRATION CONTINUED**

Seat No.	Manner of Joining Board	Term
1	Stanislaus County Treasurer	Ex-officio
2	Employee elected by Misc. Members	3 years
3	Employee elected by Misc. Members	3 years
4	Appointed by the Board of Superv.	3 years
5	Appointed by the Board of Superv.	3 years
6	Appointed by the Board of Superv.	3 years
7	Employee elected by Safety Members	3 years
	Alternate elected by Safety Members	3 years
8	Retiree elected by retirees	3 years
9	Appointed by the Board of Superv.	3 years

The Board of Retirement sets policy for operation of the Retirement Association, makes determinations for disability retirement benefits, recommends contribution rates based on actuarial studies, controls the investment of assets and authorizes the disbursement of Association funds.

The Board of Retirement meets on the second Wednesday of each month at 2:00 p.m. in the Stanislaus County Administration Building 1010 10th Street, Modesto in Conference Room 2008. Board meetings focusing on investment issues are held on the fourth Tuesday of each month at the same time and location. Special meetings or changes to the above schedule can be made by the Board or its Chairperson. The meetings are open to the public.

Day to day administration of membership counseling, information gathering, and accounting for Retirement Association assets is led by the Stanislaus County Treasurer who is appointed by the Board to be the Retirement Association's Administrator. The Administrator has staff to process your applications for retirement, refunds, deferred retirement, reciprocity, benefit payments and answer retirement questions.

Please refer to page one for the appropriate contact information. An annual report will keep you apprised of the financial and statistical figures generated by the Retirement Association's activities.

## **MEMBERSHIP**

All employees hired into full-time classifications of Stanislaus County, the City of Ceres or five Districts (all employer members of the Retirement Association) are automatically members of the Retirement Association. Employees hired before October 1, 1988 became members on the first day of the calendar month following their date of hire. Employees hired on or after October 1, 1988 become members on the date of hire.

Membership may be waived if you are age 60 or older upon hire or if you have been elected to your position in the County.

## **MISCELLANEOUS TIER 2 EMPLOYEES ARE:**

1. Non-Safety employees hired on or after 7-1-80 who did not elect Tier 3.

## **INTEGRATION WITH SOCIAL SECURITY**

All members of the Retirement Association are now covered under both the County employees Retirement Act of 1937 ("the 1937 Act") and the Federal Social Security program. Our retirement system is integrated with Social Security, which means that our plan's benefits and contributions are reduced or offset in acknowledgment that you are covered under both systems.

All Tier 2 members contribute 1/3 less on the first \$350 per month (\$161.54 biweekly) of pay and receive 1/3 less benefits on the first \$350 per month of final compensation used for the calculation of the retirement allowance.

Government Code Section 31810 allows members to receive an augmented Retirement Association allowance before age 62 and a reduced allowance after age 62 to coordinate benefits with Social Security. Questions regarding Social Security benefits, applications and eligibility should be directed to a Social Security office. In Modesto the office is located at 1230 12th Street, telephone (209) 523-2670 or 1-800-772-1213 (no charge to calling party). StanCERA does not have the expertise to answer questions or the authority to resolve any problems which arise regarding your Social Security benefits.

## **ENROLLMENT**

When you are hired into a permanent position with benefits, you complete an enrollment questionnaire, which contains a lot of pertinent information needed for retirement benefit administration. You will need to also supply some proof of birth (ex: photocopy of your birth certificate) and if you are hired on or after January 1, 1990, you will need to read and sign a notice concerning Internal Revenue Service Code Section 415 relating to limitations on retirement benefits as imposed by the Federal government.

## **BENEFICIARY DESIGNATION WHILE EMPLOYED**

One of the important items on your enrollment forms is the designation of your beneficiary. If you are married, your beneficiary is your spouse. If you are not married but have minor children, these children are your beneficiaries. If you are not married and have no minor children, you may designate any other person or persons by name as your beneficiary.

**YOUR BENEFICIARY DESIGNATION IS IMPORTANT. YOU ARE ELIGIBLE FOR BENEFITS TO BE PAID IF YOU SHOULD DIE WHILE YOU ARE STILL EMPLOYED WITHIN THE RETIREMENT ASSOCIATION.**

## RECIPROCITY

If you left employment from an employer covered by a retirement system in another 1937 Act County or the California Public Employees Retirement System (PERS) and became employed by an employer covered in our Retirement Association within 180 days (6 months), you are eligible for reciprocal benefits between the two systems if you did not terminate membership in the first system by withdrawing your contributions.

Reciprocal benefits include lower contribution rates and the use of the higher salary from either system to calculate your retirement allowance. You may also use the years in both systems towards vesting requirements (5 years for Tier 2 ). When calculating actual retirement benefits, each system will use its own unique formula with the years of service within its own system. You cannot "double-up" your years of service in one system for the purpose of receiving retirement benefits from that system.

Reciprocal benefits also apply if you should terminate with an employer in the Retirement Association and then become employed with an employer having a retirement system under the 1937 Act, California PERS, or other reciprocal public employer within 180 days (6 months). If you elect reciprocity, your contributions to StanCERA remain on deposit with the Association and you cannot withdraw them unless you terminate your employment and withdraw from the retirement system into which you have transferred. The 1937 Act County Retirement Systems are listed below:

Alameda	Los Angeles	Sacramento	Santa Barbara
Contra Costa	Marin	San Bernardino	Sonoma
Fresno	Mendocino	San Diego	Tulare
Imperial	Merced	San Joaquin	Ventura
Kern	Orange	San Mateo	

We are also reciprocal with the California Public Employees' Retirement System (PERS), the County of San Luis Obispo, and the City and County of San Francisco.

## MISCELLANEOUS TIER 2 BENEFITS INFORMATION

If you were hired after June 30, 1980 into a permanent position with benefits with an employer of the Association and the position did not require you to perform active, criminal law enforcement or fire suppression you were originally a Miscellaneous (non-safety) Tier 2 member. If you did not elect to be refunded your contributions in 1986 and accept the Tier 3 retirement plan, you are still a Tier 2 member. If you were originally a Tier 2 member and elected deferred retirement upon leaving employment and then you were rehired into employment in the Association, you are still a Tier 2 member.

The entire retirement system is financed by member contributions, employer contributions and investment earnings. Your contributions (payroll deductions for retirement) are calculated as a three-step percentage of your pay. The two percentages used for your "basic" retirement benefit contribution are based on actuarially determined

## **MISCELLANEOUS TIER 2 BENEFITS INFORMATION CONTINUED**

rates to provide you with an annual annuity equal to 1/200th of your final compensation at age 60. A member's "cost-of-living" ("COL") rate is used as a percentage (the third percentage) of the "basic" contribution dollar amount. The COL contributions help to fund cost of living increases during your retirement years.

The actual rates, which are used for each member, are determined by actuaries and normally change annually with the first pay for time worked in July. The rates are differentiated by age upon entrance into the Retirement Association so that employees who started in the retirement system at a younger age pay lower percentages than employees who were hired at an older age.

### **RETIREMENT BENEFITS AND ELIGIBILITY**

Upon termination of service with an Association employer you will need to determine which of the following benefit payments you are eligible for and of those, which you choose to take.

**APPROPRIATE FORMS MUST BE FILED WITH STANCERA BEFORE ANY ACTION IS TAKEN. PLEASE DO NOT ASSUME THAT YOUR STATUS UPON TERMINATION IS AUTOMATICALLY KNOWN OR GIVEN. YOU MUST DECIDE WHAT YOU WANT TO DO WITH YOUR RETIREMENT BENEFITS UPON TERMINATION OF EMPLOYMENT AND FILE THE APPROPRIATE FORM WITH THE TREASURER'S OFFICE/RETIREMENT DIVISION.**

1. **Refund of your contributions with interest**

All Tier 2 Miscellaneous members are eligible to have their contributions with interest refunded to them upon termination. If you choose to be refunded, you waive all other retirement benefits and will NOT receive a benefit of any employer-paid monies.

2. **Deferred retirement on a transfer basis (Reciprocity)**

All Tier 2 Miscellaneous members are eligible to elect to leave their contributions on deposit with the Association and defer their retirement if they are employed and covered by a reciprocal retirement system (see page 6) within 180 days after the employee leaves employment with the Association.

Certain advantages accompany your decision. You will make lower contributions if the new system requires member contributions, which are based on age at entrance because the new system will use the same age at entrance that our Association uses. Upon retirement, both systems will use the highest final average salary and you can use the years of service from both systems to meet one or both retirement systems' minimum qualifications for retirement benefits (vesting requirements).

## **RETIREMENT BENEFITS AND ELIGIBILITY CONTINUED**

**CAUTION: PLEASE BE AWARE THAT YOU ARE NOT ELIGIBLE TO WITHDRAW YOUR RETIREMENT CONTRIBUTIONS, WHICH ARE ON DEPOSIT WITH OUR ASSOCIATION UNTIL YOU, LEAVE AND WITHDRAW FROM THE RETIREMENT SYSTEM TO WHICH YOU ARE TRANSFERRING. WITHDRAWAL OF FUNDS IS ALSO CONTINGENT UPON THE BOARD OF RETIREMENT'S APPROVAL.**

Pursuant to Section '31700.1(c) any member whose retirement system coverage ceases but who does not terminate employment shall leave their accumulated contributions in the retirement fund, interest shall continue to be credited until the member retires or terminates employment.

### **3. Deferred retirement (Non-transfer basis)**

All Tier 2 Miscellaneous members are eligible to elect to leave their contributions on deposit with the Association and defer their retirement if they have completed five or more years of service. The member may elect to withdraw his/her funds upon request with the approval of the Retirement Board. If you continue to leave your funds on deposit with the Association and return to full-time employment within the Association, you will also return with the same Tier status. If a member re-enters Association employment, the member will make contributions based on his/her new age at entry unless the elapsed time between leaving and returning to full time employment is 180 days or less.

### **4. Death while still employed within the Association - Ordinary**

If you die while you are still employed within the Association, your beneficiary is entitled to one of the following death benefits:

- a. If you have less than 5 years of service, your beneficiary will receive your contributions and interest plus one month's salary for each full year of service completed.
- b. If you have completed five or more years of service, your surviving spouse or minor children will have a choice of:
  1. A lump sum benefit comprised of your contributions plus interest and one month's salary for each year of service completed up to a maximum six months' salary.  
OR
  2. A monthly retirement allowance equal to 60% of the monthly retirement allowance, which you would have received if you had been granted a non- service, connected disability retirement allowance.  
OR
  3. A combination of a lump sum benefit equal to one month's salary for each year of service completed up to a maximum six months' salary and a monthly retirement allowance, which is the actuarial

## **RETIREMENT BENEFITS AND ELIGIBILITY CONTINUED**

equivalent of a 60% continuance of your non- service connected disability retirement allowance less the lump sum benefit paid.

- c. If you have completed five or more years of service and do not have a surviving spouse or minor children, your nominated beneficiary will receive your contributions plus one month's salary for each full year of service completed up to a maximum of six months' salary.

**NOTE: SURVIVING SPOUSES AND MINOR CHILDREN HAVE PREEMPTORY RIGHTS OVER ANY OTHER WRITTEN BENEFICIARIES. MINOR CHILDREN WILL RECEIVE BENEFITS ONLY IF THERE IS NO SURVIVING SPOUSE. A SURVIVING SPOUSE RECEIVES BENEFITS FOR LIFETIME; MINOR CHILDREN RECEIVE BENEFITS UNTIL MARRIED, AGE 18 IF NOT ENROLLED IN SCHOOL OR AGE 22 IF ENROLLED IN AN ACCREDITED SCHOOL ON A FULL-TIME BASIS.**

### **5. Non-service connected disability retirement**

If you are permanently incapacitated from performing your job duties and the cause is not work-related (e.g. cancer, off hours car accident, diabetes, etc.) and you have completed five or more years of service, you are eligible for non-service connected disability retirement benefits. You must apply and complete the necessary paperwork in order to begin the processing of your claim for benefits. You must supply supporting medical evidence for your claim at your expense. The Association may require that you be examined by a physician at Association expense.

If the Retirement Board determines that you are eligible for non-service connected disability retirement benefits, you will begin receiving benefits effective upon the date of your application or the day after your last day on payroll, WHICHEVER IS LATER.

Payroll payments include work time, vacation time and sick time. Payments made from outside agencies such as State Disability Insurance (SDI) payments are not considered employer payroll payments. The amount of your retirement benefit is determined pursuant to Government Code Section 31727. The various factors and comparisons are outlined below:

- a. If you are 65, you shall receive a retirement allowance which is the same as your regular service retirement formula allowance (see Section 7 "Regular Service Retirement Benefits").
- b. If you are under 65 and must rely on two or more systems' service to show five years of service credit, you will receive 90% times 1/60th of your final compensation (monthly average of your highest 36 consecutive months) times the number of years of service which you completed in employment within the Association [Formula =  $.9 / 60 \times \text{FACE} \times \text{YEARS}$ ].
- c. If the formula in "b" is greater than one-third of your final average compensation earnable (FACE), you will receive the "b" formula amount [Formula =  $.9 / 60 \times \text{FACE} \times \text{YEARS}$ ].

## **RETIREMENT BENEFITS AND ELIGIBILITY CONTINUED**

- d. If the formula in "b" does not exceed one-third of your final average compensation earnable (FACE), you will receive 90% times 1/60th of your FACE multiplied by the total years of service which you could have rendered had you worked until you were 65 years of age BUT NOT OVER ONE-THIRD OF YOUR FINAL AVERAGE COMPENSATION EARNABLE. [Formula =  $.9 / 60 \times \text{FACE} \times (65 - \text{AGE} + \text{YEARS})$  IFF Formula is less than  $1/3 \text{ FACE}$ ]. "IFF" is "if and only if."
- e. If the formula in "d" exceeds one-third of your final average compensation earnable, then you will receive one-third of your final average compensation earnable (highest consecutive 36 months compensation monthly average).
- f. If your regular service retirement allowance exceeds the normal non-service connected disability retirement benefit as outlined above, then you will receive the amount of your regular service retirement benefit.

## 6. Service-connected disability retirement

If you are permanently incapacitated from performing your job duties and the cause is work-related (e.g. on the job injury or infection, etc.), you are eligible for service connected disability retirement benefits. You must apply and complete the necessary paperwork in order to begin the processing of your claim for benefits. You must supply supporting medical evidence for your claim at your expense. The Association may require that you be examined by a physician at Association expense.

If the Retirement Board determines that you are eligible for service connected disability retirement benefits, you will begin receiving benefits effective upon the date of your application or the day after your last day on payroll, WHICHEVER IS LATER. Payroll payments include work time, vacation time, and sick time. Payments made from outside agencies such as Worker's Compensation payments are not considered employer payroll payments.

The amount of your retirement benefit is determined pursuant to Government Code Section 31727.4, which provides that you will be paid one-half of your final average compensation earnable for your lifetime. If your regular service retirement benefits would be higher, then you shall receive those benefits.

**NOTE: REHABILITATION ALLOWANCES CAN BE PAID IF YOU ACCEPT ANOTHER POSITION OFFERED BY YOUR EMPLOYER IN LIEU OF A RETIREMENT ALLOWANCE.**

## **RETIREMENT BENEFITS AND ELIGIBILITY CONTINUED**

### **7. Regular service retirement**

If you fulfill the MINIMUM REQUIREMENTS, you will be eligible to receive a regular service retirement allowance. The minimum requirements are outlined below:

If you have completed 30 years of service, you are eligible to retire.

If you are at least 50 years old, have completed 5 years of service and have been an Association member for at least 10 years, you are eligible to retire.

Your regular service retirement allowance is calculated by multiplying a portion of your final average salary by your years of service and then multiplying by an age factor. Although the initial DEFINED BENEFIT appears relatively simplistic, the actual calculation has become more and more complex over the years due to various changes in employee payroll and fringe benefits. Each factor is handled below so that you can be aware of the variety of components in calculating your regular service retirement benefits:

#### **a. FINAL AVERAGE COMPENSATION EARNABLE (FACE)**

Your final average compensation earnable (FACE) is computed by adding up a consecutive period of compensation for your services rendered as an employee equal to three years and then dividing by thirty-six (36). "Compensation for services" includes regular, sick, vacation, certificate, shift differential, "Thirty-years' service pay," and other pay types for which retirement contributions are made. The employer's agent who is responsible for preparing your payroll check can tell you exactly what types of pay are included and which are excluded. (For the County the agent is the Auditor's Office).

"Three year equivalents" are 36 months, 78 biweekly periods, 156 weeks, 780 days or 6,240 hours. Types of pay, which are specifically excluded, are overtime and lump out of unused vacation or sick time upon termination. The "final" test of includable compensation is the compensation for which retirement contributions were made. Once you have determined what your average monthly salary is, then you need to split it into two amounts. The first amount is \$350.00 and the second is the remaining balance. The reason for splitting your salary in that fashion is that you are covered by both Social Security and Association retirement systems and the 1937 Act provides for integration of the first \$350 per month of salary. "Integration" means that you are paying one-third less on your first \$350 paid per month (\$161.54 biweekly) and you also receive one-third less benefit on the first \$350 per month of FACE.

After you have split your salary into its two components, then you use the appropriate divisor for each component. The first \$350 per month you divide by 90. The remaining balance you divide by 60. Please refer to the example for calculating regular service retirement benefits to see how the procedure works.

## RETIREMENT BENEFITS AND ELIGIBILITY CONTINUED

### b. YEARS OF SERVICE

The one factor, which you have the most control over, is the length of service. You began receiving retirement service credit on the first day you became a member of the Retirement Association. Because you choose your retirement date, you resolve to end your service credit and lock in the exact calculation of your regular service retirement benefits. Although we normally talk about "years" of service, the actual final computation of your retirement allowance will contain your length of service credit extended to the nearest day and the "years" factor is rounded to the nearest ten thousandth of a year. Every day you work you are gaining more retirement service credit. Your retirement service credit is based on actual time paid by your employer as well as additional service allowed in the 1937 Act. Your service may be higher or lower than the actual elapsed time due to the following factors:

#### 1. LESS SERVICE THAN ELAPSED TIME

If you are not paid by the County for full-time employment for a period of time between your entrance date into the Retirement Association and your retirement date, you will have less service credit than the normal elapsed time. Specific causes of less service are:

- a) Unpaid leave of absence - If you requested an unpaid leave of absence, you will not receive service credit for the elapsed time. IF THE LEAVE OF ABSENCE WAS DUE TO ILLNESS, YOU MAY REINSTATE UP TO 1 YEAR (2,080 HOURS) TO COUNT TOWARDS YOUR RETIREMENT SERVICE CREDIT. YOU MAY REINSTATE THE SERVICE CREDIT BY MAKING THE NORMAL RETIREMENT CONTRIBUTIONS, WHICH YOU WOULD HAVE MADE IF YOU HAD BEEN PAID ON PAYROLL (PLUS ANY ACCRUED INTEREST).
- b) State Disability Insurance (SDI) - If you receive SDI payments to supplement your sick leave pay while you suffer through an extended illness, you will only receive retirement service credit for the sick time paid and you will lose the equivalent time for which you receive SDI payments. For example, if SDI will pay you \$200 biweekly and you normally make \$800 (\$10/hour) your payroll preparer will pay you 60 hours of time (or \$600) and you will lose 20 hours of service credit, which you would normally have accrued if you had been paid fully by your employer. YOU MAY REINSTATE UP TO 1 YEAR (2,080 HOURS) TO COUNT TOWARDS YOUR RETIREMENT SERVICE CREDIT. YOU MAY REINSTATE THE SERVICE CREDIT BY MAKING THE NORMAL RETIREMENT CONTRIBUTIONS, WHICH YOU WOULD HAVE MADE IF YOU HAD BEEN PAID ON PAYROLL (PLUS ANY ACCRUED INTEREST).

## **RETIREMENT BENEFITS AND ELIGIBILITY CONTINUED**

- c) Worker's Compensation - If you receive worker's compensation payments to supplement your sick leave pay while you suffer through an extended illness, you will only receive retirement service credit for the sick time paid and you will lose the equivalent time for which you receive worker's compensation payments. For example, if worker's compensation will pay you \$200 biweekly and you normally make \$800 (\$10/hour) your payroll preparer will pay you 60 hours of time (or \$600) and you will lose 20 hours of service credit, which you would normally have accrued if you had been paid fully by your employer. **YOU MAY REINSTATE UP TO 1 YEAR (2,080 HOURS) TO COUNT TOWARDS YOUR RETIREMENT SERVICE CREDIT. YOU MAY REINSTATE THE SERVICE CREDIT BY MAKING THE NORMAL RETIREMENT CONTRIBUTIONS, WHICH YOU WOULD HAVE MADE IF YOU HAD BEEN PAID ON PAYROLL (PLUS ANY ACCRUED INTEREST).**
- d) Percentage time - If you have agreed to work less than a normal 80 hours biweekly, you will accumulate less retirement service than "full" service credit. If you only work 60 hours every two weeks, you will only receive 75% of normal full service credit. In a year's time you would only have 9 months retirement service credit. **YOU CANNOT "BUYBACK" THIS LOST TIME OR ADD IT TO YOUR RETIREMENT SERVICE CREDIT.**
2. **MORE SERVICE THAN ELAPSED TIME ("BUYBACKS")**  
The Government Code allows members to purchase or "buyback" a variety of employer-related service. The following types of service and their individual "buyback" calculations are listed below:
- a) **Prior Full Time Service** - If you were employed within the Association (Stanislaus County, City of Ceres, five Districts) on a full time basis and were a member but received a refund of your contributions, you may "buyback" this service and add it to your current retirement service credit by re-depositing your withdrawn contributions plus the interest the contributions would have earned had you left the money on deposit within the Association from the date of refund to the date of full redeposit/payoff ("regular interest").

## RETIREMENT BENEFITS AND ELIGIBILITY CONTINUED

- b) **Prior Part Time Service** - If you were employed within the Association on a part-time or "extra help" basis before your membership in the Retirement Association, you may "buyback" this service and add it to your retirement service credit. To calculate the cost of the "buyback" the dollars, which were paid to you as a part-time employee, are added up on a month-by-month basis. The total made each month up to \$350 is multiplied by your first contribution percentage for \$350. The excess dollars are multiplied by your first month's basic excess percentage. The two resulting amounts are added together to derive your basic contribution. To calculate the cost of living (COL) contribution, the above basic contribution amount is multiplied by your first COL percentage contribution rate. Your "first" percentages are the first percentages, which applied to your full time pay when you first became a member of the Retirement Association. After the initial cost figure is calculated, interest is added from your date of entrance into membership until the amount is paid off in full at the same rate as any contribution would have earned interest within the Association (referred to as "regular interest").

FOR ALL "BUYBACK" CALCULATIONS, PLEASE SUBMIT A WRITTEN, DATED REQUEST TO THE TREASURER'S OFFICE/RETIREMENT DIVISION SPECIFYING DATES AND TYPE (S) OF SERVICE YOU WISH TO "BUYBACK."

c. **AGE FACTOR**

You have little control of how old you are, but planning your retirement date around your "quarter-year" birthday can be beneficial because the age factor increases for every quarter year of age from age 50 through age 65. THERE IS NO AGE FACTOR BENEFIT BEYOND AGE 65 AND IF YOU ARE ON DEFERRED RETIREMENT-NON-TRANSFER STATUS YOU SHOULD NOT WAIT PAST YOUR 65th BIRTHDAY TO APPLY FOR REGULAR SERVICE RETIREMENT BENEFITS.

Below you will find the age factors for Tier 2 Miscellaneous employees for each quarter age. To use a factor you must have **completed** that particular age level. For example, if you were born on January 25, you would retire on January 25 at full year age, April 25 at quarter year age, July 25 at half-year age and October 25 at three-quarter year age.

**RETIREMENT BENEFITS AND ELIGIBILITY CONTINUED**

AGE.....FACTOR	AGE.....FACTOR	AGE.....FACTOR
50.....0.7091	55.....0.8954	60.....1.1500
50 1/4....0.7183	55 1/4....0.9061	60 1/4....1.1611
50 2.....0.7274	55 2.....0.9168	60 2.....1.1723
50 3/4....0.7366	55 3/4....0.9275	60 3/4....1.1835
51.....0.7457	56.....0.9382	61.....1.1947
51 1/4....0.7547	56 1/4....0.9498	61 1/4....1.2097
51 2.....0.7637	56 2.....0.9614	61 2.....1.2247
51 3/4....0.7726	56 3/4....0.9730	61 3/4....1.2398
52.....0.7816	57.....0.9846	62 .....1.2548
52 1/4....0.7907	57 1/4....0.9972	62 1/4....1.2707
52 2.....0.7999	57 2.....1.0098	62 2.....1.2867
52 3/4....0.8090	57 3/4....1.0224	62 3/4....1.3026
53.....0.8181	58.....1.0350	63.....1.3186
53 1/4....0.8275	58 1/4....1.0487	63 1/4....1.3355
53 2.....0.8369	58 2.....1.0625	63 2.....1.3525
53 3/4....0.8462	58 3/4....1.0762	63 3/4....1.3695
54.....0.8556	59.....1.0899	64.....1.3865
54 1/4....0.8656	59 1/4....1.1049	64 1/4....1.4047
54 2.....0.8755	59 2.....1.1199	64 2.....1.4229
54 3/4... 0.8855	59 3/4....1.1349	64 3/4....1.4411
		65 +.....1.4593

TO CALCULATE YOUR REGULAR SERVICE RETIREMENT MONTHLY RETIREMENT ALLOWANCE, PLEASE USE THE FOLLOWING STEPS:

- STEP 1. Divide 350 by 90 [ $350/90 = 3.8888$ ]; multiply this by your years of service rounded to the nearest ten-thousandth year; and multiply then by the age factor found opposite your age (above)
- STEP 2. Divide your FACE less 350 by 60 [ $(FACE-350)/60$ ]; multiply this by your years of service rounded to the nearest ten-thousandth year; and multiply then by the age factor found opposite your age (above)
- STEP 3. Add the results of step 1 and step 2 together

Using the previous three steps you will be able to calculate your monthly retirement allowance for any length of service at any age.

## RETIREMENT BENEFITS AND ELIGIBILITY CONTINUED

FOR EXAMPLE:

Lynn was hired on July 1, 1984 and was born on August 23, 1940. As an Accountant II with a CPA certificate and Confidential deferred compensation Lynn makes approximately \$20.46 per hour or \$3,546 per month (\$20.46 per hour x 173.33 hours per month). Lynn would like to calculate what the monthly retirement allowance would be for a March 31, 2003 retirement date if Lynn receives a 5% pay increase on January 1, 2003.

Final Average Compensation Earnable (FACE) Calculation:

April, 2000 to December, 2002 \$3,546 x 33 months = \$117,018.00; January, 2003 to March, 2003 \$3,723 x 3 months = \$11,169.00

TOTAL FOR THIRTY-SIX CONSECUTIVE MONTHS = \$128,187.00, (117,018.00+ 11,169.00) FACE = 36 months compensation / 36: \$128,187.00/36 = \$3560.75

Lynn's average monthly compensation earnable is \$3,560.75

Years of Service Calculation:

Total elapsed service from August 1, 1984 (system entry date) to March 30, 2003 (last day at work) = 18 years 7 months 30 days

Less time not worked during elapsed time:

Lynn worked 75% time during all of 1986: -3 months

Add part-time service Lynn worked in 1974-1977 and bought back in 1988: full-time equivalent of 10 months: +10 months

TOTAL RETIREMENT SERVICE CREDIT = 19 years 2 months 30 days

YEARS = 19 + (2 months/12) + (30 days/365)  
= 19 + 0.1667 + 0.0822  
= 19.2489

Lynn's total length of service is 19.2489 years.

Age factor (from table):

Lynn's age is 62 years 7 months 8 days and so the highest completed quarter-year age is 62 2. The age factor for 62 2 is 1.2867.

Lynn's age factor is 1.2867.

LYNN'S FINAL CALCULATION OF THE MONTHLY RETIREMENT ALLOWANCE IS:

STEP 1	$(350/90) * 19.2489 * 1.2867 = 96.32$
STEP 2	$(3560.75-350)/60 * 19.2489 * 1.2867 = 1325.38$
STEP 3	$96.32 + 1325.38 = 1421.70$

Lynn's estimated monthly retirement allowance = \$1,421.70

## OPTIONAL ALLOWANCES UPON RETIREMENT

Upon retirement, you will have the choice of the following options for your monthly retirement allowance:

**UNMODIFIED:** The calculation for regular service retirement found on pages 15 to 16 will provide to you the amount you would receive as an "unmodified" monthly retirement allowance. If you have chosen your spouse as beneficiary and you have been married to this spouse for at least one year prior to retirement, this spouse will receive a 60% lifetime continuance of your unmodified monthly retirement allowance if the spouse is still married to you at the time of your death and there have been no intervening marriages between the date of your retirement and the date of your death.

If upon retirement your spouse subsequently dies or you get divorced and you do not have any minor children upon your death, **NO ONE** will receive the monthly continuance. If your spouse predeceases you and you have not yet received back in monthly retirement allowances all of your member retirement contributions, any remaining balance will be paid to an alternate beneficiary whom you nominate at the time of signing your retirement paperwork. If you do not have a spouse at the time of retirement, you may nominate one or more beneficiaries who will receive the declining lump sum remainder amount (if any) of your contributions less all retirement allowances paid to you.

**OPTION 1:** You may choose to take a slightly lower monthly retirement allowance under Option 1 so that your beneficiary or beneficiaries may receive the declining lump sum remainder amount (if any) of your contributions less all annuity payments (generally 25% of your total retirement allowance) and cost of living payments made to you.

**OPTION 2:** You may choose to take an actuarial reduction in your monthly retirement allowance so that your one beneficiary can receive a 100% continuance for the beneficiary's lifetime. Your allowance will be the lowest of all of the options available and will not increase if your beneficiary dies before you do and is thereby ineligible for the monthly continuance. There are no alternate beneficiaries. If your beneficiary does survive after you, then the beneficiary will receive your monthly allowance as it was at your death plus any future cost of living increases, which you would have received.

**OPTION 3:** You may choose to take an actuarial reduction in your monthly retirement allowance so that your one beneficiary can receive a 50% continuance for the beneficiary's lifetime. Your allowance will be the second lowest of all of the options available and will not increase if your beneficiary dies before you do and is thereby ineligible for the monthly continuance. There are no alternate beneficiaries. If your beneficiary does survive after you, then the beneficiary will receive 50% of your monthly allowance as it was at your death plus any future cost of living increases, which you would have received.

## **OPTIONAL ALLOWANCES UPON RETIREMENT CONTINUED**

**SECTION 31810 MODIFICATION:** Government Code Section 31810 allows a member to receive the County monthly retirement allowance in a different way than in the fixed-for-life fashion of the original plan design. A member may receive an increased monthly allowance before age 62 (earliest possible receipt of Social Security benefits) and then take a reduced monthly allowance at age 62 and after for the rest of the member's life.

**THIS OPTION DOES NOT ALTER ANY MONTHLY PAYMENTS TO YOUR BENEFICIARY. YOUR BENEFICIARY WILL RECEIVE THE SAME MONTHLY RETIREMENT ALLOWANCE WHETHER OR NOT YOU CHOOSE THIS MODIFICATION.**

The amounts you receive will be actuarially the same as your "normal" monthly allowance. In other words, the retirement system will be setting aside the same dollars to fund your monthly retirement allowance whether or not you choose this option. If you live a "normal" life, you will use up the same dollars (with any accrued interest) with or without this modification. Your actual experience will of course prove more advantageous or disadvantageous depending on whether you live a shorter-than-normal or longer-than-normal lifetime. In order to calculate your modified allowances precisely, StanCERA will need a written estimate of your Social Security benefits payable. You may obtain a request form from StanCERA or from any Social Security Office. The factors used in computing your increased allowance before age 62 are subject to changes in the actuarial assumptions of the interest crediting rate and retiree mortality. Please consult with StanCERA for accurate estimates of how this option modifies your normal monthly retirement allowance.

**EXAMPLE:** If our member, Lynn, chooses the Section 31810 modification, instead of receiving \$1,421.70 per month without change, Lynn would submit a written estimate from Social Security of benefits payable at age 62 and the County retirement allowance would be as follows: Written estimate from Social Security shows \$800 per month at 62. Lynn would receive \$1,421.70 without this modification. Before age 62 Lynn receives from the County \$1,938.28 per month. At age 62 the County retirement is reduced \$ 800.00 per month. After age 62 Lynn receives from the County \$1,138.28 per month. As you can see, Lynn receives more than \$1,421.70 per month from the County's retirement system before age 62 and less than \$1,421.70 per month from the County's retirement system at age 62 and after.

**REMEMBER THAT YOUR SOCIAL SECURITY BENEFITS ARE TOTALLY SEPARATE FROM YOUR COUNTY RETIREMENT BENEFITS. YOU NEED TO APPLY FOR WHATEVER SOCIAL SECURITY BENEFITS YOU WILL RECEIVE. YOUR SOCIAL SECURITY BENEFITS ARE IN ADDITION TO YOUR COUNTY RETIREMENT BENEFITS.**

## COMPLETING PAPERWORK FOR RETIREMENT

Once you have decided to retire, you will need to complete some paperwork so that StanCERA will have the necessary information to process your monthly retirement checks and any benefits payable upon your death according to your wishes. The first step is to complete an application for retirement and send it to StanCERA at the address on page one.

Once you have submitted a written application, StanCERA staff begins working on the final calculations of your retirement allowance and prepare the necessary paperwork for your completion and signature during a counseling session with staff. The paperwork may include most (if not all) of the following items:

1. Application (required to begin processing retirement)
  - a. Copy of beneficiary's birth certificate.
  - b. Picture of beneficiary and you
  - c. Copy of marriage certificate if spouse is beneficiary
2. Optional payout (Unmodified or Option 1 or Option 2 or Option 3 with or without Section 31810 modification)
3. Selection of optional payout out of all options upon termination
4. Alternate beneficiary (only if spouse is beneficiary)
5. \$5,000 death benefit beneficiary (if last work in our system)
6. Federal and State tax withholding form (W-4P)
7. RESCO (Retired Employees of Stanislaus County) dues (optional)
8. Direct Deposit Authorization (optional)
9. County's \$5,000 life insurance until age 65 (optional)

As you can see, starting into retirement is almost like beginning with a new employer. StanCERA must have all new paperwork because the Association is now responsible for processing your monthly retirement check. If you want deductions for the Stanislaus County Federal Credit Union, you will need to go to the Credit Union and "restart" your deductions to come out of your monthly retirement check. StanCERA does not process your lump out of unused vacation or sick time. The lump out is processed by your Payroll Clerk and the Auditor-Controller's Office in accordance with your particular bargaining unit's memorandum of understanding.

## **YOUR MONTHLY RETIREMENT CHECK**

Your monthly retirement check will show the various components of your total retirement allowance ("gross pay") and your deductions (if any) to arrive at your net pay. If you are receiving a regular service retirement, your total retirement allowance begins by being comprised of the following two components:

ANNUITY = This is the actuarially determined monthly amount of your contributions being returned to you

PENSION = This is the Employer monthly amount being paid to you which is the difference between your total retirement allowance (as calculated by the formula for unmodified or in accordance with your optional selection) less your annuity.

NOTE: The only instance in which a member receives employer payments is upon receipt of a monthly retirement allowance.

## **YOUR MONTHLY RETIREMENT CHECK CONTINUED**

The two components combined equal your total retirement allowance, which was determined by the formula in the preceding pages and your particular optional payout.

Members on disability retirement likewise receive a disability annuity (return of the member's contributions) and a disability pension (the difference between the total amount owed for the disability retirement allowance and the member's annuity). Surviving spouses/minor children receive a survivor's death benefit, which is a combination of member and employer monies.

You may authorize various deductions such as tax withholding; *retirement sponsored* health insurance, RESCO dues and Credit Union. The dollars you authorize to be deducted will be subtracted from your total retirement allowance to arrive at your net retirement pay. You may authorize that your net retirement pay be directly deposited or electronically transferred into a checking or savings account at the financial institution of your choice. You will be mailed an advice notice from StanCERA concerning the deposit.

## COST OF LIVING ADJUSTMENTS

Since 1971, retirees have been receiving cost of living adjustments to their retirement allowances with a maximum cap of 3% per year. Active members have also been contributing towards this benefit since that time. Each year the Retirement Board determines whether there has been an increase or a decrease in the Consumer Price Index in the San Francisco Bay area. The increase or decrease is then reflected on the retirees' monthly retirement check as a "Cost of Living" adjustment up to a maximum 3% increase or decrease.

Any excess percentages are "banked" for future years when the increase or decrease is less than 3%. Since the inception of this benefit, retirees have only experienced inflation (an increase in the Consumer Price Index) and in most years inflation above the 3% maximum cap. All retirees who retired on or before April 1, 1970 have accumulated over 73% "inflation credits" with subsequent years gradually declining to 0% in 1999. For those who retired prior to 1970, if inflation were 0% for the next 20 years, they would still receive a 3% cost of living increase each year because they would use their "banked" inflation credits. The cost of living adjustment is made annually on the May 1 retirement check. If inflation is 3% or more for the year (or if the retiree has more than 3% inflation credits banked), the retiree will receive 3% more than the April 1 check (herein lies the "magic" to the selection of a March 31st retirement date). The 3% increase is calculated on the total retirement allowance (which includes all accumulated cost of living increases).

Thus, if inflation continues at 3% or more each year, retirees will receive a 3% compounded rate on their retirement allowance. The increase is a permanent benefit, which is then reviewed each year for adjustment in line with the Consumer Price Index change and the 3% limitation. Only dramatic deflation would eventually erode the current cost of living payments being made to retirees. (Due to the nature of this type of adjustment, however, the retiree's "buying power" will remain about the same: a loaf of bread will again be \$0.25 and a house will cost \$25,000). **THE COST OF LIVING ADJUSTMENT CAN NEVER CAUSE YOUR RETIREMENT ALLOWANCE TO BE LESS THAN YOUR ORIGINAL MONTHLY RETIREMENT ALLOWANCE.**

## AD HOC RETIREE BENEFITS

The 1937 Act allows the Retirement Board to authorize "ad hoc" (temporary/"one-time"/**non-vested**) benefits from Retirement Association asset earnings above the interest rate and a 1% reserve for losses (or market fluctuation). The benefits can include payments toward health insurance or special cost of living adjustments above the normal annual maximum 3%. In the late 1970's and early 1980's the Retirement Board paid retirees a special cost of living adjustment to reflect the unusually high inflation during those years. This benefit is not currently being paid. The Retirement Board has paid supplemental cost of living adjustment for retirees who have over 25% in inflation credits since 1999.

In July 1981 the Retirement Board began providing a retiree health insurance allowance out of excess undistributed earnings. Tier II members with five years or more of service, will receive from the Retirement Board, a specified dollar amount per month for each year of service to an employer in the Retirement Association by a member as a health insurance benefit up to a maximum for 20 full years of service. Tier II service connected disability retirees receive a minimum of 50% of the maximum allowed. This benefit may be used to pay for a Retirement Association approved health insurance plan (non-taxable benefit) including any and all dependents or may be received as additional gross pay (taxable income) or some combination of the two. Full years of service include time worked for an employer within the Retirement Association (including full and part-time work which was credited as retirement service) and credited (purchased) leaves of absence due to illness (including workers compensation time) but does not include early retirement/golden handshake additional credit or excess sick leave converted into retirement service credit. This benefit is adjusted for inflation each January. A chart showing the current amount paid for each full year of service can be obtained from StanCERA. **THIS BENEFIT IS NOT VESTED AND MAY BE TERMINATED WITH 90 DAYS' NOTICE TO RETIREES** (pursuant to Government Code Sections 31691.1 and 31692).

## **DEATH BENEFIT (S) AFTER RETIREMENT**

Upon your death, StanCERA will pay out to your beneficiary the appropriate lump sum or monthly continuance depending on your selection at the point of retirement and the continuing eligibility of your beneficiary for such a benefit (e.g. you are still married to the same spouse you nominated as beneficiary at the point of retirement and the spouse survives you; your beneficiary is still alive). Please review page 17-18 for details of the particular retirement option chosen and its effect on your beneficiary. The Retirement Board has fully funded a **\$5,000 death benefit** (commonly referred to as a "burial allowance") for all retirees whose last work in a 1937 Act Retirement System or California Public Employees Retirement System (PERS) was in the Stanislaus County Employees' Retirement Association.

If you transfer to another 1937 Act system or California PERS, you are not eligible for this benefit. Your surviving beneficiary (whether collecting a continuance or survivor death benefits) is not eligible for this benefit.

If you have opted to pay for Stanislaus County-sponsored life insurance and you die before age 65, the life insurance carrier will pay \$5,000 to your beneficiary on file with the County. This is term life insurance and automatically terminates on your 65th birthday. **THE RETIREMENT DIVISION DOES NOT MAINTAIN THESE RECORDS.** Please refer to the County's CEO/RISK Management Division.