



# A Guide to Your Retirement Plan Benefits



Orange County Employees Retirement System

Summary Plan Description

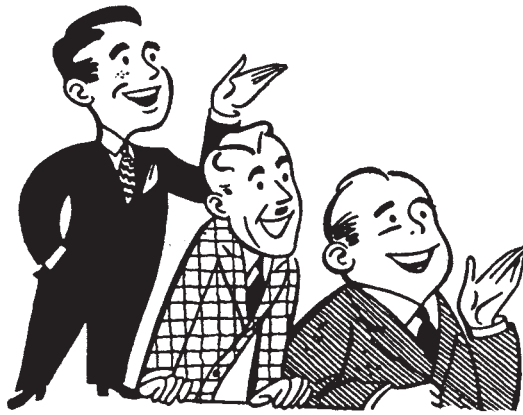
Plan U (2.5% at 67) PEPRA  
General Members

This Summary Plan Description (SPD) is intended to provide you with general information. This SPD does not constitute legal advice, and OCERS cannot provide legal advice to members. If there are any discrepancies between the information in this SPD and the law, the law will prevail. Should you have legal questions, you are advised to consult an attorney.

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# Table of Contents

Welcome to the Orange County Employees Retirement System.....	1
Membership and contribution information .....	3
Service.....	7
Reciprocal .....	9
Termination from OCERS' Covered Employment .....	13
When you are ready to retire.....	17
Retirement benefits .....	19
Disability retirement .....	25
Survivor benefits .....	29
Federal and state taxes on benefits.....	35
Administrative information.....	37
Key terms .....	39



# Welcome to the Orange County Employees Retirement System

The Orange County Employees Retirement System (OCERS) provides retirement benefits for employees of the County and certain districts. While you are an active member, both you and your employer make mandatory contributions to the Retirement System. When you retire, you will receive a monthly allowance that is based on your Plan Type, age at retirement, average monthly earnings, and years of service. A survivor or death benefit may be available to your spouse or other designated beneficiary. In addition, disability benefits are available if you meet the eligibility requirements. As you read this Summary Plan Description (SPD), we encourage you to refer to the Key Terms section to help you better understand this important document.

This SPD applies to General Members in Plan U PEPRA (2.5% at 67). This document reflects the System provisions in effect as of January 1, 2016.

Membership in the Retirement System is mandatory for all eligible employees. It is, however, optional for certain elected officials.

## Who is OCERS?

For more than 70 years OCERS has been providing retirement, death and disability benefits to employees of the County and certain districts. OCERS currently serves approximately 26,000 active and deferred members and 16,000 retired members. OCERS is governed by a Board of Retirement consisting of nine regular members and one alternate member (the County Treasurer, four active elected members, four appointed members and one elected retiree).

## OUR MISSION STATEMENT

*"We provide secure retirement and disability benefits with the highest standards of excellence."*

## CONTACT INFORMATION

For the most up-to-date information about OCERS, log on at: [www.ocers.org](http://www.ocers.org) or call Member Services at (714) 558-6200 or toll-free at (888) 570-6277.



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# Membership and contribution information

## WHO IS ELIGIBLE?

You automatically become a member of the Retirement System on the date you commence employment in an eligible position.

You are in an eligible position if you are employed by a participating agency as one of the following:

- A full-time employee  
or
- A part-time employee scheduled to work 20 hours per week or more  
or
- A limited term full-time employee  
or
- A limited term employee scheduled to work 20 hours per week or more

All other employees are ineligible for membership. These include part-time employees scheduled to work less than 20 hours per week, extra-help, and contract employees.

Members are asked to designate a beneficiary upon employment, and update the designation when changes such as birth, death, marriage or divorce occur. A beneficiary is a person that you (the member) name in writing to receive certain benefits provided by the plan upon your death. For certain death benefits your Eligible Spouse or Qualified Domestic Partner must be listed at the time of your death.

## PLAN U PEPRA SERVICE RETIREMENT BENEFIT FORMULA

Your service retirement benefits are based on your Plan Type, years of service, age at retirement and pensionable compensation.

Visit [www.ocers.org](http://www.ocers.org) and use the Benefits Calculator to get an estimate of your retirement allowance. OCERS' Benefits Calculator will calculate your estimated retirement allowance in accordance with the benefit formula adopted by your employer.

## PLAN NOT INTEGRATED WITH SOCIAL SECURITY

As a member of the Retirement System, you neither contribute toward, nor receive credit for, the Federal Old Age Survivors and Disability Insurance program (Social Security) during your service under OCERS. If you worked for another employer who does participate in Social Security, you may find at retirement that you had enough service with that employer to qualify for Social Security benefits. In that case, your benefit from Social Security may be reduced to comply with federal law. Contact Social Security for more information on any possible offset.

If you were hired after March 31, 1986, you must participate in the Medicare portion of Social Security. Members hired on or before that date do not contribute to Medicare.

## **MAXIMUM BENEFIT LIMITS**

The Orange County Employees Retirement System is considered a “qualified” plan under federal tax laws. Federal tax laws set limits on the amount of benefits you can receive from a qualified plan. If you became a member of the System on or after January 1, 1990, you will be subject to limitations outlined in sections of the Internal Revenue Code, including Section 415 limits. These limits may affect certain highly paid or long-service members, certain members receiving disability benefits, or certain beneficiaries receiving survivor benefits. If the limits affect your benefits, you will be notified by Member Services. The IRS also places a limit on the amount of compensation OCERS can consider when calculating a member’s Final Average Salary.

**The maximum monthly base retirement allowance (excluding cost-of-living adjustments) you can receive cannot exceed 100% of your Final Average Salary. For more information on benefit limits please go to [Tax Information](#) under the Retired Members drop down menu on OCERS’ Web site.**

## **YOUR CONTRIBUTIONS TO THE SYSTEM**

Employee contributions to the retirement system are mandatory. Your employer has elected to have your contributions made on a pretax basis. This means that the money is taken out of your pay before taxes have been deducted. The result is that you lower your current taxable income, which in turn lowers the amount of taxes you have to pay.

You contribute a percentage of your pay each pay period through automatic payroll deductions. Your contribution rate depends on:

- The Plan Type chosen by your employer
- Your nearest age within six months of when you become a member of OCERS

**Example of age at hiring date:**

John Smith, age 24, is hired on January 25, 2013. His birthday is April 23, 1988. Because his hire date is less than six months before his next birthday, his entry age is 25. Had his birthday been July 25, 1988, his entry age would have been 24.

**Additional employee contributions may have been established in your Memorandum of Understanding (MOU) and Personnel and Salary Resolution provisions and may be required of all active members.**



**PLEASE NOTE: Contributions may not be borrowed against at any time while on deposit with OCERS.**

## **EMPLOYER CONTRIBUTIONS TO THE SYSTEM**

In addition to your contributions, your employer also makes a mandatory contribution each payroll period to the Retirement System. The combination of member and employer contributions and investment earnings pays for the benefits you receive from the Retirement System.

**Employer contributions do not accrue directly to your account and will not be paid to you if you terminate employment and withdraw your funds from OCERS.**

## **HOW YOUR ACCOUNT EARNS INTEREST**

Interest is credited to your account on June 30 and December 31 of each year. The interest is earned based on your contribution balance of the previous six months. The rate of interest is determined by the Retirement Board and is currently 2.5 percent per interest posting period.



## **FUND INVESTMENTS**

All contributions, both yours and your employer's, are deposited in the Retirement Fund. Investments of these contributions are made in conformance with the California Constitution, state law, and Board of Retirement policy.



# Service

## EARNING SERVICE CREDIT

Service Credit is earned based on your hours worked as an OCERS member, which are then converted to years.

**In general, “service” means uninterrupted employment. However, the following are not considered breaks in the continuity of your service:**

- A temporary layoff because of illness followed by reinstatement or re-employment within one year.
- A temporary layoff for purposes of economy, suspension, or dismissal followed by reinstatement or re-employment within one year.
- A leave of absence followed by re-employment within one year.
- A resignation to enter military service followed by re-employment within six months after honorable termination of such military service. Upon the member’s return to active employment OCERS will collect contributions that should have been made during the period of absence during military service.
- A resignation of a member who has elected Deferred Retirement followed by re-employment before the withdrawal of any accumulated contributions.
- The redeposit of accumulated contributions upon re-entrance into service.

## HOW TO PURCHASE SERVICE CREDIT

OCERS permits an active or deferred member to purchase Service Credit for certain periods. If you wish to purchase Service Credit, contact Member Services and ask for the form “Request to Purchase Service Credit,” or download the form at OCERS’ Web site. The following periods may be purchased provided the service meets the necessary requirements:

- Service with the County or other participating employer prior to membership during which time you were not eligible to be a member (Extra Help).
- Leave of absence due to illness occurring on or after January 1, 1978, limited to 12 consecutive months for each occurrence, if you return to service after your leave.

- Public Service, which is other eligible public service with the State of California, a county or city located in California or any district located wholly or partially within Orange County. To qualify, you cannot be entitled to receive a pension or retirement benefit due to your prior public service. In the case of Public Service purchase, you may purchase a portion or all of the service credit. Please be aware though, Public Service time does not count toward meeting the *minimum* qualifications for service retirement, deferred retirement, disability retirement or survivor benefits.

## **HOW TO REDEPOSIT WITHDRAWN CONTRIBUTIONS FROM OCERS**

If you wish to redeposit withdrawn OCERS contributions, contact Member Services and request a “Request to Purchase Service Credit” form or download the form at OCERS’ Web site.

If you are rehired by an employer participating in OCERS and have withdrawn your contributions plus interest, keep the following in mind:

- If you had been temporarily laid off and are reinstated to employment within 90 days and you repay your contributions plus interest within 180 days of reinstatement, your years of Service Credit are restored and original entrance age will be reinstated as if there was no break in service.
- If you are unable to redeposit your contributions as described above, you will still be permitted to repay your contributions plus interest at any time while a member of OCERS and prior to filing an application for retirement to have your years of Service Credit reinstated.
- You can repay your contributions by redepositing the total amount withdrawn plus the interest your account would have earned during the period that you were not a member. Interest will continue to be charged on the unpaid balance until your total balance is fully repaid.
- If you have withdrawn multiple periods of prior OCERS service, all periods must be redeposited in order to receive service credit. If you do not redeposit all of your previously withdrawn contributions plus interest, you will not have your years of Service Credit reinstated and the amount you have paid will be refunded to you.

**Please note, with the exception of the first bullet above, for purposes of calculating your contribution rate, your age will be based on your age at re-entry into employment.**

## **PAYMENT OPTIONS FOR PURCHASING SERVICE CREDIT OR REDEPOSITING WITHDRAWN OCERS CONTRIBUTIONS**

There are four options to choose from to purchase Service Credit/Redeposit Withdrawn OCERS service:

***Lump Sum Payment*** – you may submit a personal check payable to OCERS. This is an after-tax payment.

***Installment Payments*** – you can make payments directly to OCERS by submitting personal checks. This also is an after-tax payment and interest will apply.

***Payroll Deductions – (If available through your employer)*** you can authorize payroll deductions to pay the total amount due. Any payroll deductions you make are considered pre-tax. If you select this option, it is irrevocable. You cannot change the amount of your payroll deduction until you complete the redeposit/purchase or terminate your employment. Interest will also apply.

(Please note: As of publication of this document some employers do not authorize payroll deductions.)

***Rollover from a tax qualified plan*** – you may be able to use qualified IRA or deferred compensation monies. This will be pre-tax money.

- **Your Service Credit will be added to your retirement account only after the total amount due has been paid.**
- **Purchases of service or redeposits do NOT affect any other employer benefit or employment status.**

## **RECIPROCAL BENEFITS**

Reciprocal benefits are designed to allow employees who transfer between retirement systems to preserve and enhance their total retirement benefits. Upon retirement from all reciprocal retirement systems, the benefits are coordinated between OCERS and the other systems.

Reciprocity is established for members who terminate employment with an OCERS covered employer, leave their funds on deposit with OCERS, and enter a reciprocal retirement system within 180 days. Reciprocity is also established for members who terminate from an employer covered

by a reciprocal agency, leave their funds on deposit with that reciprocal agency, and enter OCERS membership within 180 days.

**Please note, if you have funds on deposit in a reciprocal system after terminating from employment covered by such system, and you become an OCERS member within 180 days of termination, reciprocity has automatically been established.**

Once reciprocity is established and has been verified, the following applies:

- A member, who leaves his or her funds on deposit with OCERS and transfers to a reciprocal system, cannot withdraw his or her funds while still a member of the reciprocal system.
- The member's entry age, which affects the contribution rate, will be based upon the age at entry into the first system.
- Service under all reciprocal retirement systems will count toward eligibility for retirement or survivor benefits.
- Upon concurrent retirement from all reciprocal systems, the member will have the ability to use salary figures from any of these systems to calculate their Pensionable Compensation in OCERS.
- The member will be subject to restrictions on the amount of disability retirement benefits from OCERS, if applicable.

**Please be aware that the reciprocal system you transfer to or from may have different requirements for qualification and payment of benefits than OCERS. You should become familiar with the benefits of any reciprocal agency you enter.**

**Please be aware that reciprocal members who are granted a disability retirement in OCERS may be subject to an offset of their retirement allowance.**

**Systems having reciprocity with OCERS:**

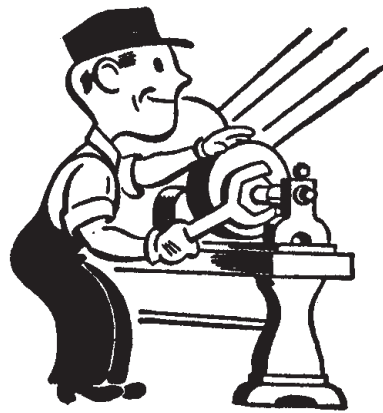
Alameda	San Bernardino
Contra Costa	San Diego
Fresno	San Joaquin
Imperial	San Mateo
Kern	Santa Barbara
Los Angeles	Sonoma
Marin	Stanislaus
Mendocino	Tulare
Merced	Ventura
Sacramento	

California Public Employees' Retirement System (CalPERS) and most agencies that have established reciprocity with CalPERS

California State Teachers' Retirement System (CalSTRS)  
California State Teachers' Retirement System Defined Benefit Plan

Judges Retirement System (JRS I and JRS II)

For additional information, get OCERS' "Reciprocity: A Guide for Reciprocal Benefits" brochure online or at OCERS' office. For more information on any of the Reciprocal Systems, visit OCERS' Web site at: [www.ocers.org](http://www.ocers.org).





# Termination from OCERS covered employment

If you terminate employment in a job covered by OCERS you may still be eligible for benefits from OCERS. You may leave your member contributions on deposit with the System and then you may become eligible to elect a retirement benefit from OCERS. This is called a “Deferred Retirement Allowance.” If you leave your money on deposit your account continues to earn interest.

## DEFERRED RETIREMENT

To qualify for a Deferred Retirement Allowance, you must leave your money on deposit when you terminate employment.

You need to inform us when you change your address, name, or want to name a new beneficiary.

You may rescind your election at any time and withdraw your member contributions, (unless you entered a reciprocal system or have started to receive a deferred retirement allowance) but you will no longer be eligible for a Deferred Retirement Allowance.

## ELIGIBILITY FOR A DEFERRED RETIREMENT ALLOWANCE

If you had five years of service or more when you deferred, including reciprocal service, you will be eligible to begin receiving your Deferred Retirement Allowance when you are age 52 or over.

If you had less than five years of service when you deferred, you can either wait until age 70 to receive a deferred retirement allowance or receive a lump sum payment consisting of your accumulated member contributions and interest.

## HOW YOUR DEFERRED RETIREMENT ALLOWANCE IS CALCULATED

The monthly allowance you will receive is based on four items:

- Plan Type
- Years of Service Credit at termination
- 3 Year Final Average Salary
- A factor based on your age at retirement

Visit [www.ocers.org](http://www.ocers.org) and use our online Benefits Calculator to get a fast estimate of your retirement allowance based on your Plan Type, Years of Service Credit, Pensionable Compensation, and Age Factor.

**Payments under a Deferred Retirement Allowance are not automatic, nor will you be guaranteed negotiated benefit enhancements. You must apply for benefits before monthly payments can begin.**

## **MINIMUM DISTRIBUTIONS**

If you are a deferred member of our system, you are not an active member of a reciprocal retirement system, and you have not applied for a deferred retirement allowance by the age of 70 ½, OCERS is required to process your retirement. OCERS will contact you by letter at the time you turn 70 and remind you that you need to apply for a retirement benefit. If you fail to do so by the time you reach age 70 ½, OCERS is required to process your retirement as if you had chosen our Unmodified Option and begin paying you a retirement allowance.

## **WITHDRAWAL OF CONTRIBUTIONS**

In lieu of a deferred allowance, you may withdraw your member contributions with interest upon your termination. **However, if you withdraw your contributions, you will no longer be eligible for any benefits from the System** (including any disability benefits you might have been eligible to receive due to an illness or injury that occurred while you were employed under a position covered by OCERS). You need to be aware that any contributions you withdraw from the System may be subject to state and federal income taxes, as well as to excise taxes for early withdrawal, unless you roll over your distribution into another qualified plan or an Individual Retirement Account (IRA). Please see the sections “*Early Distributions*” and “*Rollovers*” for more information.

To apply for a withdrawal, please contact Member Services and ask for the form, “Member/Beneficiary Request to Withdraw Contributions/Elect Rollover.” You can also download the form at [www.ocers.org](http://www.ocers.org).

## **IMPORTANT TAX CONSEQUENCES OF A DISTRIBUTION**

When considering any of the three distributions discussed below, OCERS strongly encourages you to seek qualified tax and/or legal advice. OCERS cannot provide you with such advice.

## **EARLY DISTRIBUTIONS**

If you receive a lump sum distribution of your pre-tax member contribution account from the System before the minimum age for federal and state requirements, and you do not roll it over into another qualified plan or an Individual Retirement Account (IRA) you will be required to pay income taxes on the taxable portion of your lump sum distribution from OCERS. Additionally, you may have to pay excise tax penalties.

## **ROLLOVERS**

You may defer the taxes if you “roll over” the taxable portion of your lump sum distribution. The taxable portion includes member contributions that were contributed on a pre-tax basis and all accrued interest.

**A check will be mailed to you, but will be made payable to another employer's qualified retirement plan or to an IRA. Because the payment is not payable to you, no federal or state tax withholding requirements should apply to your distribution.**

## **PARTIAL ROLLOVER**

You may elect a combination of a partial withdrawal and a partial rollover. That is, you can withdraw a portion of your contributions (which are presently subject to federal and state income taxes and applicable excise penalties if you receive an early distribution) and direct transfer and/or roll over the remainder of the untaxed funds.

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# When you are ready to retire.....

Prior to retirement, gather your birth certificate, your spouse's/Qualified Domestic Partner's birth certificate, marriage certificate/domestic partner registration and bring to OCERS. The original or original certified copies will be photocopied and returned to you while you wait.

- If you do not have a copy of your birth certificate, one of the following may be acceptable, depending on your situation:
  - Valid Passport
  - Naturalization and/or Immigration documents
  - Census Bureau Registration of Birth
  - Hospital birth record or certificate
  - Physician or Midwife birth record
  - DD214 (Military Discharge)
- If you are married or registered as a Qualified Domestic Partner, you must also supply your spouse's/Qualified Domestic Partner's Social Security number.

**Failure to provide the required documents in a timely manner will delay payment of your benefits.**

You may apply for your allowance by logging into myOCERS, your online member account.

**You cannot file the forms any earlier than 60 days before your retirement date. The application is void if filed more than 60 days in advance.**

Your Service Retirement will become effective following the last day for which you were compensated or the date of receipt of your completed application, whichever comes later.

**For Example:**

If your last day of compensation is May 31 then the effective date of retirement will be June 1 assuming you filed an application on June 1 or before.

Your monthly retirement allowance will be electronically transferred to the financial institution of your choice on the first business day of each month.

**Please note: It may be approximately 6-8 weeks before you receive your first retirement payment. Member Services must wait for your employer to process all the necessary bi-weekly payroll and salary information.**



# Retirement benefits

## SERVICE RETIREMENT ELIGIBILITY

As an active member, you are eligible for a Service Retirement Allowance when you meet the minimum age and Service Credit requirements listed below.

- Any member age 52 or over with 5 or more years of service.
- Age 70 or over, regardless of your years of service.

## THE FOUR COMPONENTS OF YOUR SERVICE RETIREMENT ALLOWANCE

The amount of your monthly Service Retirement Allowance is computed based on these four components:

- Plan Type
- Years of Service Credit
- 3-year Final Average Salary
- A factor based on your age at retirement

**The maximum monthly base retirement allowance (excluding cost-of-living adjustments) you can receive cannot exceed 100% of your Final Average Salary.**

For a quick and easy calculation, visit [www.ocers.org](http://www.ocers.org) and click on the Benefits Calculator. For a personalized estimate, log onto myOCERS, your online member account.

## HOW YOUR FINAL AVERAGE SALARY (FAS) IS CALCULATED

Your Final Average Salary (FAS) consists of a 3 year average of your Pensionable Compensation and includes your base pay and regularly recurring pay items for special skills or shifts. The highest consecutive 36 months of pensionable compensation is used to determine your final average salary, regardless of when it was earned.

## AGE FACTOR

Your monthly Service Retirement Allowance will be calculated using a factor based on your age at retirement.

## **YOUR RETIREMENT PAYMENT OPTIONS**

There are several important factors to consider before selecting your retirement option:

- The Unmodified Option provides you with the maximum Service Retirement Allowance available to you. If you select options 1-4, then you will receive a reduced lifetime monthly allowance. The Unmodified Option has certain restrictions regarding the payment of a survivor's allowance upon your death.
- With options 2, 3 and 4, you cannot change your designated beneficiary after you have started receiving your monthly Retirement Allowance.
- In addition, because of community property laws in the State of California, your spouse, ex-spouse, your Qualified Domestic Partner or Ex-Qualified Domestic Partner may have certain rights that supersede those of other designated beneficiaries.
- Benefit payment options are irrevocable after receipt of your first retirement payment.

*Note: Each option provides you with a monthly lifetime benefit.*

### **THE UNMODIFIED OPTION**

This option provides you with the maximum Retirement Allowance available to you. It also provides for a continuation of 60 percent of your allowance to your Eligible Spouse, Qualified Domestic Partner or Eligible Child upon your death. This continuance is restricted to your Eligible Spouse, Qualified Domestic Partner or Eligible Child only, and cannot be paid to a trust.

- There are two ways for your spouse or Qualified Domestic Partner to qualify for a continuance under the Unmodified Option:
  1. Your spouse or registered domestic partner is considered an Eligible Spouse or Qualified Domestic Partner if you have been married or registered as a Qualified Domestic Partner at least one year prior to your date of retirement and you remain continuously married to that spouse or registered to that domestic partner up to the time of your death. If you divorce that spouse or domestic partner after retirement and later remarry that same spouse or reregister with that same domestic partner, he or she would not qualify as an Eligible Spouse or Qualified Domestic Partner unless he or she would qualify under paragraph 2 below.

OR,

2. Your spouse or registered domestic partner is considered an Eligible Spouse or Qualified Domestic Partner if you have been continuously married or registered as a Qualified Domestic Partner at least two years prior to the date of your death and are married to that spouse or registered to that Qualified Domestic Partner at the time of your death, and your spouse or Qualified Domestic Partner is at least 55 years old.



If you do not have an Eligible Spouse or Qualified Domestic Partner, the 60 percent continuance may be paid to your Eligible Child upon your death.

- An Eligible Child is an unmarried child under the age of 18, or an unmarried full-time student under the age of 22 (this includes adopted children).

If you do not have an Eligible Spouse, Qualified Domestic Partner or Eligible Child at the time of your death, your designated beneficiary will receive a lump sum refund of any of your remaining member contributions. Under the Unmodified option, you may change your designated beneficiary at any time, but that will not affect the 60 percent continuance payable to an Eligible Spouse, Qualified Domestic Partner or Eligible Child.

## **OTHER PAYMENT OPTIONS**

You may choose one of the following forms of payment in place of the Unmodified Option. These options reduce your Retirement Allowance to provide benefits for your survivors/beneficiary(ies) upon your death. These options may be appropriate for a prospective retiree with a beneficiary who does not qualify for a continuance allowance under the Unmodified Retirement Option, or for a member with a short life expectancy.

**Note: A trust cannot be named as a beneficiary to receive a continuance allowance.**

### **OPTION 1 CASH REFUND ANNUITY**

You will receive a reduced monthly allowance until your death. At the time of your death, your designated beneficiary will receive a refund of any of the remaining member contributions in your account. Under this option, you may change your designated beneficiary at any time.

### **OPTION 2 100 PERCENT JOINT AND SURVIVOR ANNUITY**

You will receive a reduced monthly allowance until your death. At the time of your death, your designated beneficiary will receive the same monthly allowance for the remainder of his or her lifetime. You cannot change your designated beneficiary after you have started receiving your monthly Retirement Allowance. **Please note** that pursuant to IRS regulations, any named beneficiary who is not your spouse and who is more than 10 years younger than you will receive less than 100% as a future continuance. The continuance percentage will be actuarially determined at the time of your retirement.

### **OPTION 3 50 PERCENT JOINT AND SURVIVOR ANNUITY**

You will receive a reduced monthly allowance until your death. At the time of your death, your designated beneficiary will receive half of your monthly allowance for the remainder of his or her lifetime. You cannot change your designated beneficiary after you have started receiving your monthly Retirement Allowance.

## **OPTION 4**

Under option 4 you may have multiple designated beneficiaries and may select other survivor payment percentages if approved in advance by the Retirement Board. OCERS will request an actuarial study and bring the results and your request before the Board of Retirement before this option is approved. You cannot change your designated beneficiary after you have started receiving your monthly Retirement Allowance.

For more information, read the “Retirement Payment Options” brochure at [www.ocers.org](http://www.ocers.org).

## **COST-OF-LIVING ADJUSTMENT FOR PAYEES**

Your monthly allowance will be adjusted annually in accordance with changes in the cost-of-living, as determined by the average annual change in the Consumer Price Index (CPI) for the prior calendar year. The cost-of-living adjustment (COLA) is limited to a maximum annual increase or decrease of 3 percent per year as set by the Board of Retirement. The COLA is effective April 1. **The adjustment will appear on your May 1 payment.**

If there is an increase in the CPI of more than 3 percent for any year, the excess cost-of-living adjustment is accumulated or “banked.” It may be applied to a future year in which the change is less than 3 percent.

If the change in the CPI is negative, OCERS would first look to subtract from your “COLA bank” and then reduce any COLA amount a member is already receiving to a maximum of 3 percent. Your retirement allowance will never be decreased below the original benefit amount granted at retirement.

## **NONASSIGNMENT OF BENEFITS**

Neither you nor your beneficiary may assign or transfer amounts payable under the Retirement Plan. The plan is, however, required to comply with Internal Revenue Service (IRS) tax levies and court-issued Domestic Relations Orders (DROs), as well as child support and spousal support orders.

## **HOW TO REQUEST AN APPEAL FOR BENEFIT CLAIMS**

If you disagree with OCERS’ staff decision regarding the amount of your benefit, effective date or any other administrative decision affecting a benefit payment (other than a disability retirement benefit), you have the right to request an appeal. (For an appeal of a disability retirement decision see the section entitled “How to Request A Disability Retirement Hearing” on page 26.) The appeal process has certain time frames so be sure to follow them. To request an appeal, follow these steps:

- Within 90 days of the decision you dispute, send a written request to the Director of Member Services of OCERS. Describe the circumstances of your situation and include any and all necessary documentation in support of your request. The Director of Member Services will review the written request, conduct an independent review of the matter and issue a written determination.
- If you disagree with the Director of Member Services’ determination, you may file a written appeal with the OCERS’ Chief Executive Officer (CEO). This appeal must

be filed within 90 days of the date of the letter from the Director of Member Services. The CEO will review the request and consult with OCERS' staff. The CEO will make a decision and you will be advised in writing of the reasons for the decision.

- If you are dissatisfied with the decision of the CEO, you have 90 days from the date of the CEO's letter to request in writing that the Retirement Board review the matter. It will then be placed on the agenda of a regularly-scheduled Board of Retirement meeting. You will be notified of the meeting by mail. You may attend this Board meeting, however, attendance is not required. The Board will grant the request, deny it, or refer the matter to a hearing with a Board-appointed Referee.
- If the Board denies your request, you have 90 days from the date of that denial to request that a Board-appointed Referee hear the matter. If you request a Hearing or the Board refers the matter to a Hearing, you will be provided Hearing rules. The Referee will conduct the Hearing and provide the Board with a Proposed Findings of Fact and Recommended Decision. The matter will then be placed on the agenda of a regularly-scheduled Board of Retirement meeting. You will be notified of the meeting by mail. You may attend this Board meeting, however, attendance is not required. The Board will either approve the recommended decision, deny it or may refer the matter back to the Referee for further review.
- If, after considering the Referee's Proposed Findings of Fact and Recommended Decision the Board denies your request, you have 90 days from the date of the denial to file a Writ of Mandate in the Superior Court under CCP §1094.5

## **RETURNING TO WORK UNDER OCERS AFTER RETIREMENT**

If you are receiving a service retirement allowance from OCERS, and you wish to return to work for an OCERS' covered employer, you may be eligible to do so. There are two methods for members who service retired to return to work for an OCERS' covered employer:

1. You may return to work after a 180 day waiting period following the date of retirement without reinstatement from retirement during an emergency to prevent stoppage of public business or because you have skills needed to perform work of limited duration. You may be employed before the 180 day waiting period has ended if the employer certifies employment is necessary and the appointment has been approved by the governing body of the employer in a public meeting. You may be paid for no greater than 960 hours of work per fiscal year, while still receiving your retirement allowance. **(If you received additional years of service through an early retirement incentive (ERI) you must wait 180 days before returning to work.)**

OR,

2. You may return to work if you file an application with the Board of Retirement to become an active member and the Board determines that you are physically capable of performing the job duties of the position you are seeking. Your retirement allowance will be suspended while you work in the full-time position and you will become an active member of OCERS for that second period of employment. Upon separa-

tion from the second period of employment, a retirement benefit will be paid to the employee based on the years of service and benefit formula that was accrued. The value of the Cost-Of-Living Adjustments (COLAs) will be posted to the member's suspended retirement allowance and paid in addition to the accrued second benefit.

If you become disabled as a result of the second period of employment, your ultimate retirement allowance will not be calculated as set forth above. You should contact OCERS to determine what your disability benefits would be in this situation.

**Please note: If you have retired with a disability, you are not eligible to return to work under the circumstance outlined in number 2 above. Please contact OCERS' Disability Section for information regarding a return to work at (714) 558-6200.**



# Disability retirement

If you become permanently incapacitated while a member of OCERS, you may be eligible for a Disability Retirement allowance. Contact OCERS' Disability Section at (714) 558-6200 for the necessary forms and for more information about a Disability Retirement.

There are two types of disability benefits payable from the System:

## **NONSERVICE-CONNECTED DISABILITY RETIREMENT**

You are eligible for a Nonservice-connected Disability Retirement allowance if:

- You have five or more years of Service Credit.
- The Board of Retirement determines that you are **permanently** physically or mentally incapacitated from performing the usual duties of any permanent assignment in your job classification.

AND

- Your disability is not due to a job-related illness or injury.

### **HOW YOUR NONSERVICE-CONNECTED DISABILITY RETIREMENT ALLOWANCE IS CALCULATED**

If you qualify for a nonservice-connected disability retirement allowance your retirement allowance calculation will be personally prepared by our Disability Staff. You may contact the Disability Section at (714) 558-6200.

## **SERVICE-CONNECTED DISABILITY RETIREMENT**

You are eligible for a Service-connected Disability Retirement allowance if:

- The Retirement Board deems you are **permanently** physically or mentally incapacitated from performing the usual duties of any permanent assignment in your job classification.

AND

- Your incapacity arose out of, and in the course of your employment, and such employment contributed substantially to your being incapacitated.

## **HOW YOUR SERVICE-CONNECTED DISABILITY RETIREMENT ALLOWANCE IS CALCULATED**

Your monthly Service-connected Disability Retirement allowance will be equal to 50 percent of your Pensionable Compensation, subject to limitations for reciprocal members. If you are eligible for a Service Retirement allowance, you will receive the greater of your Disability Retirement allowance or your Service Retirement allowance, subject to limitations for reciprocal members.

A Service-connected Disability Retirement allowance is currently exempt from taxes up to 50 percent of your Pensionable Compensation. Any portion above 50 percent of your Pensionable Compensation is taxable. If you have any questions regarding the taxability of your Service-connected Disability Allowance, please consult a tax professional.

## **EFFECTIVE DATE**

The effective date of a Service-Connected or Non-Service Connected Disability Retirement is set by statute. (Government Code § 31724) Generally speaking, the effective date is the date a member's Disability Retirement Application is filed. A member may request an earlier effective date back to the date the member last received regular compensation if the member is able to prove that his or her disability application was delayed due to the member's inability to ascertain the permanence of his or her incapacity at the time the member last received regular compensation.

According to the statute, an effective date will be delayed until the expiration of any leave of absence with compensation under the workers' compensation law. Therefore, the receipt of Temporary Total Disability payments through the workers' compensation system will delay the commencement of disability retirement benefits. Likewise, if a member uses sick, vacation or any other time off for which retirement contributions are deducted and service credits are added to the member's account as time off, the effective date will be at the expiration of this sick, vacation, or other time off. OCERS does not differentiate between sick time accrued through work and sick time donated to a member through an employer's catastrophic leave program. Therefore, members are advised to obtain accurate information regarding the effect of employer sponsored leave benefits when applying for disability retirement.

If you have any questions regarding the impact of workers' compensation or leave benefits on the effective date of a disability retirement, please contact an OCERS disability representative.

## **HOW TO REQUEST A DISABILITY RETIREMENT HEARING**

The OCERS Disability staff will investigate all disability retirement applications. Upon completion of the investigation, the disability staff will make a recommendation to the Board of Retirement regarding permanent incapacity, service-connection and effective date. You or your attorney will be given notice of the date the Board will consider the application and will be given the opportunity to be heard by the Board of Retirement. After the Board takes action, the Disability staff will notify you in writing of the Board's decision.

If you do not agree with the decision the Board of Retirement reached on any portion of your application for Disability Retirement, you have the 90 days from the date of the letter to make a written

request for an [administrative hearing](#) before a Board-appointed Referee.

Send your written request for a hearing to OCERS' Disability staff. OCERS will advise you in writing that the hearing will be scheduled on a mutually agreed upon date. You can elect to be represented by an attorney. You must provide the name and address of your attorney to the Disability staff and OCERS' Counsel.

Sixty days prior to the date of the hearing, you must provide the Referee and OCERS' counsel with a pre-hearing statement describing the issues and contentions, and a summary of the evidence to be presented. You must also provide the names of any witnesses who may be called to testify, together with copies of any documentary evidence (medical or non-medical). If any information is not disclosed in this matter, it may be inadmissible and the Referee may not consider it.

After the hearing the Referee will, based on his or her findings, make a recommendation to the Board of Retirement. You have 30 days from the date the recommendation was mailed to you to submit written objections. The referee will consider your objections and issue further findings. The matter will then be placed on the agenda of a regularly scheduled Board of Retirement meeting. You will be notified of the date and time of the meeting. You may attend this Board meeting, however, attendance is not required. The Board will either approve the recommended decision, refer the matter back to the Referee for further review, review the evidence and make such finding as are appropriate or set the matter for hearing before the full Board.

If, after considering the Referee's Proposed Findings of Fact and Recommended Decision the Board denies your application, you have 90 days from the date of the denial to file a Writ of Mandate in the Superior Court under CCP §1094.5

For more information about the actual disability retirement hearing, please contact the Legal Department at (714) 558-6200.



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# Survivor benefits

## **BENEFITS TO BENEFICIARIES UPON YOUR DEATH**

When you become a member of OCERS, you will be asked to designate a beneficiary who will be entitled to receive certain benefits that may be payable upon your death.

You may designate anyone you choose as your beneficiary, and you may change your beneficiary at any time prior to retirement. To designate or change your beneficiary, you need to request the “Beneficiary Change Form” from Member Services or download it from [www.ocers.org](http://www.ocers.org). It is your responsibility to notify Member Services of a life event change, such as a marriage, domestic partnership registration or death including death of a designated beneficiary. Upon receipt of this information, your new beneficiary designation will supersede all previous designations.

Beneficiaries of active and deferred members with 10 or more years of service will get a one-time \$750 death benefit when the member dies; beneficiaries of retirees will get a one-time \$1,000 death benefit at the time of the member’s death.

**It is important to note that your spouse, ex-spouse, registered domestic partner, ex-registered domestic partner and/or children may have legal rights that supersede the rights of any other beneficiaries you designate.**

## **NONSERVICE-CONNECTED DEATH PRIOR TO RETIREMENT**

If you have less than five years of Service Credit when you die and your death is not due to a job-related illness or injury, your Eligible Spouse, Qualified Domestic Partner or Eligible Child has the following survivor benefit options:

1. A one-time benefit consisting of the member’s accumulated contributions and interest plus a lump sum equal to one twelfth of your Pensionable Compensation earned during the 12 months immediately preceding your death multiplied by the number of completed years of service. The lump sum cannot exceed 50% of your Final Average Salary. NOTE: If your Eligible Spouse, Qualified Domestic Partner or Eligible Child is not listed as your beneficiary, this benefit will be paid to your named beneficiary, or if no beneficiary is named, to your estate.
2. If you are age 70 or older at the time of your death a lifetime monthly allowance of 60 percent of the amount you would have received if you had been granted a Service Retirement allowance the day after your death. This means you must have been qualified to receive a Service Retirement at the time of your death. (For qualification information see “Service Retirement Eligibility” on page 19.) In addition, your Eligible Spouse or Qualified Domestic Partner must be listed as your beneficiary at the time of your death to qualify for this benefit.

If you do not have an Eligible Spouse, Qualified Domestic Partner or Eligible Child, your designated beneficiary, or estate if there is no designated beneficiary, will receive a one-time benefit equal to your accumulated contributions plus a lump sum equal to one twelfth of your Pensionable Compensation earned during the 12 months immediately preceding your death multiplied by the number of completed years of service. The lump sum cannot exceed 50% of your Pensionable Compensation.

If you have five or more years of Service Credit at the time of your death, your Eligible Spouse, Qualified Domestic Partner or Eligible Child has the following survivor benefit options:

1. A one-time benefit consisting of your accumulated contributions plus a lump sum equal to one twelfth of your Pensionable Compensation earned during the 12 months immediately preceding your death multiplied by the number of completed years of service. The lump sum cannot exceed 50% of your Pensionable Compensation. NOTE: If your Eligible Spouse, Qualified Domestic Partner or Eligible Child is not listed as your beneficiary, this benefit will be paid to your named beneficiary, or if no beneficiary is named, to your estate;

or

2. Lifetime monthly allowance of 60 percent of the amount that you would have received if you had been granted a Nonservice-connected Disability Retirement allowance the day after your death (see the “Disability Retirement” section for eligibility requirements), or if you had been granted a Service Retirement allowance the day after your death and your Eligible Surviving Spouse or Qualified Domestic Partner is named as your beneficiary. For the Nonservice-connected Disability Retirement allowance, Eligible Child means a natural or adopted child of the deceased member, or a stepchild living or domiciled with the deceased member at the time of his or her death. (For qualification information see “Service Retirement Eligibility” on page 19.);

or

3. Combined benefit of a one-time payment consisting of a lump sum equal to one twelfth of your Pensionable Compensation earned during the 12 months immediately preceding your death multiplied by the number of completed years of service, plus a reduced lifetime monthly allowance, as provided under Number 2, above, actuarially reduced by the lump sum payment. The lump sum cannot exceed 50% of your Pensionable Compensation. This benefit is only payable to an Eligible Surviving Spouse or Qualified Domestic Partner.

If you do not have an Eligible Spouse, Qualified Domestic Partner or Eligible Child, your designated beneficiary, or estate if there is no designated beneficiary, will receive a one-time benefit equal to your accumulated contributions plus a lump sum equal to one twelfth of your Pensionable Compensation earned during the 12 months immediately preceding your death multiplied by the number of completed years of service. The lump sum cannot exceed 50% of your Pensionable Compensation.

Keep in mind that the legal rights of your Eligible Spouse, Qualified Domestic Partner and Eligible Child may supersede the rights of any beneficiary(ies) you named.

## **SERVICE-CONNECTED DEATH PRIOR TO RETIREMENT**

If your death occurs as a result of a job-related illness or injury, your Eligible Spouse, Qualified Domestic Partner or Eligible Child have a choice of one of the following survivor benefit options:

1. Lifetime monthly allowance of 50 percent of your Pensionable Compensation or your Service Retirement Allowance, if eligible. Under this section, Eligible Child means a natural or adopted child of the deceased member, or a stepchild living or domiciled with the deceased member at the time of death,

or

2. A one-time benefit consisting of your accumulated contributions plus a lump sum equal to one twelfth of your Pensionable Compensation earned during the 12 months immediately preceding your death multiplied by the number of completed years of service. The lump sum cannot exceed 50% of your Pensionable Compensation. NOTE: If your Eligible Spouse, Qualified Domestic Partner or Eligible Child is not listed as your beneficiary, this benefit will be paid to your named beneficiary, or if no beneficiary is named, to your estate;

or

3. Combined benefit of a one-time payment consisting of a lump sum equal to one twelfth of your Pensionable Compensation earned during the 12 months immediately preceding your death multiplied by the number of completed years of service, plus a reduced lifetime monthly allowance, as provided under Number 2, above, actuarially reduced by the lump sum payment. The lump sum cannot exceed 50% of your Pensionable Compensation. This benefit is only payable to an Eligible Surviving Spouse or Qualified Domestic Partner.

If you do not have an Eligible Spouse, Qualified Domestic Partner or Eligible Child, your designated beneficiary, or estate if there is no designated beneficiary, will receive a one-time benefit equal to your accumulated contributions plus a lump sum equal to one twelfth of your Pensionable Compensation earned during the 12 months immediately preceding your death multiplied by the number of completed years of service. The lump sum cannot exceed 50% of your Pensionable Compensation.

## **SURVIVOR BENEFITS FOR RETIRED MEMBERS**

If you die after retirement, your Eligible Spouse, Qualified Domestic Partner, Eligible Child(ren) or designated beneficiaries may be paid according to the provisions of the payment option you selected at retirement.

## **UNMODIFIED OPTION**

If you choose the Unmodified Option when you retire on a **Service Retirement** or on a **Nonservice-connected Disability Retirement**, your Eligible Spouse or Qualified Domestic Partner will receive 60 percent of your monthly allowance upon your death (for definitions of “Eligible Spouse” and “Qualified Domestic Partner,” see page 20).

If you are receiving a **Service-connected Disability Retirement**, your Eligible Spouse or Qualified Domestic Partner will receive 100 percent of your monthly allowance upon your death. Your spouse or Qualified Domestic Partner is considered eligible for a continuance in one of two ways:

1) If you were married or registered prior to the effective date of your service-connected disability benefit

OR

2) If you have been continuously married or registered as a Qualified Domestic Partner at least two years prior to the date of your death and are married to that spouse or registered to that Qualified Domestic Partner at the time of your death and your spouse or Qualified Domestic Partner is at least 55 years old.

This amount is payable to your Eligible Spouse or Qualified Domestic Partner for his or her lifetime. If you do not have an Eligible Spouse or Qualified Domestic Partner at the time of your death, your monthly allowance will be payable to your Eligible Child. If you do not have an Eligible Spouse, Qualified Domestic Partner or Eligible Child at the time of your death, your designated beneficiary will receive a refund of your remaining member contributions, if any.

## **OTHER OPTIONS**

If at retirement you choose a payment option other than the Unmodified Option, your designated beneficiary will receive a benefit based on the terms of that option. See “Other Payment Options” on page 21 for additional information.

## **SURVIVOR BENEFITS FOR MEMBERS IN DEFERRED REGULAR STATUS**

If you die in Regular Deferred Retirement status and before you begin receiving a Deferred Retirement allowance, your designated beneficiary will receive a lump sum benefit equal to your member contributions with interest.

In addition to this benefit, if you have at least 10 Years of Service Credit when you die, your designated beneficiary will receive a lump sum benefit of \$750.

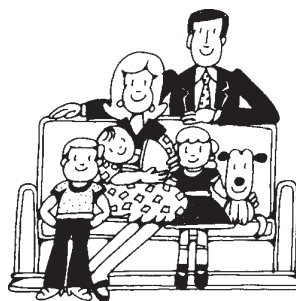
## **SURVIVOR BENEFITS FOR MEMBERS IN DEFERRED RECIPROCAL STATUS**

If your death is **not** the result of a service-connected injury while an active member of the Reciprocal System, your Eligible Surviving Spouse, Qualified Domestic Partner or Eligible Child may qualify for one of the following:

1. Lifetime monthly allowance of 60 percent of the amount that you would have received if you had been granted a Nonservice-connected Disability Retirement allowance the day after your death (see the “Disability Retirement” section for eligibility requirements), or if you had been granted a Service Retirement allowance the day after your death and your Eligible Surviving Spouse or Qualified Domestic Partner is named as your beneficiary. (For qualification information see “Service Retirement Eligibility” on page 19.) For the Nonservice-connected Disability Retirement allowance, Eligible Child means a natural or adopted child of the deceased member, or a stepchild living or domiciled with the deceased member at the time of his or her death; or
2. If the Eligible Surviving Spouse or Qualified Domestic Partner does not qualify for either benefit discussed above, and you are credited with 10 years of service credit (including reciprocal time) at the time of death, an Eligible Surviving Spouse or Qualified Domestic Partner can leave the death benefit funds on deposit until the earliest date you could have retired and then choose a Lifetime monthly allowance of 60 percent of the amount you would have received if you had been granted a Service Retirement allowance the day after your death, provided the Eligible Surviving Spouse or Qualified Domestic Partner is listed as your beneficiary; or
3. OCERS pays your accumulated contributions, which, when added to the death benefit paid by the Reciprocal system, can’t exceed the total of your accumulated contributions in both systems, plus 50% of your Pensionable Compensation earned in the 12 months immediately preceding your death.

If your death is the result of a service-connected injury while an active member of the Reciprocal system, OCERS pays your accumulated contributions and interest.

For more specific information on death and survivor benefits call Member Services at (714) 558-6200 or toll-free within California at (888) 570-6277.



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# Federal and state taxes on benefits

Retirement allowances (including disability retirement) are generally considered taxable income under both federal and State of California income tax laws. At the time of retirement you will need to instruct OCERS on your tax withholding election. If you have any questions regarding the taxability of your retirement allowance, please consult a tax professional.

**OCERS does not withhold state income taxes for any state other than California.**

**General Rule:** Because your contributions to OCERS are now deducted from your paycheck before income taxes are determined, all benefits provided by these contributions are taxable when you receive them. There are two exceptions to this rule: see “How Your Service-connected Disability Retirement Allowance is Calculated” (as described on page 26) and “Special Rule for After-Tax Member Contributions” (see below).

## **SPECIAL RULE FOR AFTER-TAX MEMBER CONTRIBUTIONS**

Purchases of Service or redeposits of contributions (lump sum payment via personal check or installment payments) made with after-tax monies are not taxed when disbursed.

When you retire, you will be provided with information regarding the income tax status of your Service Retirement or Disability Retirement allowance.

**Note: OCERS cannot provide tax advice. If you have any questions regarding the taxability of your benefits, please consult a tax professional.**







# Administrative information

## PLAN DOCUMENTS

This Summary Plan Description (SPD) summarizes the key features of the Retirement Plan. Details can be found in the County Employees Retirement Law of 1937 (the '37 Act), Sections 31450 through 31899.10 of the California Government Code. All statements made in this SPD are subject to the provisions and terms of the '37 Act. If there is any difference between this SPD and the '37 Act, the '37 Act will govern. Although the benefits currently available under the Retirement Plan are described here, OCERS reserves the right to change the plan at any time, with or without notice.

Other plan documents such as the Comprehensive Annual Financial Report (CAFR) can be obtained by requesting them from OCERS at the following address: 2223 E. Wellington Avenue, Suite 100, Santa Ana, California 92701-3161; from our Web site: [www.ocers.org](http://www.ocers.org); or by calling (714) 558-6200.

## ADMINISTRATION OF OCERS

OCERS is governed by a Board of Retirement, consisting of nine regular members and one alternate member (the County Treasurer, four active elected members, four appointed members and one elected retiree).

The Board is responsible for the administration of the System's investments and benefits, such as approving all requests for a Service Retirement, Deferred Retirement, Disability Retirement, survivor benefits, and any other claims relating to the System.

## CONFIDENTIALITY OF RECORDS

OCERS is required to protect the confidentiality of member records. Third party questions about your account cannot be answered without your written consent, pursuant to court order, or for the administration of the Retirement System.

## PARTICIPATING EMPLOYERS AND DISTRICTS

Following is a list of participating employers and districts:

City of San Juan Capistrano

County of Orange

In-Home Supportive Services Public Authority

Orange County Cemetery District

Orange County Children and Families Commission

Orange County Department of Education (closed to new members)

Orange County Employees Retirement System

Orange County Fire Authority

Orange County Local Agency Formation Commission

Orange County Public Law Library

Orange County Sanitation District

Orange County Superior Court

Orange County Transportation Authority

Transportation Corridor Agencies

University of California, Irvine Medical Center and  
Campus (closed to new members)



## **PLAN INFORMATION**

<b>Plan name</b>	Orange County Employees Retirement System
<b>Tax identification numbers</b>	Federal # 52-1670476 State # 803-6408-6
<b>Plan year ends</b>	December 31
<b>Plan Administrator</b>	The Chief Executive Officer of the Orange County Employees Retirement System
<b>Plan type</b>	Defined benefit
<b>Legal service</b>	Service for legal process related to the Retirement Plan may be made to the Plan Administrator.

# Key terms

Following are definitions of terms that are used throughout this SPD.

An **Actuary** is a mathematician who is specially trained to evaluate member experience (deaths, terminations, disabilities & retirements at various ages, etc.), recommend economic assumptions (inflation, investment returns, salary and payroll increases, *etc.*), calculate actuarial liabilities (forecast of how much will have to be paid out in benefits in future years, etc.), and rates (such as contribution, pension, annuity, *et al*).



**Age factors** are a set of numeric quantities based on your age at retirement.

**Annuity** is a series of payments (retirement benefits) derived from your contributions and interest for a specified period of time such as a number of years or for life.

**Beneficiary** is a person that you (the member) name in writing to receive certain benefits provided by the plan upon your death.

**COLA** means cost-of-living adjustment. It is based on the movement of the Consumer Price Index; the maximum annual COLA adjustment for OCERS retirees is 3% as set by the Retirement Board.

**Consumer Price Index** or **CPI** is the measure of the rate of changes in prices which are used by pension funds to measure inflation. CPI is based on the U.S. Department of Labor Statistics' monthly survey of consumer goods and services, including housing costs, food, transportation, electricity, *et al* for the Los Angeles, Riverside and Long Beach area.

**Deferred Reciprocal Retirement** means that if you terminate employment with OCERS you will be eligible to receive benefits from the System if you leave your member contributions on deposit with OCERS, and transfer to another reciprocal system within six months of your termination from OCERS. You cannot withdraw your member contributions until you terminate from your new plan.

**Deferred Regular Retirement** means that if you terminate employment other than by retirement, you still may be eligible to receive benefits from the System if you leave your member contributions on deposit with the System.

**Defined Benefit Plan** is one designed to pay each member a lifetime benefit based on 4 factors: Plan Type, a Member's age at retirement, Member's length of service and Member's Pensionable Compensation.

**Disability Retirement** is a retirement allowance payable if you become permanently physically or mentally incapacitated from substantially performing the usual duties of any permanent assignment in your job classification (due to either Service-connected or Nonservice-connected illness or injury). This determination is made by the Board of Retirement after you have filed an application and submitted proof of your disability and its causes, and the Retirement System investigates your application.

**Domestic Relations Order (DRO)** is a legal judgment, decree or order that recognizes the right of a former spouse to a community property interest in the benefits payable under your Retirement Plan.

**Eligible Child** (Children) is/are your unmarried child/children under the age of 18 or under the age of 22 if an unmarried, full-time student. This includes adopted children. Eligible Child can also include a stepchild living or domiciled with the member at the time of the member's death for purposes of an active member Nonservice-connected or Service-connected death benefit only.

**Eligible Spouse** is the person to whom you are legally married. For purposes of receiving benefits, the term has different meanings depending on the situation. Eligible Spouse also includes a Qualified Domestic Partner registered in accordance with applicable Family Law provisions.

**Excise Taxes** refers to the penalty you pay if you receive a lump sum distribution of your pretax (taxable) contributions and interest before you reach age 59½ and you do not roll it over into another qualified employer plan or IRA.

**Final Average Salary** consists of a 3 year average of your pensionable compensation. The highest consecutive 36 months of pensionable compensation is used to determine your final average salary, regardless of when it was earned. See Pensionable Compensation.

**General Members** are all members not in a Safety classification.

**IRA** means Individual Retirement Account.

**Nonservice-connected Disability** is an injury or disease, not related to your employment, that permanently prevents you from performing the duties of your job. You must have at least 5 years of service credit to be eligible to receive nonservice-connected disability benefits from OCERS.

**OCERS** ("the System") is the Orange County Employees Retirement System.

**Pensionable Compensation** is your base pay and regularly recurring pay items for special skills or shifts. It is limited to 120% of the Social Security level adjusted by the Consumer Price Index for all Urban Consumers annually on January 1st following the annual valuation. Pensionable compensation is one of the factors used in calculating your monthly retirement allowance.

**Probate** is the court supervised process of administering and distributing the estate of a deceased person.

**Qualified Domestic Partner** means that the member is registered with the California Secretary of State in accordance with Family Code Section 297.

**Reciprocal (reciprocity) Benefits** means the ability for your benefits to be coordinated if you transfer from one covered retirement system to another that enables you to preserve and enhance your total system benefits. There are certain restrictions applicable to reciprocity.

**Rollover** means a form of favorable tax treatment whereby you can defer the taxes on the taxable portion of a lump sum distribution from the Retirement Plan by transferring it to another employer's qualified plan or an Individual Retirement Account (IRA).

**Service-Connected Disability** is an injury or disease that occurs or is aggravated as a result of your employment, and that permanently prevents you from performing the duties of your job. All contributory members are eligible to receive service-connected disability benefits from OCERS if they meet the necessary requirements.

**Service Credit** are your hours worked under membership with OCERS, converted to months for which you make contributions and receive credit in the Retirement System.

**Service Retirement Allowance** is the amount of money you receive when you retire based on your Plan Type, Years of Service Credit, Pensionable Compensation, and a factor based on your age at retirement.

**STAR COLA** means Supplemental Targeted Adjustment for Retirees Cost-of-Living Adjustment. It is paid to certain retirees and survivors who have lost more than 20% of their original retirement benefit's purchasing power due to inflation. This benefit must be approved each year by the Board of Retirement.

**Summary Plan Description (SPD)** is a general description of the retirement plan provisions provided by OCERS to participants and beneficiaries.

**Survivor Benefits** are those benefits payable from the Retirement System to your Eligible Spouse/Qualified Domestic Partner or Eligible Children after your death.

**System** is a general term for the Orange County Employees Retirement System (OCERS).

**Trust** (including living trust) is a legal entity that is created when a person or organization transfers assets to a trustee for the benefit of designated persons.

**Unmodified Option** is a retirement option that provides you with the maximum retirement allowance available and a continuation benefit to your Eligible Spouse, Qualified Domestic Partner or Eligible Children upon your death.



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