



**North Carolina**  
Total Retirement Plans



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**LGERS LEO**

# **LOCAL GOVERNMENTAL EMPLOYEES' RETIREMENT SYSTEM LAW ENFORCEMENT OFFICERS**





**Welcome to the Local Governmental Employees’ Retirement System!**

The Local Governmental Employees’ Retirement System (LGERS) is a pension plan administered by the North Carolina Total Retirement Plans within the Department of State Treasurer (DST). Here, our mission is to preserve and protect this benefit for current and future public employees in North Carolina.

You have chosen a career to serve the citizens of North Carolina; therefore, you are a contributing member to one of the best funded in the nation. In fact, Moody’s Investors Service recently reported that North Carolina’s Retirement Systems, which includes state and local employees, is the best funded in the nation when looking at its Adjusted Net Pension Liability.

**Partners in Planning for Your Retirement**

We are proud to partner with you during and after your service to North Carolina. Your monthly contribution of 6% to the North Carolina pension, along with employer contributions, on average 13% across all systems, and investment returns, which reached 11% in 2020, create a foundation for your future in retirement.

Our role is to maintain the integrity and sustainability of the North Carolina Retirement Systems. Your role is to make sure you’re doing all you can to secure your financial future. Your employer and the pension system are investing a lot in you because your work to this state is highly valued!

When planning for a secure retirement, I encourage you to determine how much retirement income you’ll need to feel secure after you stop working. As you make that determination, you should not only consider your LGERS benefits, but also your Social Security benefit and personal savings.

**Supplemental Savings Exclusively Available to YOU**

The NC 401(k) and NC 457 Plans are exclusively available to public servants like you. These plans are also recognized nationwide for low fees and diverse, strong-performing investments and meaningful oversight by the Board of Trustees. These benefits are available not only while you are working and actively participating, but can continue into retirement. And, you have the option to keep your money in plans for the rest of your life.

**Understanding Your Pension Benefit**

In this handbook you’ll find all the details you need to understand your retirement options. You’ll also find many of the tools and resources you need to make informed decisions about your retirement on ORBIT, our secure web portal, at ORBIT.myNCRetirement.com. Once you’ve registered, you’ll be able to safely and securely manage your account, track service credit, investment returns, maintain beneficiaries and personal information, and stay informed. Additional resources are also available at myNCRetirement.com.

We have a team of retirement counselors ready to assist if you have questions about benefits or need guidance as you near retirement.

Thank you for your service to North Carolina, and we look forward to working with you now and through your retirement!

Sincerely,

*Dale R. Folwell, CPA*

Treasurer Dale R. Folwell, CPA



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[www.myNCRetirement.com](http://www.myNCRetirement.com)



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*DISCLAIMER: The availability and amount of all benefits you might be eligible to receive is governed by North Carolina law. The information provided in this handbook cannot alter, modify or otherwise change the controlling North Carolina law or other governing legal documents in any way, nor can any right accrue to you by reason of any information provided or omission of information provided herein. In the event of a conflict between this information and North Carolina law, North Carolina law governs.*



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## Section 1 | About Your Retirement System

The Local Governmental Employees' Retirement System is a **defined benefit plan** qualified under Section 401(a) of the Internal Revenue Code. Defined benefit plans use a formula to calculate monthly retirement benefits once eligibility requirements have been met. This handbook explains LGERS benefit eligibility requirements and the formula used to calculate benefits.

Terms in **bold type** are defined in [Section 16 – Glossary of Terms](#).



### PAYING FOR YOUR RETIREMENT BENEFITS

You, your employer and the investment earnings on total contributions pay the cost of providing your retirement benefits. You currently contribute 6 percent of your compensation to the Pension Plan, and it is automatically deducted from your paycheck. Your compensation includes all eligible salaries and wages, as defined by statute, paid to you from public funds, earned at your covered job while working for your employer.

Your employer's share of the cost is based on calculations prepared by an **actuary**.

### TAX SAVINGS

Beginning July 1, 1982, if your employer adopted a resolution to have your contributions made on a before-tax basis, your contributions have been tax deferred. This means your contributions are deducted from your pay before taxes are calculated, and you pay taxes on them when you begin receiving monthly retirement benefits or if you elect a refund of your contributions. This is a benefit to you because your current taxable income is lowered and the amount of annual taxes you pay is less than if you made contributions after paying taxes.

[See pages 27-28](#) for more information about your tax liability on benefits.



### INVESTING CONTRIBUTIONS

Contributions to LGERS are invested by the Department of State Treasurer and these funds are protected by the Constitution of North Carolina from being used for any purpose other than retirement system benefits and expenses.

### ORBIT ONLINE ACCOUNT ACCESS

ORBIT is a secure site that allows you to view your personal account information, download retirement forms, and access retirement resources 24 hours a day, seven days a week.

To set up or log in to your personal ORBIT account, go to the ORBIT website at [ORBIT.myNCRretirement.com](http://ORBIT.myNCRretirement.com) and follow the log in instructions, or register for an ORBIT account. [See page 38](#) for more information about ORBIT.



**When creating your account, use your personal email address.**

**If you already have an account and use your work email, we recommend logging in and changing this to your personal email so you will continue to have access to your account should you switch jobs or retire.**

## Section 2 | Membership in LGERS

You become an LGERS member on your hire date (or after a required local unit waiting period) if you are employed by a participating unit in a regular position that requires at least 1,000 hours of work in a calendar year. You will not be a contributing member of LGERS if your work is considered temporary employment or statutorily required interim employment. [See page 29](#) for definitions of temporary and statutorily required interim employment. A participating unit is any county, city, town or other local government entity that has agreed to participate in LGERS.

You become a member of LGERS as a local law enforcement officer on your hire date if you work as a permanent, full-time paid employee who:

- possesses the power of arrest;
- has taken the law enforcement oath administered under the authority of the state as prescribed by G. S. 11-11; and
- is certified as a law enforcement officer under the provisions of Chapter 17C of the General Statutes or certified as a deputy sheriff under the provisions of Chapter 17E of the General Statutes.

“Law enforcement officer” also means the sheriff of the county. In addition, the number of paid personnel employed as law enforcement officers by a law enforcement agency may not exceed the number of law enforcement positions approved by the applicable local governing board.

As a law enforcement officer, when you become a member of LGERS, you are automatically a member of the NC 401(k) Plan. See page 30 for details.

Please note: If you are a local law enforcement officer who works for a local government unit that does not participate in LGERS and you wish to join LGERS, you should notify your employer.

### DESIGNATING BENEFICIARIES

After your employer enrolls you in LGERS, and within one to two pay periods, you should be able to access create your secure ORBIT account and name beneficiary(ies) to receive a return of your retirement contributions and, if applicable, a death benefit, should you die before retirement. See [page 37](#) for details.

### FORFEITING ELIGIBILITY BASED ON CRIMINAL OFFENSES

If you were not vested as of December 1, 2012, and are convicted of a state or federal felony directly related to your employment while in service under LGERS, you are prohibited from receiving any retirement benefit other than a return of your contributions plus interest.

If you were vested as of December 1, 2012, you are prohibited from receiving any retirement benefit for service rendered after December 1, 2012, other than a return of your contributions plus interest for the period of service after December 1, 2012.

Elected government officials who were not vested on July 1, 2007, will forfeit their right to a monthly benefit from LGERS if convicted of certain state or federal offenses related to their service as an elected official. Elected officials who were vested on July 1, 2007, are not entitled to creditable service accrued in LGERS after July 1, 2007, if convicted of certain state and federal offenses related to their service as an elected official.

As of June 26, 2018, convictions on state charges of embezzlement were added to the list of offenses. Also, if any portion of a register of deeds' Local Governmental Employees' Retirement System benefit is forfeited, then that member's entire Registers of Deeds' Supplemental Pension Fund benefit is also forfeited.



## Section 3 | Qualifying for Benefits

### VESTING

You become vested in LGERS once you have completed a minimum of five years of creditable service as an officer. This means that you are eligible to apply for lifetime monthly retirement benefits based on the retirement formula in effect at the time of your retirement and the age and service requirements described in this handbook, provided you do not withdraw or transfer your contributions.



### SERVICE RETIREMENT (UNREDUCED BENEFITS)

You may retire with an unreduced service retirement benefit after you:

- Reach age 55 and complete five years of creditable service as an officer
- Complete 30 years of creditable service at any age

### EARLY RETIREMENT (REDUCED BENEFITS)

You may retire early with a reduced retirement benefit after you:

- Reach age 50 and complete 15 years of creditable service as an officer
- Complete 25 years of creditable service at any age and complete 15 years of service as an officer



Your early retirement benefit is calculated using the same formula as a service retirement benefit multiplied by a reduced percentage based on your age and/or service at early retirement. Because your benefit may be paid over a longer period of time than if you had waited until being eligible for service retirement, your benefit will be reduced. The tables on pages 12 and 13 show the effects these reductions would have on your benefit.

### VESTED DEFERRED BENEFIT

If you leave LGERS for any reason other than retirement or death, you can either receive a refund of your contributions, plus interest, or leave your contributions in LGERS and keep all the creditable service you earned to that date.

You may be entitled to receive a deferred benefit at a later date once you meet eligibility requirements after you have completed five years of creditable service, provided you do not withdraw your contributions. Your benefit is calculated using the formula in effect on your retirement date. It is based on your average final compensation and years of creditable service at that time.

### REFUND OF CONTRIBUTIONS

If you leave LGERS before you have five years of creditable service, the only payment you can receive is a refund of your contributions and interest.

State law prohibits us from making a refund earlier than 60 days after you leave employment with an employer that participates in LGERS.

However, if you leave LGERS employment and you do not take a refund, you will retain your benefits and rights should you return to LGERS service at a later time.

Set by state law, the interest credited on your contributions and paid with a refund is 4 percent compounded annually on your prior year ending balance.

To receive a refund, complete Form 5 (Withdrawing Your Retirement Service Credit and Contributions).

**If you withdraw your retirement contributions, you forfeit your retirement service credit and rights to all benefits associated with the service for that time period, including medical coverage through the State Health Plan, if applicable.**



## Section 3 | Qualifying for Benefits

### RECIPROCITY BETWEEN SYSTEMS

Any credit you may have in the following retirement systems may be counted along with your credit in LGERS in order to determine your eligibility for a reduced or unreduced benefit:

- Legislative Retirement System (LRS)
- Consolidated Judicial Retirement System (CJRS)
- Teachers' and State Employees' Retirement System (TSERS)

However, only your creditable service in LGERS is used in computing the amount of your benefit in LGERS. Creditable service in any other system is used to compute benefits from that system.

### TRANSFERRING SERVICE & CONTRIBUTIONS BETWEEN SYSTEMS

You can transfer your contributions and creditable service between LGERS and TSERS as long as you are an eligible member of the system to which you are transferring, do not receive a refund of your contributions from the system from which you are transferring and file Form 5TR (Transferring Service and Contributions Between Systems), available in ORBIT.

Transferred creditable service counts toward your eligibility for a monthly benefit and is used to compute the amount of your benefit. Overlapping transferred service cannot be counted twice for the same time period.

The general rules for eligibility for transfer are as follows:

- You may transfer to the System that retains your latest service and contributions if the law allows the latest System to receive the transfer.
- Your latest System may have further requirements for eligibility.

### REQUIRED DISTRIBUTIONS AFTER AGE 72

In most cases, LGERS is required to pay benefits to non-retired members with open LGERS accounts by April 1 of the year following the year in which the member reaches age 72 or ceases to be an employee, whichever is later.

Members who are vested (five or more years of creditable service) who fail to complete the retirement process will receive a monthly retirement benefit based on the maximum allowance.

Non-vested members who fail to complete a refund application will receive a refund of their contributions and interest by April 1 of the year following the year in which the member reaches age 72.



For more information on Reciprocity between systems and transferring service, visit [www.myNCRetirement.com](http://www.myNCRetirement.com).

## Section 4 | How Your Benefit is Calculated

$$\begin{aligned} &\text{Retirement Formula:} \\ &\text{Your annual benefit} = \\ &\quad 1.85\% \\ &\text{of average final compensation} \\ &\quad \times \\ &\text{years and months} \\ &\text{of creditable service} \end{aligned}$$

**AVERAGE FINAL COMPENSATION** is the average of your salary during your four highest-paid years (48 consecutive months) in a row. If your four highest-paid years in a row include a final payment for unused vacation leave and/or prorated longevity, your average final compensation may be increased by the extra payment(s). Final payments, if any, for unused sick leave or reimbursements for expenses are not includable in your average final compensation.

**CREDITABLE SERVICE** is the total of all service credit that counts toward retirement. It includes membership service for any period you contribute to LGERS, provided you have not withdrawn your contributions. It also includes credit for eligible purchased service and eligible unused sick leave that is converted to creditable service at retirement. [See pages 19-21](#) for more details.

### SERVICE RETIREMENT CALCULATION EXAMPLE

Assume employee Mike Benson retires at age 60 with 32 years and two months of creditable service and an average final compensation of \$40,331. Because Mike has more than 30 years of creditable service at retirement, he receives his basic benefit of about \$24,000 a year (about \$2,000 monthly) for the rest of his life under the maximum allowance. Monthly payments would stop at his death. In addition, Mike may also be eligible for Social Security benefits as early as age 62.



## Section 4 | How Your Benefit is Calculated

The following table shows how we calculate Mike's benefit. Use the spaces in the right-hand column to fill in your figures for an estimate of your benefit.

		<b>You</b>	<i>example</i>
<h3>Step 1</h3> <p>Add your salary during your 4 highest-paid years (48 months) in a row</p>	Year 1	\$ <input type="text"/>	\$38,930
	Year 2	\$ <input type="text"/>	\$39,830
	Year 3	\$ <input type="text"/>	\$40,830
	Year 4	\$ <input type="text"/>	\$41,734
	<b>Total</b>	\$ <input type="text"/>	<b>\$161,324</b>
	Then, divide the total by 4 to get your average final compensation	<b>Average Final Compensation</b>	<input type="text"/> <i>divide by 4</i>
<h3>Step 2</h3> <p>Multiply Step 1 by .0185 to apply the retirement formula* (see page 10)</p>	Step 1	\$ <input type="text"/>	\$40,331
		<i>x .0185</i>	<i>x .0185</i>
	<b>Total</b>	\$ <input type="text"/>	<b>\$746.12</b>
<h3>Step 3</h3> <p>Determine your creditable service (see pages 19-21)</p>		<input type="text"/>	<b>32.1667 years</b>
<h3>Step 4</h3> <p>Calculate your annual benefit* by multiplying Step 2 by Step 3</p>	Step 2	\$ <input type="text"/>	\$746.12
	Step 3	<i>x</i> <input type="text"/>	<i>x</i> 32.1667
	<b>Total Annual Benefit</b>	\$ <input type="text"/>	<b>\$24,000.22</b>
<h3>Step 5</h3> <p>Calculate your monthly benefit* by dividing Step 4 by 12</p>	Step 4	\$ <input type="text"/>	\$24,000.22
	<b>Total Monthly Benefit</b>	<input type="text"/> <i>divide by 12</i>	<b>\$2,000.22</b> <i>/ 12</i>
<p>(This is an estimate of the payment you will receive each month before taxes or any other deductions.)</p>			

\*Remember, if you retire early or if you choose for payments to continue to a beneficiary after your death, these numbers will change. See next page for how to calculate early retirement amounts.

## Section 4 | How Your Benefit is Calculated

### EARLY RETIREMENT REDUCTION PERCENTAGES

Your age at retirement is an important factor in determining your monthly benefit. If you do not meet the requirements for a full service retirement, you may still retire early, but you will receive a reduced monthly benefit for your lifetime. If you are younger than age 55, with less than 30 years of creditable service, your early service retirement benefit will be reduced by the percentages shown below. If you are between birthdays when payments start, the reduction will be adjusted proportionately.

		<i>Years of Creditable Service</i>					
		<b>29</b>	<b>28</b>	<b>27</b>	<b>26</b>	<b>25</b>	<b>15</b>
<b>Age</b>	<b>54</b>	96%	96%	96%	96%	96%	96%
	<b>53</b>	95%	92%	92%	92%	92%	92%
	<b>52</b>	95%	90%	88%	88%	88%	88%
	<b>51</b>	95%	90%	85%	84%	84%	84%
	<b>50</b>	95%	90%	85%	80%	80%	80%
	<b>49</b>	91%	86%	81%	76%	76%	N/A
	<b>48</b>	87%	82%	77%	72%	72%	N/A
	<b>47</b>	83%	78%	73%	68%	68%	N/A
	<b>46</b>	79%	74%	69%	64%	64%	N/A
	<b>45</b>	75%	70%	65%	60%	60%	N/A
	<b>44</b>	71%	66%	61%	57%	56%	N/A
	<b>43</b>	67%	62%	57%	52%	52%	N/A

The chart above uses whole numbers for years of service and age as an reference. When you retire, your creditable service will be adjusted based on age and service in years and months.

## Section 4 | How Your Benefit is Calculated

### EXAMPLES OF BENEFITS PAID

The following chart shows the approximate monthly benefit paid under the maximum allowance option at various salary levels, depending on age and creditable service. These are only examples. Your own benefit is calculated individually and depends on your age, creditable service and average final compensation.

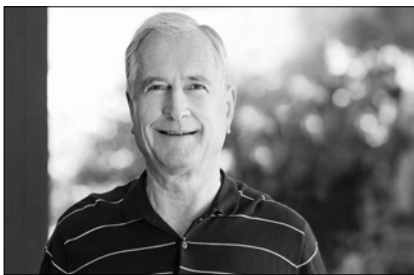
Monthly Retirement Benefit Under Maximum Allowance						
Average Final Compensation	Age	50	52	55	Any	Any
	Yrs. of Service	15	28	25	30	40
\$90,000		\$1,665	\$3,495	\$3,468	\$4,161	\$5,550
80,000		1,480	3,108	3,083	3,700	4,933
70,000		1,295	2,719	2,697	3,237	4,316
60,000		1,110	2,331	2,312	2,775	3,700
55,000		1,017	2,136	2,119	2,543	3,391
50,000		925	1,942	1,927	2,312	3,083
45,000		832	1,748	1,734	2,081	2,775
40,000		740	1,554	1,541	1,850	2,466
35,000		647	1,359	1,348	1,618	2,158
30,000		555	1,165	1,156	1,387	1,850
25,000		462	971	963	1,156	1,541

### EARLY RETIREMENT CALCULATION EXAMPLE

Assume employee Fred Wise retires at age 51 with 24 years and three months of creditable service and an average final compensation of \$40,331.

		<i>Now apply the early retirement reduction percentage from the chart on the chart above.</i>	
\$	40,331.00	<i>(average final compensation)</i>	
x	<u>.0185</u>		
\$	746.12		
x	<u>24.25</u>	<i>(creditable service)</i>	
\$	18,093.41		
			\$ 18,093.41
			x <u>.84</u> <i>(percentage at age 51)</i>
			\$ <b>15,198.46</b>

Fred receives a benefit under the maximum allowance of about \$15,198 a year (about \$1,266 monthly). His payment will start at age 51 and continue for the rest of his life.



## Section 4 | How Your Benefit is Calculated

### BENEFIT LIMITATIONS

Occasionally, a retiree may be subject to the benefit limitations described below:

### CONTRIBUTION-BASED BENEFIT CAP (CBCB)

As a member of LGERS, you contribute six percent of your monthly income toward your retirement. If you receive significant salary increases in the years before retirement or over the course of your career, your monthly retirement benefit at retirement may exceed what your contributions would be expected to fund. Significant late-career promotions, conversion of benefits into compensation, and leave payouts at retirement may also cause your monthly retirement benefit to exceed what your contributions would be expected to fund. The Contribution-Based Benefit Cap was created to protect this system for current and future retirees, by providing a method for the payment of these unforeseen costs.

If you retire on or after January 1, 2015, with an average final compensation (AFC) of \$100,000 or more (adjusted annually for inflation), you may fall under a contribution-based benefit cap.

If you were first hired before January 1, 2015, your last employer will be required to pay the additional contribution if it is determined that your allowance is in excess of the cap and is subject to an adjustment. LGERS will notify your employer and will provide a statement of the cost of the additional contribution required to pay for your benefit in excess of the cap.

If you were first hired on or after January 1, 2015, your employer may choose whether or not to pay this additional contribution; if your employer chooses not to pay, you will be required to accept a benefit reduced to the benefit cap unless you pay the additional contribution. LGERS will notify you and will provide a statement of the cost of the additional contribution required to pay for your benefit in excess of the cap, along with the deadline to submit payment.



**PENSION SPIKING**

and the

**CBBC**

**CONTRIBUTION-BASED  
BENEFIT CAP**

### IRC SECTION 415(B) ANNUAL PENSION BENEFIT LIMIT

If you are a highly compensated employee, your LGERS benefits may be subject to the Internal Revenue Code (IRC) section 415(b) annual pension benefit limit. The determination of whether your retirement benefit will be subject to the limit can only be made at retirement. The limit varies every year, so your benefit could be affected one year but not the next. The limit varies each year and is set by the IRS. The limit is affected by many factors that were established by the IRS that may or may not apply to a particular individual.

The General Assembly established a Qualified Excess Benefit Arrangement (QEBA) fund to pay the part of a retiree's retirement allowance that exceeds the limit. Members hired prior to January 1, 2015, are eligible to receive benefit payments from the QEBA fund.



For up-to-date information on benefit limitations, including the Annual Pension Benefit Limit and the Contribution-Based Benefit Cap, visit [www.myNCRetirement.com](http://www.myNCRetirement.com).

## Section 5 | Your Benefit Payment Options

At retirement, you must elect one of the payment options described on page 16. On average, the payment options are mathematically equal to one another from the perspective of LGERS, based on assumptions recommended by actuaries. Each option is calculated so its total value is the same as the value of the other options available to you and the beneficiary you name (if any). The monthly payment amounts will differ based on the age of the beneficiary you select, if any.

### CONSIDERING YOUR OPTIONS

First, decide whether you need a payment option that provides a monthly benefit to a beneficiary after your death. If you do not select one of these options, all of your retirement benefits will be used to provide you with a lifetime monthly payment that stops at your death.

Your choice of payment options is personal and should take into account your needs during retirement and the needs of a dependent, if any, after your death. Neither the payment plan selected by a co-worker nor the one selected by the largest number of retirees should have any effect on your personal decision.

### PERMANENT DECISION

You cannot change your selected payment option once you cash your first retirement check or after the 25th of the month following the month your first check is mailed (whichever is earlier) except under one of the following two conditions:

- If you select an option that provides a monthly benefit to your spouse as a beneficiary after your death (Option 2, 3, 6-2 or 6-3) and later become divorced from that spouse.
- If you are rehired in a position covered by LGERS and contribute to your new account for at least three years.





## Section 5 | Your Benefit Payment Options

Here are your benefit payment options:

### **MAXIMUM ALLOWANCE**

When you retire with a service retirement benefit, your basic benefit is the maximum allowance and is calculated under the formula on [page 10](#).

If you retire early, your maximum allowance is calculated using the same formula, which is then reduced for early retirement. In either case, you will receive your allowance for as long as you live. All monthly payments stop at your death.

### **OPTION 2: 100% JOINT & SURVIVOR**

- You receive reduced monthly payments for life.
- After you die, your monthly survivor beneficiary receives the same amount monthly for life.

### **OPTION 3: 50% JOINT & SURVIVOR**

- You receive reduced monthly payments for life which are slightly larger than the payments in Option 2.
- After you die, half of your payment continues to your monthly survivor beneficiary for life.

### **OPTION 6-2:** **MODIFIED JOINT & SURVIVOR (combination MAX Allowance, Option 2)**

- You receive reduced monthly payments for life (a larger reduction than under Option 2).
- After you die, your monthly survivor beneficiary receives the same amount monthly for life.
- However, if your beneficiary dies before you do, your monthly payments increase to the amount payable under the maximum allowance.

### **OPTION 6-3:** **MODIFIED JOINT & SURVIVOR (combination MAX Allowance, Option 3)**

- You receive reduced monthly payments for life (a larger reduction than under Option 3).
- After you die, half of your payment continues to your monthly survivor beneficiary for life.
- However, if your beneficiary dies before you do, your monthly payments are increased to the amount payable under the maximum allowance.



## Section 5 | Your Benefit Payment Options

It is important to note that if you select a benefit payment option that names a beneficiary, you should immediately notify the Retirement Systems if that person dies before you.

**NOTE:** Under Options 2, 3, 6-2 and 6-3, you may name only one beneficiary to receive a monthly survivor benefit after your death. You may not change your survivor beneficiary after you retire except under one of the following circumstances:

- If you named your spouse as survivor beneficiary at the time of retirement and later become divorced from that spouse.
- If you return to employment covered under LGERS and contribute to a new retirement account for at least three years.
- If you chose Option 2 or 3 at retirement, and designated your spouse as survivor beneficiary, and this spouse dies before you, and you remarry, you may request to nominate your new spouse as your beneficiary within 90 days of your remarriage under the same option you chose at retirement. Contact our office and we will mail you a letter outlining the documents we need to make the change. You must file this redesignation with LGERS within 90 days of your remarriage.



Your new benefit will be reduced based on your age and the age of your spouse at the time of the change. The benefit payable to you will be the benefit you received before the death of your previous spouse, additionally reduced to cover your new spouse as beneficiary.

### **OPTION 4: SOCIAL SECURITY LEVELING**

- You receive larger monthly payments than you would otherwise be entitled to receive until you are eligible for Social Security at age 62.
- Beginning the month after the month of initial entitlement for Social Security age 62 benefits, your monthly payments will be reduced to an amount that is less than what you would otherwise be entitled to receive. Nevertheless, your reduced retirement payments after age 62, plus your allowance from the Social Security Administration, should be approximately the same amount as the inflated payment you received from LGERS before age 62.
- The actual amount of your retirement payments both before and after age 62 will be based on the estimate of benefits you provide to us from the Social Security Administration before your retirement.
- All monthly payments stop at your death.

The reduction in your monthly retirement payments after age 62 allows LGERS to recover the additional amounts you received before age 62.

Any percentage increase you are granted in your retirement benefit before age 62 will be applied to the additional benefit you are receiving at that time. However, when you reach age 62, your retirement benefit will be reduced to the original amount promised after age 62 plus the percentage increases (not the dollar amount of increases) granted before age 62.

## Section 5 | Your Benefit Payment Options

### Example of Payment Options

Assume John Murphy has earned a service retirement benefit under the maximum allowance of \$2,000 a month. He wants to share his benefit with his wife, Pam, who is 51 when John retires at 57 after 30 years and three months of creditable service. The table below shows how much John and Pam would receive monthly under each payment option.

Payment Option	To John	To Pam After John's Death
<b>Maximum Allowance</b>	\$2,000 monthly	\$0.00
<b>Option 2</b>	\$1,834.60 monthly	\$1,834.60 monthly
<b>Option 3</b>	\$1,913.80 monthly	\$956.90 monthly
<b>Option 4*</b>	\$2,650.90 monthly up to age 62, \$1,650.90 monthly thereafter	\$0.00
<b>Option 6-2</b>	\$1,822.60 monthly; if Pam dies before John, he receives \$2,000 monthly thereafter	\$1,822.60
<b>Option 6-3</b>	\$1,907.20 monthly; if Pam dies before John, he receives \$2,000 monthly thereafter	\$953.60 monthly

\*Assumes John's primary Social Security benefit is \$1,000 a month at age 62.

These are only examples. Your own benefit is calculated individually and the actual amounts of your payment options are based on many factors, such as your age, your beneficiary's age and when payments start.



## Section 6 | Adding to Your Creditable Service

Your benefit at retirement is based, in part, on your creditable service. Creditable service includes your years and months of membership service in which you contributed to LGERS and may also include prior service credit, sick leave credit, military service credit and certain types of purchased service credit, which are described below.

### **PRIOR SERVICE**

If you were employed by your employer before its participation in LGERS, you may have received credit for your service before you became a member. Also, if you were a member of the former Law Enforcement Officers' Retirement System and have completed 10 years as a contributing law enforcement officer, you may purchase credit for service performed as an officer after July 1, 1940.

The cost, which must be paid in a lump-sum payment, will cover the employee and employer funding, and will likely be lower if credit is purchased within 3 years from the date you become eligible. It is optional with your employer whether to share the cost with its employees.

### **SICK LEAVE**

Unused sick leave can be converted to additional retirement service credit at the time of your retirement if all of the following conditions are met:

- Your sick leave was earned monthly under a duly adopted sick leave policy.
- You would receive full salary when using the sick leave if absent from work because of illness.
- You have not, and will not, receive any compensation for this sick leave.
- Your last day of service with your last participating LGERS employer is within 365 days before your LGERS effective date of retirement.

When you retire, you are allowed one month of credit for each 20 days of unused sick leave. For any part of 20 days left over, one additional month is allowed provided the remaining portion is at least one hour. A sick leave "day" is determined by your employer's sick leave accrual policy and may or may not be equal to eight hours.

For example, assume John Smith earns one day of sick leave per month under his employer's sick leave accrual policy while working an extended shift of 12 hours per day and he accrues 12 hours of sick leave each month. When his employer certifies his unused sick leave on his retirement application (Form 6), for each 12 hours of eligible unused sick leave, his employer should report one day of unused sick leave, rather than 1.5 days.

In another example, assume Mary Brown earns one day of sick leave per month while working 7.5 hours per day and accrues 7.5 hours of sick leave each month. When her employer certifies her unused sick leave on her Form 6, for each 7.5 hours of eligible unused sick leave, her employer should report one day of unused sick leave.

Sick leave is used to increase your creditable service, but it cannot be used to meet the minimum qualifications for a disability retirement benefit, deferred benefit or the Survivor's Alternate Benefit. You may use your sick leave to complete 30 years of service regardless of age.

You may also use the portion of your sick leave you earned as an officer to complete 15 years of service after age 50 or five years of service as an officer after age 55.

If an eligible sheriff has accrued sick leave as a member of LGERS, after the member and the Department of Justice notify the Retirement Systems Division, the member can elect to have all of that sick leave applied to service under the SSPF. The same sick leave cannot be used for both plans.

## Section 6 | Adding to Your Creditable Service

### **MILITARY SERVICE**

You may receive retirement credit for up to five years of qualifying military service at no cost if you were an eligible LGERS member when you entered active duty, and:

- You returned to employment for 10 or more years with the same LGERS employer after discharge from the military, or
- You returned to LGERS membership service within the time limit mandated by federal law for reporting back to work and meet all of the following requirements:
  - You did not provide written notice of intent not to return to work after military service.
  - You are not eligible for benefits from any other retirement plan based on this service.
  - You purchased your LGERS withdrawn service credit, if any.

Your LGERS employer is required to pay the employer and employee contributions to LGERS for the full period of your military service under the above provisions if you return to work within two years after your earliest military discharge date.

If you are ineligible for free credit under these rules, you may be eligible to buy credit for your first period plus later required periods of active duty by making a lump-sum payment.

To be eligible to purchase military service credit, you must have contributed to LGERS for five years. Your cost will be equal to the full actuarial liabilities created from the additional credit purchased.

If your military service is creditable in another retirement system, generally you will not be eligible to purchase credit in LGERS.

### **WITHDRAWN SERVICE**

If you have ever received a refund of your contributions from LGERS, TSERS, or the former Law Enforcement Officers' Retirement System, you may be eligible to purchase, with a lump-sum payment, in LGERS, the amount of creditable service you lost when you received your refund.

Before you are eligible to pay for this service, you must be rehired and contribute to LGERS for five years or have a combination of five years of current membership service in CJRS, LRS, TSERS or LGERS.

For purchases made through the end of 2021, your cost, which must be paid in a lump sum, will be equal to the amount of contributions withdrawn plus interest at 6.5 percent compounded annually from the year of withdrawal to the year of repayment. In addition, you will pay a \$25 administrative fee.



For up-to-date information on Service Purchases, visit [www.myNCRetirement.com](http://www.myNCRetirement.com).

## Section 6 | Adding to Your Creditable Service

### **PURCHASING OTHER WITHDRAWN SERVICE**

If you ever received a refund of your contributions from CJRS, LRS or TSERS, you may be eligible to make a lump-sum payment to purchase the amount of withdrawn creditable service in the system from which it was withdrawn.

Before you are eligible to pay for this service, you must have five years of current membership service in LGERS or in CJRS, LRS or TSERS, or have a combination of five years of membership service in any of these systems. This type of purchased service may be used to determine your eligibility for benefits in LGERS. However, only your creditable service in LGERS will be used in computing the amount of your LGERS benefit.

Creditable service in any other system will be used to compute benefits from that system. Eligible withdrawn service you purchase in LGERS or TSERS counts as creditable service, not membership service.

Your cost, which must be paid in a lump sum, will be calculated using the withdrawn service purchase provisions in the System from which you are purchasing the service credit.

### **OTHER TYPES OF SERVICE PURCHASES**

In addition to withdrawn service and military service purchases, you may be eligible to purchase credit for the following types of service:

Out-of-State Service	Part-Time Local and State Service
Temporary Local and State Service	Other Service with a Local Government
Educational Leave	Service with the Federal Government
Local Probationary or Waiting Period Service	Federally-funded Public Community Service in North Carolina
Workers' Compensation Leave	Omitted Service

**Any service that was forfeited due to a felony conviction cannot be repurchased.** For detailed information about the eligibility requirements for purchasing creditable service, please see the applicable purchase form found in the forms section of ORBIT.

### **ROLLOVERS TO PURCHASE RETIREMENT CREDIT**

We will accept pre-tax money from an eligible retirement plan or an eligible IRA via rollover or in-service, plan-to-plan transfer to purchase creditable service. For more information and instructions, see Form 398 (Using a Distribution of Tax-Sheltered Savings to Purchase Retirement Credit), available in ORBIT.



## Section 7 | Initiating Your Retirement Benefits

Once you decide to retire and meet the eligibility requirements for monthly benefits, you must follow certain steps to begin your retirement process.

**To be legally retired, you must end your employment, live until your effective date of retirement, have no intent or agreement, express or implied, to return to LGERS service and not perform any work for an LGERS employer at any time during the month of your effective date of retirement.**

Generally, if you die before your effective retirement date, your beneficiary is ineligible for a monthly retirement allowance, based on your retirement account, except as provided under the Survivor's Alternate Benefit.

### RETIREMENT APPLICATION PROCESS

Before you begin the retirement process, we encourage you to discuss your retirement plans with your family and your employer's benefits coordinator, and contact the Retirement System to schedule an appointment with a retirement counselor to discuss your options.

About 120 days before your planned retirement date, we recommend you begin the [online retirement process in ORBIT](#) or the Form 6 (Claiming Your Monthly Retirement Benefit) also available in your ORBIT account.

If you work in a position that requires contributions to LGERS during the six months before your effective date of retirement (or you are currently out of service, but your last day of service with your last participating LGERS employer is within 365 days before your effective date of retirement, and you had unused sick leave), your employer should complete the employer certification section online or (Section H) on your Form 6 (Claiming Your Monthly Retirement Benefit) before the form is sent to us.

If you want an estimate of your benefit under Option 4, you must also send us an estimate from the Social Security Administration (SSA) of your age 62 Social Security benefit. Request this estimate from SSA within two years before your effective retirement date.

Monthly retirement benefits are effective the first day of any month. You must complete your online application or you must sign, date and file your retirement application (Form 6) at least one day and not more than 120 days before your effective date of retirement.

Once we receive your online application or Form 6, we will send you an acknowledgment email or letter that includes instructions on your next steps in the retirement process. **Online retirement allows for steps to be completed and confirmed online.** If you have submitted a paper form, we will send you:

- Form 170 (Authorizing Direct Deposit)
- Form 290 (Income Tax Withholding Preferences)
- Form 333 (Choosing the Contributory Death Benefit for Retired Members), which includes information about the cost and coverage provisions of the optional \$10,000 Contributory Death Benefit for Retired Members. To enroll, you must make your election within 60 days of the effective date of your retirement.

Later, we will send you an estimate of the maximum allowance and the other payment options, if applicable. Along with the estimate, you will receive the following which must be received before your first payment is made:

- Form 6E (Choosing Your Retirement Payment Option)
- Form 333BEN (Designating Beneficiary(ies) for the Contributory Death Benefit for Retired Members)



The NC Retirement Systems has an **online retirement** feature in ORBIT. No more filling in multiple forms by hand or waiting for the Retirement Systems Division to receive your paperwork by mail. The online application offers a step-by-step guide to move you through the process, integrated videos, examples and links available on screen at critical decision-making points and built-in pension rules that prevent delays in the processing of your retirement application. Visit [ORBIT.myNCRetirement.com](https://ORBIT.myNCRetirement.com) for more information.

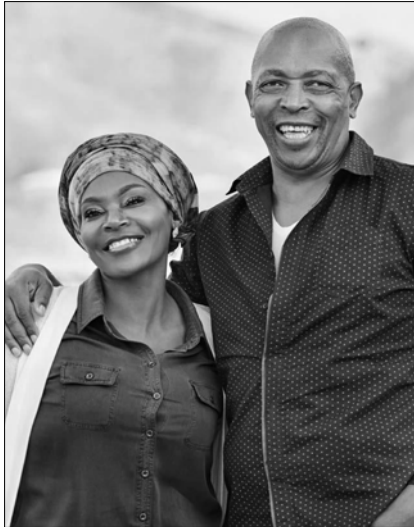
## Section 7 | Initiating Your Retirement Benefits

### YOUR FIRST MONTHLY BENEFIT

Your first monthly retirement benefit will be mailed to you. Thereafter, we will direct deposit your monthly benefit into your bank account on the 25th day of each month. If the pay date falls on a Saturday, Sunday or holiday, your deposit will be made on the last workday before the pay date. Direct deposit is fast, automatic and free.

The Retirement Systems Division calculates your monthly benefit amount based on all information available prior to your retirement date. Frequently, information available only after the retirement date, such as final salary reports from your employer, impacts the amount of the benefit. While the division makes every effort to provide the most accurate benefit amount at the beginning of your retirement period, it is required by law to adjust the benefit amount when additional information is received.

Overpayments may happen for a variety of reasons, one of which is that the Retirement Systems may pay you a benefit based on an estimate. [See page 31](#) for more information about overpayments.



### OPTIONAL SUPPLEMENTAL INSURANCE

Optional supplemental insurance coverage is available to retirees and benefit recipients through Pierce Insurance Agency. Pierce will mail information to you after your first retirement benefit has been issued.

### POST-RETIREMENT INCREASES

Post-retirement increases are not guaranteed. However, your benefit may be increased periodically after retirement to help you keep up with the cost of living. If any COLA is provided, either there must be investment gains pay for it, or there will have to be additional employer contributions to pay for it. Those are the two ways that money comes into the Retirement Systems: contributions and investment returns. It is up to the General Assembly to decide whether to increase benefits and whether to appropriate funds to support that goal.

Cost-of-living increases are usually figured as a percentage increase in your monthly benefit, which becomes a permanent part of your monthly benefit under all payment options, and the monthly benefit to be paid to your beneficiary after your death under Options 2, 3, 6-2, and 6-3. ([See page 17](#) regarding increases under Option 4.)



For up-to-date information about [Cost of Living Adjustments \(COLAs\)](#) and how they are calculated and approved, visit [www.myNCRetirement.com](http://www.myNCRetirement.com).



For information and road maps to [online retirement](#), visit [www.myNCRetirement.com](http://www.myNCRetirement.com).

## Section 8 | NC 401(K) and NC 457

Generate retirement income from your NC Total Retirement Plans 401(k) and 457 Plans supplement savings.

- Learn more about your retirement resources and benefits by viewing your myNCRetirement Statement in [ORBIT](#). The annual statement is a customized snapshot of your retirement.
- Consider making a one-time contribution to the plan(s). You can contribute additional compensation or payouts on a one-time basis, such as longevity, vacation and/or bonus leave payments. For more information, refer to our [One-time Contribution Flyer](#) found on [NCPlans.prudential.com](#).
- Roll over money into your plan account from another qualified retirement plan. As long as you have a balance in the plan(s), you can roll money into your NC 401(k) and/or NC 457 Plan account. To learn more, check out our Rollover Pre-Approval Forms at [NCPlans.prudential.com](#).

Consider these advantages:

	Consolidated into NC 401(k)/NC 457	Multiple Accounts
Money remains tax deferred	✓	✓
Avoid taxes and penalties	✓	✓
Convenience	✓	
Lower Costs	✓	
Easier to maintain proper asset allocation: access to GoalMaker	✓	
Strong oversight of fund managers and fees from the Supplemental Retirement Board of Trustees	✓	
Additional fees	✓	✓

You have the opportunity to participate in the North Carolina Supplemental Retirement Plans, NC 401(k) and NC 457, which are among the largest in the country, allowing room for fee negotiations. As a result, these plans are among the most competitively priced public plans in the country. That means you may be paying less for the plans that are in support of your “total” retirement.

Discover our recently released [Cost Comparison Document](#). It is a tool that allows you to be an active, informed participant as you compare the plans with outside financial products. As a current account holder, it’s important to know that you have the option of keeping your money in the plan(s), even after you change jobs or retire.

- Meet for personal, confidential help. Find your NC Total Retirement Plans retirement education counselor by calling 1-866-NCPlans or visit [NCPlans.prudential.com](#).
- Consider the [Transfer Benefit](#), also known as NC Lifetime Income. This allows you to make a one-time transfer of any portion of your eligible contributions, not including Roth contributions and earnings, from your NC 401(k) and/or NC 457 Plan to LGERS and receive the balance as monthly income. There are many factors you should consider before taking advantage of this option – This benefit may not be for everyone. Visit the [Transfer Benefit Estimator](#) in ORBIT for more information. There is a one-time fee of \$100 for this option.



## Section 9 | Additional Benefits for LEOs




### 401(k) Plan

As a law enforcement officer, you are automatically a member of the NC 401(k) Plan. Your employer pays an amount equal to 5 percent of your salary into your account in the Plan, and you may elect to make additional contributions. You decide how the contributions in your account are invested and also how you want to receive the contributions when you separate from employment.



As a law enforcement officer, you may, at retirement, elect to transfer eligible contributions, not including any Roth after-tax contributions, from the NC 401(k) Plan to LGERS and be paid an additional monthly benefit from LGERS based on your transferred balance.

The Retirement System has hired Prudential Retirement to administer the NC 401(k) Plan and they can give you further details about the plan.

 1-866-627-5267

 [www.NCPlans.prudential](http://www.NCPlans.prudential)



## Section 9 | Additional Benefits for LEOs

### OTHER DEATH BENEFITS

The death benefit under this plan is administered by the Retirement Systems Division. You may also be entitled to additional benefits, such as:

- A line-of-duty death benefit of \$200,000 which is administered jointly by the North Carolina Industrial Commission and the Department of State Treasurer.
- When the covered person is “murdered in the line of duty” as determined by the North Carolina Industrial Commission, the Line-of-Duty Death Benefit to the beneficiary of a covered public safety worker increases from \$100,000 to \$200,000. This provision is effective retroactively to July 1, 2016, and applies to qualifying deaths on or after that date.
- A line-of-duty death benefit from the federal Public Safety Officers’ Benefits Program, Bureau of Justice Assistance, United States Department of Justice.



Additional information is available from your employer or one of the above agencies.

### SPECIAL SEPARATION ALLOWANCE

As a law enforcement officer, if you retire on a service retirement allowance (i.e., 30 years of creditable service at any age, or age 55 with at least five years of credit as a law enforcement officer) you may be eligible for a monthly separation allowance payable until you reach age 62, or until you return to any employment with local government. Other conditions apply.

Contact your employer for details, since your employer is responsible for making all determinations of eligibility and for making these benefit payments when they become payable.



For information on benefits for LEOs, visit [www.myNCRetirement.com](http://www.myNCRetirement.com).





## Section 10 | Income Tax (Benefits)

Beginning July 1, 1982, if your employer adopted a resolution to have your contribution made as a before-tax basis, your contributions have been tax deferred. This means your contributions are deducted from your pay before taxes are calculated, and you pay taxes on them when you begin receiving monthly retirement benefits or if you elect a refund of your contributions. The following is a brief outline of current tax laws as they apply to LGERS benefits. However, because tax laws often change, we recommend you consult your tax advisor for more information.



### RETIREMENT AND DISABILITY RETIREMENT BENEFITS

After you retire, we will send you a Form 1099-R, which is similar to Form W-2 (Statement of Income and Tax Withheld), which you received annually while you were employed. The 1099-R shows the amount of your retirement benefits, the taxable portion (if any) of those benefits, the amount of tax withheld (if any), and other related information. We also send copies to the Internal Revenue Service and the North Carolina Department of Revenue. Therefore, you should report your retirement benefits on your federal and North Carolina tax returns regardless of whether you owe any income tax.



### FEDERAL INCOME TAX

Part of your retirement benefit may not be subject to federal income tax because the tax was withheld while you were working. Included in the non-taxable part of your retirement benefits are contributions you made before the date your employer adopted a tax sheltering resolution (if they have done so), and any non-rollover service purchases you made.

### NORTH CAROLINA INCOME TAX

If you are a North Carolina resident and have maintained five or more years of retirement service credit as of August 12, 1989, your LGERS retirement benefit is not subject to North Carolina income tax. If you do not have five years of maintained retirement service credit as of August 12, 1989, the taxable portion of your retirement benefit is subject to North Carolina income tax.

If you are not a resident of North Carolina, you may not owe North Carolina income tax on your LGERS retirement benefit. However, you may owe state income tax in the state where you live. Contact your tax advisor, the North Carolina Department of Revenue or the Department of Revenue in your resident state for information relative to your situation. NC Retirement Systems can withhold only North Carolina income tax. We cannot withhold any other state's income tax from your monthly benefit.

We do not include itemized deductions such as health premiums, on the 1099-R. Previous calendar year deductions for health, dental, vision, etc. can be found in your secure ORBIT account under 'View Payment History' if these premiums were deducted from your monthly benefit.

# Section 10 | Income Tax (Refunds, Returns and Purchases)

## GUARANTEED REFUNDS AND RETURN OF CONTRIBUTIONS

In January of the year after the year you received a refund, we will send you a Form 1099-R showing the amount of your refund, the taxable portion, the amount of tax withheld (if any), and other related information. We will also send copies to the Internal Revenue Service and North Carolina Department of Revenue.

### FEDERAL INCOME TAX

You pay no federal income tax on after-tax purchases of service or on the amount you contributed before the date your employer adopted a tax sheltering resolution (if they have done so). However, the amount you contribute after the date your employer adopted a tax sheltering resolution (if they have done so) is subject to federal income tax. Also, all interest your contributions have earned is subject to federal income tax.

Federal income tax laws require withholding from the taxable portion of your refund unless that portion of your refund is directly rolled over to an eligible IRA or eligible employer retirement plan that will accept your rollover. If you do not roll over the taxable portion of your refund directly to an eligible IRA or eligible employer plan that will accept your rollover, we will withhold 20 percent of the taxable portion of your refund for federal income tax purposes. Withholding is mandatory unless the taxable portion of your refund is directly rolled over.

In addition to income tax, you may owe a 10 percent excise tax on the taxable portion of a refund received before your death, disability, or reaching age 59½. You can defer the income tax and avoid the 10 percent excise tax by rolling over the taxable portion of your refund to an eligible IRA or eligible employer plan. Consult the Internal Revenue Service, your attorney or your accountant for information relative to your situation.

### NORTH CAROLINA INCOME TAX

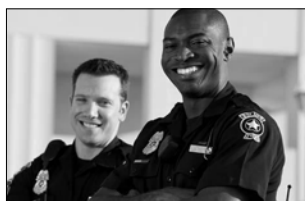
If you are a North Carolina resident and have maintained five or more years of retirement service credit as of August 12, 1989, your refund of LGERS contributions is not subject to North Carolina income tax. If you do not have five years of maintained retirement service credit as of August 12, 1989, the taxable portion of your refund is subject to having four percent withheld for North Carolina income tax.

### ACTIVE DEATH BENEFITS AND CONTRIBUTORY DEATH BENEFITS

Generally, your beneficiary pays no income tax on the lump-sum death benefit for active employees or the \$10,000 Contributory Death Benefit for Retirees, which are treated as life insurance benefits for tax purposes.



For up-to-date information about Taxes and Withholding, visit [www.myNCRetirement.com](http://www.myNCRetirement.com).



## Section 11 | Returning to Work After Retirement



To be legally retired, you must end your employment, live until your effective date of retirement, have no intent or agreement, express or implied, to return to LGERS service and not perform any work for an LGERS employer at any time during the month of your effective date of retirement.



If you work in any capacity for an employer under LGERS after you have officially retired and are receiving monthly benefits, you will be subject to the return-to-work provisions described below which may limit your earnings or require you to re-enroll as a contributing member of LGERS.

You will be subject to return-to-work provisions based on the nature of the particular work you perform for a LGERS employer, regardless of your job classification or your technical employment status (which may include being assigned to work for a LGERS employer by a private company such as a temporary staffing agency).

### **ONE-MONTH BREAK IN SERVICE REQUIRED**

You must complete separation from active service with no intent or agreement, express or implied, to return to service and begin receiving monthly retirement benefits. You must perform no work for a participating LGERS employer, including part-time, temporary, substitute, or contract work at any time during the same month immediately following the effective first day of retirement. If you return to work before the required one-month break, then you will be required to pay an amount that is calculated based on one of the following conditions:

- You will be deemed to have retired the month after the month you performed services for the employer and repay all retirement benefits received until that date (the new retirement date must be after you have satisfied a one-month break in service); or
- You will be required to make a lump sum payment to LGERS equal to three times the compensation earned during the month immediately following the effective date of your retirement.

You will be required to pay the lesser of these two amounts as determined by the retirement system. If you return to work in a position that requires LGERS membership during the month of your effective date of retirement, your LGERS benefit will be cancelled retroactively to your retirement date, and you will be required to repay all retirement benefits received since your retirement date.



For up-to-date information about Return-To-Work laws including frequently asked questions and guidance, visit [www.myNCRetirement.com](http://www.myNCRetirement.com).

# Section 11 | Returning to Work After Retirement

## WORKING AFTER A ONE-MONTH BREAK WITH A LGERS MEMBERSHIP

After the required one-month break, you may return to work in a position that requires membership in LGERS. Your retirement benefit will be suspended on the first day of the month following the month of your reemployment, and you will again become a contributing LGERS member in the month in which you are restored to membership service.

If you return to service and contribute to LGERS for at least three additional years, at the time you end your second period of employment, you can choose one of the following options for your benefit:

- You can combine your service from your first and second periods of employment to create one (generally larger) monthly retirement benefit. You can change the retirement payment plan and/or beneficiary you selected at the time of your original retirement. If you selected Option 4 for your first retirement, we must actuarially adjust benefits when you retire again.
- You can reinstate your first retirement account and withdraw your contributions only from your second account.

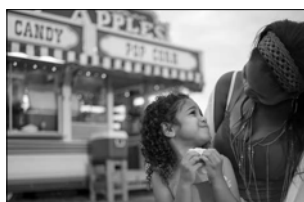
If you return to service and contribute to LGERS for fewer than three additional years, at the time you end your second period of employment, your first retirement benefit will be reinstated. You can choose one of the following options for your second retirement account:

- You can apply to receive a second (generally smaller) monthly benefit based on your second period of employment.
- You can withdraw your contributions from your second account.
- You can leave your second account open, provided you have not reached the age for a Required Minimum Distribution.

After a one-month break, if you return to work with an LGERS employer in a position that is not eligible for LGERS membership, your earnings will be restricted to the greater of the following:

- \$34,800 (2021 amount)
- 50 percent of your gross 12-month pre-retirement salary (excluding termination payments)

The dollar figure is adjusted annually according to the Consumer Price Index. These earnings restrictions apply for the 12 months immediately following your retirement and for each calendar year following the year of retirement.





## Section 11 | Returning to Work After Retirement

### 1,000 HOUR RULE AFTER THE ONE-MONTH BREAK

After a one-month break, if you are regularly employed as an employee of a LGERS employer in a regular position that requires at least 1,000 hours of work in a calendar year,

- You are required to be a contributing member of LGERS, and your monthly retirement benefit will be suspended
- You will not be a contributing member of LGERS if your work is considered “temporary employment,” meaning employment for a limited term which does not exceed 12 consecutive months on a non-recurring basis for an LGERS employer or “statutorily required interim employment,” meaning employment as an interim city or county manager for a period that does not exceed 12 months on a non-recurring basis.

You may be assessed an overpayment if you are not in compliance with the guidelines above.



### EXCEEDING YOUR EARNINGS LIMITATIONS

If you exceed your earnings limitations, your retirement benefit will be suspended on the first day of the month following the month in which you exceeded the limit for the remainder of the calendar year. Your retirement payment will start again on January 1 of the year after your benefit is suspended. If your earnings exceed the allowable amount in the month of December, your benefit will not be suspended.

### OVERPAYMENTS

An overpayment of benefits means you have received a larger benefit than you were entitled to receive. Statutory provisions require us to recover overpayments. This includes, but is not limited to, the following methods of recovery:

- Deductions from a monthly benefit
- Monthly payment remittal
- Lump-sum payments
- Intercept tax refunds from the North Carolina Department of Revenue and North Carolina Education Lottery winnings
- Deductions from an active payroll check (required if you are employed by an LGERS employer and have received an overpayment from LGERS)

### AFTER RECEIVING DISABILITY

If you are in receipt of a monthly disability retirement allowance from LGERS and accept public or private employment, you may earn on an annual basis, up to the difference between your highest consecutive 12 months of salary in the 48 months preceding your disability retirement date and the amount of your annual disability retirement benefits, without affecting your disability retirement benefit. If you earn more than this amount, your disability retirement benefit will be reduced dollar-for-dollar by the amount of your excess earnings. The amount you are allowed to earn is adjusted each January by any increase in the annual national Consumer Price Index.

### ELECTION DAY SERVICE

Legislation enacted in 2018 clarifies that service to a county board of elections on Election Day does not interrupt payment of the Special Separation Allowance. However, the rules described in this section still apply to your LGERS benefit, because your LGERS benefit is different from the Special Separation Allowance.

## Section 12 | Disability Retirement

### GUARANTEED REFUNDS AND RETURN OF CONTRIBUTIONS

You become eligible to apply for disability retirement benefits after five years of creditable service if you become totally and permanently disabled for your job, as approved by the Medical Review Board.

Your disability benefit under the maximum allowance is calculated using the same formula as a service retirement benefit and you may choose any payment option except Option 4. See pages 15-18 for descriptions of retirement payment options. If you choose a survivorship option, it will be calculated using disability reduction percentages.

Your average final compensation is calculated as of your disability retirement date, but creditable service is counted as though you continue working to the earliest date you would have qualified for an unreduced service retirement allowance.

If you die after you have filed an application for disability retirement but before its effective date, and you have otherwise met all requirements for disability retirement benefits, your beneficiary may elect to receive a monthly retirement allowance provided by Option 2, instead of a return of your retirement contributions and interest, provided you have only one eligible beneficiary for the return of contributions living at the time of your death.



For additional information, please see the  
Disability section -  
[www.myNCRetirement.com](http://www.myNCRetirement.com).





## Section 13 | Death Benefits

### ACTIVE EMPLOYEE DEATH BENEFITS

Although LGERS' primary purpose is to provide retirement income, we recognize that some employees will not live to enjoy their retirement benefits. For that reason, LGERS protects your beneficiary(ies) should you die before retiring with the death benefits described below.



### RETURN OF CONTRIBUTIONS

After your death, your beneficiary will receive a return of your contributions plus interest at four percent compounded annually on your prior year ending balance, through your date of death. This is a lump-sum payment. If you meet certain eligibility requirements, a monthly Survivor's Alternate Benefit may be paid to your beneficiary instead of a return of contributions if you have only one eligible beneficiary living at the time of your death.

### SURVIVOR'S ALTERNATE BENEFIT

Provided you have not retired, the monthly Survivor's Alternate Benefit may be payable if you have only one eligible beneficiary for the return of your contributions living at the time of your death and you die while in active service or within 180 days of your last day of service after meeting one of the following conditions:

- You complete 20 years of creditable service (not including credit for unused sick leave) regardless of age.
- You reach age 50 with 15 years of creditable service as a law enforcement officer.
- You reach age 55 with five years of creditable service as an officer.
- You complete 15 years of creditable service as an officer if killed in the line of duty.

If you do not meet one of these two conditions, your beneficiary(ies) will be able to receive only a return of your contributions.

The Survivor's Alternate Benefit does not apply if you have two or more eligible principal beneficiaries for the return of contributions living at the time of your death, if your estate or living trust is your eligible beneficiary at the time of your death, or if you have retired.

This lifetime monthly benefit payable to your beneficiary equals the amount you would have been entitled to receive under Option 2 had you survived and retired on the first of the month following your death.

### LUMP-SUM DEATH BENEFIT FOR ACTIVE EMPLOYEES

If your employer elected this coverage, and you die while still in active service after one year as a contributing member, your beneficiary will receive a lump-sum payment equal to your highest salary for 12 consecutive months during the 24 months before you die.

The lump-sum payment will be at least \$25,000 but no more than \$50,000 and is also paid if you die within 180 days of your last day of service, provided you have not withdrawn your contributions. The death benefit is in addition to any other benefits to which your beneficiary(ies) may be entitled. For this death benefit, you may name the same or a different beneficiary(ies) than the one(s) you named to receive the return of contributions.

If you are a public safety worker and die while in the line of duty, your beneficiary may also be entitled to a \$200,000 line-of-duty death benefit. This lump sum benefit is administered jointly by the North Carolina Industrial Commission and the Department of State Treasurer.

## Section 13 | Death Benefits (Retiree)

### RETIREE DEATH BENEFITS

If you die within 180 days of your last day of service, and meet all eligibility requirements, the lump-sum death benefit for active employees described previously will be payable. Other retiree death benefits may also be payable as described below.

### GUARANTEED REFUND

You are automatically eligible for the Guaranteed Refund when you choose a payment option. Under the Guaranteed Refund provision, if you and your monthly survivor beneficiary (if any) both die before the total of all monthly payments equals the amount of your contributions and interest, the balance of your contributions and interest will be paid in one lump sum to another beneficiary(ies).

The Guaranteed Refund also covers any purchases you made for additional creditable service after retirement. You may name one or more beneficiaries for the Guaranteed Refund, and you may change your beneficiary selection(s) as often as you like. However, the beneficiary you choose for the Guaranteed Refund cannot be the same as your monthly survivor beneficiary.

### OPTIONAL \$10,000 CONTRIBUTORY DEATH BENEFIT

When you retire, you can choose the Contributory Death Benefit for Retired Members online in your ORBIT account or by filling out Form 333BEN (Designating Beneficiary(ies) for the Contributory Death Benefit for Retired Members). To enroll, you must make your election within 60 days of the effective date of your retirement. If you enrolled in the optional \$10,000 Contributory Death Benefit for Retired Members and your death occurs on or after the first day of the month following the 24th month of coverage, a lump-sum payment of \$10,000 will be paid to your designated beneficiary(ies). If no beneficiary has been designated, the benefit will be paid to your spouse, or legal representative if you are not survived by a spouse. If your death occurs before the first day of the month following the 24th month of coverage, the amount payable will be equal to your premiums plus interest.

### CONTINUATION OF MONTHLY BENEFITS UNDER SURVIVOR OPTIONS

If you choose one of the survivor options (Options 2, 3, 6-2 and 6-3), your survivor beneficiary will receive a monthly lifetime benefit after your death.

NOTE: During the month a retiree or beneficiary dies, the legal representative of the deceased retiree or beneficiary is entitled to a full check for the month the death occurred, but is not entitled to any further monthly payments, except as provided under Options 2, 3, 6-2, and 6-3. It is a Class 1 Misdemeanor for a person to fraudulently receive the retirement benefit of a deceased retiree or beneficiary after the recipient's death.

### REPORT A MEMBER DEATH

During a time of loss and grieving, there are steps that beneficiaries and family members must take to ensure that the law is followed as it relates to member retirement benefits. The first step is to notify our office as soon as possible. We offer an easy online form to report a death to the Retirement Systems Division.



[For information on when and how to report a Member Death, please visit www.myNCRetirement.com.](http://www.myNCRetirement.com)

## Section 14 | Administration & Funding

### ADMINISTRATION

LGERS is administered by the Board of Trustees, whose members are:

State Treasurer Dale R. Folwell, CPA, Chair

Melody Braddy

Lentz Brewer

Tony Brown

David Dear

Homer Dearmin

Vernon Gammon

Aaron Meredith

Jeff Morse

Greg Patterson

Sally Sandy

Catherine Truitt

Ashley Wooten



### ASSETS

The State Treasurer is the custodian of LGERS assets and serves as the Chief Investment Officer.

Equity assets (e.g., common stock, preferred stock, and debentures convertible into common stock) are invested in conjunction with policies adopted by the Investment Advisory Committee.

Committee members are:

State Treasurer Dale R. Folwell, CPA, Chair

John Aneralla

Lentz Brewer

Loris Colclough

David Hartzell

Michael Mebane

Greg Patterson

# Section 14 | Administration & Funding

## FUTURE OF THE SYSTEM

The state expects to continue the Local Governmental Employees' Retirement System indefinitely; however, because future conditions are unforeseeable, the North Carolina General Assembly may modify the provisions of the system.

## SYSTEM DOCUMENTS

This handbook summarizes the main features of the Local Governmental Employees' Retirement System of North Carolina. The official text governing the operations of the system and the payment of all benefits is found in [Chapter 128 of the General Statutes](#) and [Title 20 of the North Carolina Administrative Code](#).

## CONTRIBUTIONS

Members currently contribute 6 percent of gross salary each month to LGERS.

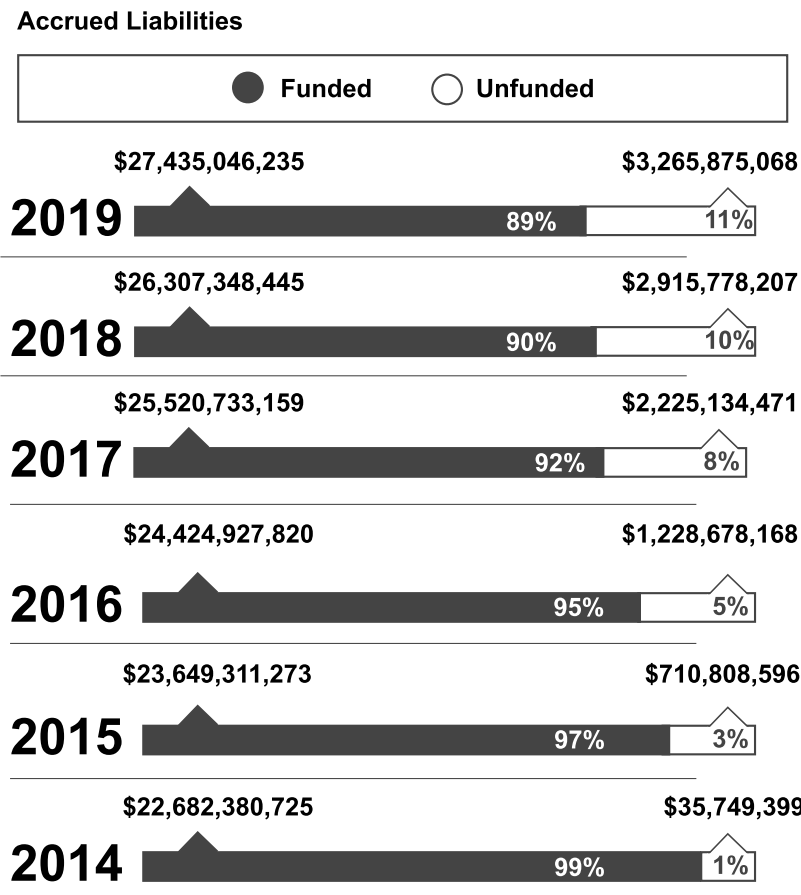
Employers contribute an actuarially-determined percentage of the gross payroll of members each month to LGERS for benefits.

## FUNDED STATUS & RATIO

The Local Governmental Employees' Retirement System has received several awards and recognitions for being a well-funded pension system. S&P Global named the NC Total Retirement Plans as one of the Top 5 Best Funded in the country in 2017. More recently, Moody's Investors Service reported that North Carolina's Retirement Systems, which includes state and local employees, is the best funded in the nation when looking at its Adjusted Net Pension Liability.

Additionally, a "stress test" by The Pew Charitable Trusts concluded that North Carolina's state pension fund is well-positioned to maintain solvency during tough economic times. We continue to be labeled as "actuarially sound" because of the consistent use over the years of:

- Actuarial assumptions based on experience
- An approved actuarial funding method
- The recognition of all promised benefits in the actuarial liabilities



A generally accepted measure of the soundness of any retirement system is to relate the total assets to the total accrued liabilities. This determines the funded ratio or percentage of the system. The total of the accrued liabilities is found by adding the total assets and the unfunded accrued liabilities.

The chart to the left shows the assets and unfunded liabilities for the past several years, as of December 31 of each year and the funded ratio of the Local Governmental Employees' Retirement System (the percentage of the assets to the total accrued liabilities).



## Section 15 | Resources and Contacts

The North Carolina Department of State Treasurer created ORBIT to allow members convenient access to their retirement account information 24 hours a day, seven days a week. This secure site enables you to view your personal information, account information and other relevant details specific to your retirement system account.



**When creating your account, we suggest you use your personal email address so you have continued access to email security questions should you change jobs or retire. If you already have an account and use your work email, we recommend logging in and changing this to your personal account.**

**In ORBIT, ACTIVE employees are able to:**

- Retire online
- View contribution history
- View service credit history
- View retirement estimates
- Designate and maintain beneficiaries
- View service purchase cost estimates
- View NC 401(k)/NC 457 Plan Transfer Benefit estimates



### DESIGNATING BENEFICIARIES

After your employer enrolls you in LGERS, and within one to two pay periods, you should be able to access create your secure ORBIT account and name beneficiary(ies) to receive a return of your retirement contributions and, if applicable, a death benefit, should you die before retirement. A member has the option to name any person as their beneficiary regardless of relationship to member (ie the beneficiary does not have to be a spouse or family member). To add or change beneficiaries as an active employee:

- Log in to ORBIT and click the Maintain Beneficiaries tab on the left side of the screen
- Add or edit beneficiaries for your eligible benefits
- Perform a beneficiary check-up every couple of years or if you have a life-changing event, such as marriage, divorce, family changes or adoptions.



To access ORBIT, and register or login using your User ID and Password, visit [ORBIT.myNCRetirement.com](https://ORBIT.myNCRetirement.com).

**In ORBIT, RETIREES are able to:**

- Maintain direct deposit
- Maintain tax withholding
- View and download 1099-R tax forms
- Generate income verification letters
- Update their contact information

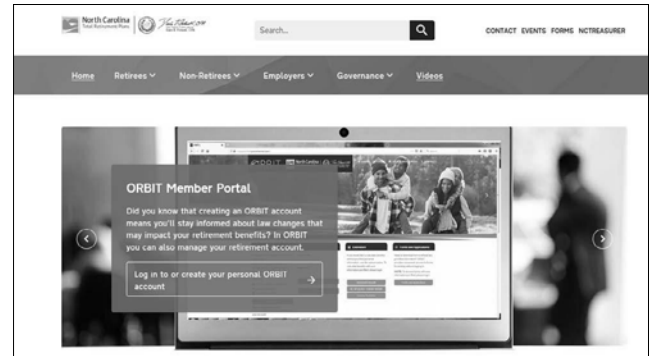
# Section 15 | Resources and Contacts

## WEB-BASED RESOURCES


 [www.myNCRetirement.com](http://www.myNCRetirement.com)


Visit our website to:

- View and download retirement benefits handbooks
- See Frequently Asked Questions
- Learn about North Carolina Total Retirement Plans – NC 401(k) and NC 457 Plans
- Review the retirement checklist
- Use our service purchase estimator
- Use our benefit estimators
- Learn about retirement planning resources
- Log into your personal ORBIT account



## Contact Us

 Toll-free 1-877-627-3287 (1-877-NCSECURE)  
Fraud and Abuse Hotline 1-855-903-7283  
[retfraud@nctreasurer.com](mailto:retfraud@nctreasurer.com)

 Local Governmental Employees' Retirement System  
Department of State Treasurer  
3200 Atlantic Avenue  
Raleigh, North Carolina 27604

Office visits scheduled by appointment only.  
Please call or email our office to schedule an appointment.

 [nc.retirement@nctreasurer.com](mailto:nc.retirement@nctreasurer.com)

 <https://www.facebook.com/MyNCRetirement>

### Office hours

in-person deliveries and appointments  
Monday - Friday, 8:00 am - 5:00 pm

### Call Center hours

Monday - Friday, 8:00 am - 5:30 pm



[View all Retirement Systems' Handbooks](#)

## Section 16 | Glossary of Terms

### **ACTUARY**

A business professional with expertise in the fields of economics, statistics and mathematics who compiles and analyzes statistics in order to calculate financial risks and reserves.

### **AVERAGE FINAL COMPENSATION**

The average of your salary during your four highest-paid years in a row

### **CJRS**

Consolidated Judicial Retirement System

### **CONSUMER PRICE INDEX**

A national measure of increase in the cost-of-living from one year to the next

### **CREDITABLE SERVICE**

The total of all service credit that counts toward retirement.

### **DEFINED BENEFIT PLAN**

Local Governmental Employees' Retirement System, your North Carolina pension plan

### **LGERS**

Local Governmental Employees' Retirement System

### **LRS**

Legislative Retirement System

### **MEMBERSHIP SERVICE**

Service you earned while an active employee contributing to LGERS that has not been withdrawn.

### **ORBIT**

The secure website for tracking and maintaining your retirement account

### **OVERPAYMENT**

Payment to a benefit recipient in excess of what the benefit recipient is entitled to receive

### **RETIREMENT**

Retirement marks the beginning of monthly retirement benefits and the complete separation from active service for vested employees with no intent or agreement, express or implied, to return to service.

### **STATUTORILY REQUIRED INTERIM EMPLOYMENT**

Employment as an interim city or county manager for a period that does not exceed 12 months on a non-recurring basis.

### **TEMPORARY EMPLOYMENT**

Employment for a limited term which does not exceed 12 consecutive months on a non-recurring basis for an LGERS employer.

### **TSERS**

Teachers' and State Employees' Retirement System

### **VESTING**

Having the right, after you have a minimum of five years of LGERS creditable service, to apply for lifetime monthly retirement benefits once you meet all retirement eligibility requirements, provided you do not withdraw your contributions.

### **RETIREMENT PLANNING CONFERENCES**

The Department of State Treasurer Retirement Systems Division conducts retirement conferences for members of the Teachers' and State Employees' Retirement System and the Local Governmental Employees' Retirement System.

The conferences provide an orientation for new members, pre-retirement planning information for members closer to retirement, and educational information for personnel officers and others who handle retirement matters. In addition, Prudential Retirement, our third-party administrator, also offers information on the NC 401(k) and NC (457) Plans, or the NC 403(b) Program at the conferences.

Registration is required for Retirement Planning Conferences or webinars.



[View Upcoming Conferences & Webinars](#)



[View Terms & Definitions on ORBIT Help](#)

## Section 17 | 2021 Addendum

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**2021 legislative and operational changes to the Handbook will be updated here when and if applicable.**