

Transfers from BERS to TRS Under Chapter 551



Chapter 551 of the Laws of 2024 allows current members of BERS who are working in UFT-covered titles to transfer their membership from BERS to TRS. The law affects any job title that a) is covered by the UFT and b) previously provided membership in BERS. For members in active service, the transfer must be requested by 12/11/2025 — one year after Chapter 551 was enacted. For members on leave as of 12/11/2024, the transfer must be requested no later than one year after their return to active service.

Retirement plans at TRS are similar but not identical to those at BERS. Each TRS plan has different requirements for contributions, and some members who transfer membership may be required to make back contributions upon joining TRS.

What titles are affected by Chapter 551?

All titles represented by the UFT are now eligible for TRS membership. Below are some common job titles for BERS members who are eligible to transfer to TRS under Chapter 551:

- Educational Analyst
- Educational Officer
- Occupational Therapist
- Physical Therapist
- Staff Nurse
- Substitute, Per-Diem, and Per-Session titles

The enrollment application on TRS' website lists each specific title that is eligible for TRS membership.

What TRS retirement plan will cover you if you transfer?

The answer depends on your BERS date of membership and, in some cases, whether you had an option to join an Age 55 (early retirement) program at BERS. If you're not sure you had this option, please contact BERS.

Members who joined BERS between 2/27/2008 and 3/31/2012 should be aware of the potential additional cost of transferring membership to TRS. Back contributions for **all** credited service may be required under TRS' 55/27 retirement plan.

On page 2 is a guide to help BERS members determine what retirement plan would cover them at TRS. This is a general guide, and individual circumstances may affect each member's situation.

To learn how TRS calculates benefits under each tier, please see the *Service Retirement Plans and Benefits* brochures on TRS' website.

How long does it take to transfer from BERS to TRS?

Currently, it can take 12 months or more to complete all steps of a membership transfer from BERS to TRS. Chapter 551 transfers may take longer because there is an additional step (transferring pension reserves, which must be certified by the Office of the Actuary) and because of the anticipated volume of requests in a short transfer window.

TRS and BERS are working together closely to make the transfer process as smooth as possible. The steps in the process are outlined on page 3.

Please keep in mind that membership transfer is irrevocable, so it is advisable to have complete information available before taking action.

If You Are Considering Retirement in 2025:

Transferring is not advisable. You will not be able to retire from TRS until your transfer from BERS is complete.

Which TRS Retirement Plan Will Cover You If You Transfer?

Date of Membership in BERS	Retirement Plan in TRS	Minimum Requirements for Unreduced Benefits	Additional Cost of Transferring to TRS**	Ongoing Cost of Pension Contributions at TRS
After 3/31/2012	Age 63 Plan (same as at BERS)	Age: 63 Service Credit: 5 years	None	Pension contributions of 3% - 6% depending on pensionable wages (same as at BERS)
12/10/2009 - 3/31/2012	55/27 (Chapter 504)	Age: 55 Service Credit: 27 years*	Back contributions of 4.85% on all service credit transferred from BERS (if not contributed during BERS membership)	Pension contributions of 4.85% until 27 years of service credit; then 1.85% until retirement
2/27/2008 - 12/10/2009	55/27 (Chapter 19)	Age: 55 Service Credit: 27 years*	Back contributions of 1.85% on all service credit transferred from BERS (if not contributed during BERS membership)	Pension contributions of 4.85% until 10 years of service credit; then 1.85% until 27 years of service credit
7/27/1976 - 2/27/2008 and you did not have the option to join a BERS Early Retirement Plan	At completion of transfer, choice of Age 62 Plan ----- OR ----- 55/27 (Chapter 19)	Age: 62 / Service Credit: 5 years Age: 55 / Service Credit: 30 years ----- OR ----- Age: 55 / Service Credit: 27 years*	None ----- Back contributions of 1.85% on all service credit transferred from BERS and TRS service credit	None if you were no longer making contributions at BERS ----- Pension contributions of 4.85% until 10 years of service credit; then 1.85% until 27 years of service credit
7/27/1976 - 2/27/2008 and you had the option to join a BERS Early Retirement Plan	Same plan you had at BERS (62/5, 55/27, or 55/25 Plan)	Age: 62 / Service Credit: 5 years Age: 55 / Service Credit: 30 years ----- OR ----- Age: 55 Service Credit: 25 or 27 years*	None	None if you were no longer making contributions at BERS ----- OR ----- Pension contributions of 4.85% until 10 years of service credit; then 1.85% until 25 or 27 years of service credit

*Members in 55/27 who do not reach 27 years of service credit may retire with full benefits at age 62 (with 5+ years of service credit).

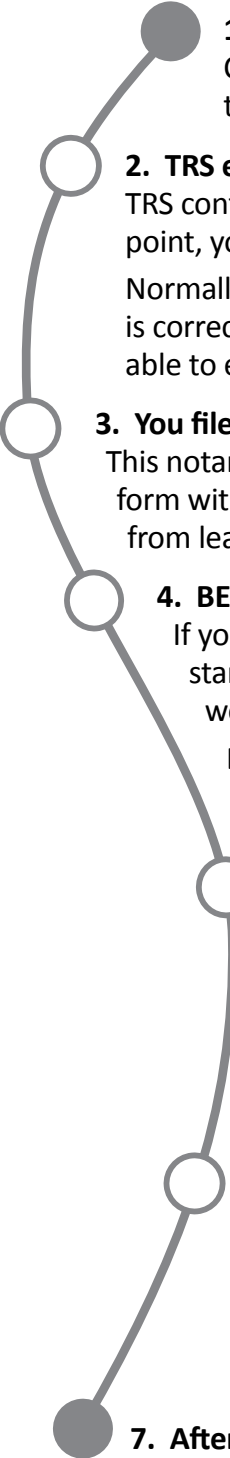
**In general, after a member transfers to TRS, there may be contribution deficits for periods where pension contributions were required but not made in full.

Membership Transfer Steps Under Chapter 551

Transferring membership between retirement systems can be a lengthy process. TRS and BERS have worked together to improve the transfer process under Chapter 551, but it may still take 12 months or more.

For BERS members in active service as of 12/11/2024, the deadline to enroll in TRS and initiate the membership transfer with BERS is 12/11/2025. BERS members who were on leave on 12/11/2024 have one year after returning to active service to enroll in TRS and initiate the membership transfer.

Members are cautioned not to start the transfer process until they are sure that transferring membership will benefit them. Treat each step as if it is irrevocable.



1. You enroll as a TRS member.

Complete an online enrollment form at www.trsnyc.org. Be sure to note on your application that you are a current member of BERS.

2. TRS establishes your membership.

TRS confirms your eligibility and sends you a Welcome Letter with a TRS membership number. At this point, you should establish an account on TRS' website.

Normally, transferring members are enrolled in Tier VI, the tier for new members, and their tier status is corrected later if necessary. But for BERS members transferring under Chapter 551, TRS should be able to enroll you in the correct tier right away.

3. You file the "Chapter 551 Transfer to NYCTRS" form with BERS.

This notarized application serves as your formal request to BERS to transfer to TRS. You should file this form within 30 days after enrolling in TRS—but no later than 12/11/2025 (or one year after you return from leave, if applicable).

4. BERS deductions from your pay stop, and TRS starts collecting pension contributions.

If you were making pension contributions to BERS, those deductions stop and TRS deductions start within a few weeks after you enroll. In most cases, deductions will be at the same rate you were contributing to BERS.

BERS also stops all other deductions, such as TDA contributions, loan, service buyback, or deficit (arrears) payments. *Note:* To participate in TDA at TRS, you need to file a separate TDA enrollment on our website. TDA contributions will not carry over from BERS.

5. BERS prepares your membership for transfer.

This process can take several months. It requires a full review of all aspects of membership, including service credit and history, salary history, contributions, loans, TDA participation and contributions, and all account activity.

Note: For Chapter 551, membership transfers also require the transfer of your pension reserves (the city's contribution to your pension) from BERS to TRS. This is an independent step involving the City's Actuary.

6. TRS receives your membership information from BERS.

TRS adds the funds from BERS to your TRS accounts (MCAF, plus AMC and TDA if applicable) and contacts you to confirm our receipt. TRS also begins reviewing the service and contribution information provided and may contact you about retirement plan eligibility, contribution deficits, any open loans that were transferred, etc. This process also occurs gradually over several months.

7. After adjustments to your TRS account, the transfer is complete.

TRS notifies you by letter, and your total service credit now reflects what was transferred from BERS. Your official TRS membership date remains the same, but your BERS membership date is known as your "deemed membership date" in TRS.

This publication should not be solely relied upon, as it is based on currently available information that is subject to change. TRS suggests that you consult with an attorney and/or a tax advisor if you have any specific legal or tax questions concerning this information. In all cases, the specific provisions of the governing laws, rules, and regulations prevail.



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