



**TEACHERS' RETIREMENT SYSTEM OF THE CITY OF NEW YORK**  
**A FIDUCIARY FUND OF THE CITY OF NEW YORK**

# **TRSNYC Employer Manual**

**Version 5 / November 2023**

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## Executive Director's Message

The Employer Management Group (EMG) of the Teachers' Retirement System of the City of New York (TRS) has produced this **Employer Manual** as a resource that informs and clarifies a variety of important reporting and business-processing practices.

The information herein will help us—stakeholders and TRS—to develop our partnerships further and sustain the work that we do so that we can more efficiently and effectively serve the retirement needs of in-service members, retirees, and New York City educators and administrators.

The **Employer Manual** contains information on sundry topics, including:

- Membership eligibility, enrollment, and tiers
- Employer reporting required by our partners at the Department of Education, City University of New York, and participating Charter Schools
- Reporting the death of an active member or retiree
- Transferred service
- Loans
- Multiple employment memberships
- Membership withdrawals
- Tax-Deferred Annuity (TDA) Program
- Annual Benefits Statement (ABS)

Furthermore, we intend the manual to be a one-stop, user-friendly resource on the specific documentation, relevant state and city regulations, and business processes that are required for the successful, prompt transaction of TRS' pension business. Please contact EMG at [Employer@trs.nyc.ny.us](mailto:Employer@trs.nyc.ny.us) with any questions or information requests.

We hope that you will use the **Employer Manual** with that intent in mind because TRS' mission begins and ends with providing all of our members the high-quality retirement benefits that they have earned, deserve, and expect from us.

Thank you.



Patricia Reilly  
Executive Director

## Section 1: Membership

### QPP Membership Eligibility

TRSNYC membership is required for some New York City public educators and optional for others. The following rules apply:

Designated employees of one of the following employers may qualify for membership in TRSNYC:

- The New York City Department of Education (NYCDOE)
- The City University of New York (CUNY)
- A New York City Charter School that participates with TRSNYC for pension coverage (or a TRSNYC Participating Charter School Employer)

Membership is available to employees of the following entities:

#### New York City Department of Education

- Appointed teachers and pedagogues automatically become TRSNYC members as of their appointment date.
- Certain paraprofessionals<sup>^</sup> can join TRSNYC at any time during employment. Membership would begin on the day that TRSNYC receives their request for membership through the TRSNYC website.

<sup>^</sup>Eligible paraprofessional titles include Auxiliary Trainer, Bilingual Professional Assistant, Educational Assistant, Educational Associate, Family Assistant (A & B), Family Associate, Family Worker, Health Aide, Parent Program Assistant, and Teacher Aide.

#### City University of New York (CUNY)

- Full-time employees in certain instructional and administrative titles<sup>^^</sup> can join either TRSNYC or the Optional Retirement Program within 30 days of their CUNY appointment. If they do not make an election within that period, they are mandated to become TRSNYC members as of their appointment date. Membership would begin on the day they were appointed to their CUNY title.
- Adjuncts in regular and/or substitute employment status can join TRSNYC. Membership would begin on the day that TRSNYC receives their enrollment application.

<sup>^^</sup>These are the instructional and higher educational administration series titles. Employees working solely for the CUNY Research Foundation are not eligible for TRSNYC membership. To determine if your title qualifies, please contact your Benefits Representative or the TRS Member Service Center.

## Participating Charter School Employers

- TRSNYC Participating Charter School Employers (CS) include Charter Schools with agreement with TRS and Conversion Charter Schools. A list of TRSNYC participating Charter School Employers can be found on the [Membership Eligibility](#) section of the TRSNYC website

Some Charter School Employers use different names for certain pedagogical positions. Prior to enrollment, TRSNYC may review the eligibility for membership of a title based on the nature of the position as it pertains to the profession and science of teaching. Pedagogical titles eligible for TRSNYC membership generally include the following:

Principal	Secretary	Social Worker
Assistant Principal	Payroll Secretary	Educational Administrator
Teacher	Guidance Counselor	Dean
School Psychologist	School Operations Manager	

And, certain paraprofessionals<sup>^</sup> also have the option of joining.

Charter School employees working in uncertified positions are ineligible for TRSNYC membership. Upon obtaining a TRSNYC membership eligible position, service rendered in such position may be eligible for pension credit.

Charter School employees whose positions do not qualify them for TRSNYC membership may be eligible for membership in the New York City Board of Education Retirement System (BERS).

<sup>^</sup>Eligible paraprofessional titles include Auxiliary Trainer, Bilingual Professional Assistant, Educational Assistant, Educational Associate, Family Assistant (A & B), Family Associate, Family Worker, Health Aide, Parent Program Assistant, and Teacher Aide.

## Eligibility for TRSNYC Membership

<p><b>TRSNYC membership is mandatory if:</b></p> <p>A <b>teacher or pedagogue</b> employed by the NYCDOE or a participating Charter School employer.</p> <p>A <b>full-time instructional staff member</b> employed by CUNY provided they are not a member of the Optional Retirement Program such as a Retirement Annuity Plan offered by TIAA. Full-time CUNY substitute teachers have 30 days from their Date of Appointment to join TRSNYC or TIAA. Employees working in substitute employment status have the option to become TRSNYC members.</p>	<p><b>TRSNYC membership is optional if:</b></p> <p>A <b>paraprofessional (in the title of Auxiliary Teacher, Bilingual Professional Assistant, Educational Associate, Family Assistant (A &amp; B), Family Associate, Family Worker, Health Aide, Parent Program Assistant or Teacher Aide)</b> employed by the NYCDOE or participating Charter School Employer.</p> <p>An <b>adjunct</b> employed by CUNY. <a href="#">TRS-eligible titles</a></p>
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**The CUNY titles listed below are eligible for TRSNYC membership:**

The following is a list of the more common membership-eligible titles:

Adjunct Assistant Professor	Associate Professor	Higher Education Associate
Adjunct Associate Professor	Associate Registrar	Higher Education Officer
Adjunct College Laboratory Technician	Chief College Laboratory Technician	Lecturer
Adjunct Lecturer	CLIP Instructor	Medical Clinical Professor
Adjunct Professor	College Laboratory Technician	Non-Teaching Adjunct (I-VI)
Assistant Professor	Continuing Education Teacher <sup>^^^</sup>	Professor
Assistant Registrar	CUNY Instructor	Senior College Laboratory Technician
	Higher Education Assistant	

<sup>^^^</sup>Hired with the intent to work a minimum of 30 hours of work per week continuously for more than six months. This is a requirement for adjuncts.

Employees working solely for the CUNY Research Foundation are not eligible for TRSNYC membership.

### What TRSNYC Needs from Employers

- TRSNYC needs complete demographic information, employment data (e.g., employment start/end dates, title, salary, work location, earnings and service history)
- If member is enrolled in a Defined-Contribution plan or a tax-deferred product
- If member is previously enrolled in a prior membership in a public retirement system

### Enrolling in TRSNYC

Enrollees whose TRSNYC membership is automatically established do not need to apply for membership. Membership will begin as of their appointment date. However, those individuals for whom membership in TRSNYC is optional must complete the request for membership on the TRSNYC website. Membership will begin as of when they initiated the enrollment process online. See previous page for link to TRS-eligible titles.

When enrolling a new CUNY member (senior colleges only), TRS will send an IP28R to start the member's payroll deductions. Please ensure that the payroll earnings are from the TRSNYC Date of Membership until the receipt of the IP28R.

There are four methods of enrollment:

- **TRSNYC Website:** A qualified individual may visit the [TRSNYC website](#) and locate the panel **Enroll in TRS!** on the website's homepage.
- **Partner Portal:** A Charter School employer may enroll on behalf of a new member by entering the required information into the Partner Portal.
- **Force-In:** The NYCDOE uploads a service file, an address file, and a salary file of members and potential members.

- **IP44b – CUNY:** On the 31st day after an appointment into a mandated TRSNYC membership-eligible position in which a pension system election has not been made, the CUNY Benefits Office will initiate the Force-In process by submitting to TRSNYC a [Letter of Appointment/Employment Update \(code IP44B\)](#). The IP44b is also used to provide TRSNYC with information on employment updates for employees with an existing TRSNYC membership. Please remember to complete the form in its entirety including the job title, resignation and termination.

For more information, see the [Enrolling in TRS](#) brochure.

### What Employers Need to Know

- Employees in membership-eligible optional titles can enroll on the TRSNYC website.
- Membership in TRSNYC is governed by NYC/NYS law;
- TRSNYC determines final approval for membership.

### TRSNYC Tiers and Membership Dates

The TRSNYC is divided into five tiers, which are distinguished by dates of membership. Tier I members may continue to make voluntary contributions to their Annuity Savings Fund through payroll deduction only if they have continually been contributing. Tier II members are not permitted to contribute to the System. The law requires Tiers III and IV members to contribute 3% of their salary toward retirement, and Tier VI must contribute from 3-6% of their salary, based on annual wages. (See chart below for tiers and dates of membership.)

Tier	Date of Membership
1	Prior to 07/01/1973
2	7/01/1973 – 7/26/1976
3	7/27/1976 – 8/31/1983
4	9/07/1983 – 3/31/2012
4 (Chapter 504)	12/11/2009 – 3/31/2012
6	On or after 3/31/2012

### QPP Mandatory Contribution Rates

TRSNYC's Qualified Pension Plan (QPP) is a retirement plan administered under Section 401 (a) of the Internal Revenue Code. The QPP combines features of a defined-benefit pension plan with those of a defined-contribution pension plan. Benefits are provided through employer contributions, member contributions and investment income.

TRSNYC's pension benefit obligation is funded by employer contributions from the NYCDOE, CUNY, and Participating Charter School employers. The NYCDOE and conversion Charter School employers also contribute an additional amount to the accounts of eligible TRSNYC members who reach the maximum of their salary schedule. This amount is \$550 per year for supervisors and \$400 per year for other members. These are contractually determined and may change as part of the collective bargaining process. These monies contributed by the employer are known as the **Supplemental Contribution and are allocated separately from the member contributions**. For Tier I and II members, **these monies are deposited in their Annuity Savings Fund (ASF)**; for Tier III and IV members, monies are deposited into their **Annuity Savings Accumulation Fund (ASAF)**. Tier VI members, Participating Non-Conversion Charter School employees, adjuncts, college employees and paraprofessionals are excluded from this provision. In order to help fund retirement allowances, TRSNYC members must also contribute to their QPP account. The amount of these contributions depends on a member's tier.

TRSNYC members make pension contributions representing a percentage of their wages. Generally, pension contributions are automatically deducted from members' pay earning 5% interest, and federally tax-deferred. These contributions are due beginning on their membership date. If payroll deductions do not begin immediately, members will incur an initial deficit.

The following provides the Basic Member Contribution (BMC) and the Additional Member Contribution (AMC) rates:

- Tier I Members – **Certified rate**
- Tier II Members – **Certified rate and 1.85%, if in the Age 55/25 Program under Chapter 19**
- Tier III Members – **3% BMC for 10 years under Chapter 126 and 1.85% AMC for 55/25 and 55/27 years under Chapter 19**
- Tier IV Members – **3% BMC for 10 years under Chapter 126 and 1.85% AMC for 55/25 and 55/27 years under Chapter 19 or under Chapter 504 4.85% for 27 years and 1.85% until terminating event**
- Tier VI Members – **BMC rate range from 3% to 6% (rate depends on wages earned)**

The table below provides the contribution rates for Tier VI members:

<b>Annual Wages</b>	<b>Contribution Rate</b>
\$45,000 and less	3.00%
More than \$45,000 to \$55,000	3.50%
More than \$55,000 to \$75,000	4.50%
More than \$75,000 to \$100,000	5.75%
More than \$100,000	6.00%

**Pension contributions are not required on any wages that exceed the governor's salary of New York State or the Overtime Cap. Contributions exceeding the Cap will be returned.**

- For the first three plan years of membership, TRSNYC uses projected annual earnings provided by the employer(s) to determine the contribution rates. For the fourth plan year of membership and each plan year thereafter, TRSNYC uses the actual wages earned two plan years prior to the current plan year, as indicated below.

<b>Projected Salary Method (First Three Plan Years)</b>			
	<b>1<sup>st</sup> Plan Year</b>	<b>2<sup>nd</sup> Plan Year</b>	<b>3<sup>rd</sup> Plan Year</b>
Projected annual salary	\$70,000	\$71,000	\$72,000
Rate based on projected annual salary	4.5%	4.5%	4.5%
Actual wage earned in the plan year	\$72,000	\$72,500	\$76,000
Contributions made in the plan year	\$3,240 (4.5% of \$72,000)	\$3,263 (4.5% of \$72,500)	\$3,420 (4.5% of \$76,000)
<b>Actual Wages Method (Fourth Plan Year and thereafter)</b>			
	<b>4<sup>th</sup> Plan Year</b>	<b>5<sup>th</sup> Plan Year</b>	
Actual wages earned in the plan year	\$80,000	\$82,500	
Rate based on actual wages earned two plan years prior to current plan year	4.5% (2nd plan year)	5.75% (3rd plan year)	
Contributions made in the plan year	\$3,600 (4.5% of \$80,000)	\$4,744 (5.75% of \$82,500)	

- BMCs must be made until separation from service or retirement. These contributions are held in the Member Contribution Accumulation Fund (MCAF) and accrue 5% annual interest.

## Deficits

Any shortage of member contributions is known as a deficit. This may occur when there is an enrollment status change or a salary change for a member. Due to accumulating interest, deficits can become expensive for members and disruptive to retirement plans if not resolved early. Members must resolve deficits in their QPP accounts before retirement benefits can be determined. All deficits accrue 5% annual interest. Deficits are recouped when possible through payment plans of deductions from pay. For BMC deficits, the duration of the default plan is equivalent to the duration of the deficit period(s).

TRSNYC no longer accepts paper checks to pay for deficits. Members must log on to the Member Portal to pay their deficit. Four-year campuses have the option for members to pay their deficit through payroll deduction. Members who have a deficit in excess of \$10,000 may pay their deficit from their TDA account; however, there must be 20% remaining in the

TDA account after the deficit amount or the member will not be able to use their TDA funds to pay their TDA Account. All deficits should be paid prior to the member's future retirement date. Recently TRS implemented these strategies:

**Options for High Deficits:** In June, we began a pilot program for members with deficits greater than \$10,000. TRS is giving them the option to use TDA funds to make a full payment. In addition, members can make online payments for their deficits.

**Increased Awareness:** Beginning this year, Annual Benefits Statements (ABS) will include total deficit amount information for members who have a deficit. We will send members an email in October when their 2021 ABS is available.

**Proactive Billing:** TRS has shortened its turnaround time for billing members after identifying the deficit— getting most members on a payment plan sooner.

### What Employers Need to Know

- Contributions made before the effective date of the law (*i.e.*, October 1, 2000) and the member's Eligibility Date will not be refunded. Any such contributions would remain in members' accounts to help fund their retirement allowance.
- If payroll deductions do not begin immediately, members will incur an initial deficit. And, deficits that occur during the membership lifecycle incur 5% annual interest and impact the member upon retirement.

## Tier Reinstatement

### Section 645 of the Retirement and Social Security Law

Section 645 of the Retirement and Social Security Law allows current and future active members of TRSNYC, who held a former membership in any NYS public retirement system, to be reinstated to their former date of membership.

There is no deadline or window to file for reinstatement. This election can be made by applying for reinstatement by filing a [Membership/Tier Reinstatement Request Form \(SD42\)](#) available on our website at [www.trsnyc.org](http://www.trsnyc.org).

After a member applies for reinstatement, TRSNYC informs the member of their eligibility and any cost associated with reinstatement. The cost would include Basic Member Contributions (BMCs) and Additional Member Contributions (AMCs), if applicable representing the previous membership period, along with applicable interest.



Eligible retirement systems include the New York City Employees' Retirement System (NYCERS), the New York City Board of Education Retirement System (BERS), the New York City Police Pension Fund, the New York City Fire Department Pension Fund, the New York State Teachers' Retirement System (NYSTRS), the New York State and Local Employees' Retirement System (NYSLERS), and the New York State and Local Police and Fire Retirement System (NYSLPFRS).

## What Employers Need to Know

- Membership reinstatement is initiated by the member.
- Once the form is received, TRSNYC will verify the former membership and former membership refund status, calculate the amounts and communicate costs to the member.
- Members must pay the lump sum amount refunded under the original membership plus 5% interest compounded annually from the date of the refund to the date of repayment.
- In most cases, the benefits of reinstatement to an earlier tier outweigh the costs but individual cases differ. Some situations will be beneficial, some might not. As a reminder, the contribution rates vary from tier to tier and reinstatement to an earlier tier may create a deficit in the account that must be paid.
- Encourage members to contact the TRSNYC Member Services Center to assist with making an informed decision.

## Membership Restoration

Retired members who return to employment in a TRSNYC-eligible position can be restored from retirement to active service either on a voluntary or mandatory basis, depending on the new position. Those who are not restored to active service may be subject to earnings limitations. See **Section 19: Earnings After Retirement**.

Retired members may apply to TRSNYC for restoration to active service and must provide TRSNYC with a **Notice of Appointment** form from their employer. Upon restoration, TRSNYC will suspend a member's QPP retirement allowance payments, but any TDA annuity payments continue.

If members complete at least five years of service following restoration, their Final Average Salary (FAS) will be recalculated for the subsequent retirement allowance. Members who complete less than five years of service following restoration will receive credit for service, but their retirement allowance would be based on their previous FAS. **Note:** Tier I members need only four years of additional service to have their FAS recalculated.

Disability retirees can be restored to active service voluntarily or by a decision of the TRSNYC Medical Board as follows:

- If the Medical Board certifies that the member is no longer disabled, TRSNYC will notify their former employer. If this ruling occurs within 10 years of the disability retirement date, the former employer must restore the member to active employment. If more than 10 years have passed, restoration is at the former employer's discretion. If a member is restored to active service, their retirement allowance under the Qualified Pension Plan (QPP) and any annuity payments under the Tax-Deferred Annuity (TDA) Program would stop in accordance with applicable law.
- A disability retiree seeking return to active service must file a letter with the employer requesting re-employment in a TRSNYC-eligible position and must apply for restoration to active service with TRSNYC with form **Application for Voluntary Restoration from Disability Retirement (code DI30)**. Restoration to active service requires an examination by the Medical Board and approval of the Medical Board and the Teachers' Retirement Board.

### What TRSNYC Needs from Employers

- Official proof of new employment, such as the Notice of Appointment (IP44b).
- TRSNYC may also require service and salary history to assess new benefit determination, if the member completes more than 5 years of service.

### What Employers Need to Know

- If a member who received a lump-sum disability benefit is restored to active service, no death benefit is payable. In addition, unless the member performs at least five years of service following restoration, any retirement benefit that the member may become entitled to receive is reduced. The calculation to determine the reduction of the new retirement benefit, if applicable, considers the value of the disability benefit already paid, minus the value of any post-retirement benefit that would have been paid. These calculations are determined by the New York City Office of the Actuary.

### Beneficiaries

Members designate beneficiaries for their QPP account and also for the TDA, if they are a participant of the program.

### What Employers Need to Know

- When members don't have beneficiaries on file, that means any death benefits would be payable to their estate—and subject to the bureaucracy and delays of probate.
- Members can name individuals, trusts and charities as beneficiaries.
- Making a designation provides TRSNYC with clear instructions for paying benefits directly to whoever they name.
- After life-changing events such as, births, deaths, marriages, and divorces, encourage members to review and change the way they want their benefits to be paid.
- Beneficiary designations and changes may be completed on TRS' secure website. After completion, TRSNYC will send a complete list of updated designations to the member and they should notify TRSNYC of any issues or fix them online.

## Section 2: Employer Reporting

### Introduction:

TRSNYC is currently undergoing a complex, organization-wide initiative designed to expand our capacity to provide members with high-quality, high-value services that make their experience of retirement a positive one. The Modernization Program is a progressive transformation which also extends to reporting to TRSNYC by our Employers and other reporting partners.

To achieve our vision to provide high-quality, high-value services to our membership, TRSNYC is dependent upon the accuracy and timeliness of the data provided by our employers.

The integrity of the data reported to TRSNYC is critical and is utilized in:

- Membership enrollment and management
- Member contribution and account management
- Service and salary history maintenance
- Benefit determination
- Calculation of member retirement and estimates.
- Calculation of the annual employer obligations.
- Valuation of the employer contribution rate by the New York City, Office of the Actuary.
- Other reporting as required by NYC/NYS and other legal entities.

This section of the manual will focus on the TRSNYC employer specific reporting data elements and data guidelines for the primary data files submitted to TRSNYC. TRSNYC works directly with our employers to provide the specific file layout requirements for their organization, the process to securely transmit files to TRSNYC and the persons to contact. For questions regarding file formatting, file submission and employer/partner reporting should be directed to our Employer Management Group at [Employer@trs.nyc.ny.us](mailto:Employer@trs.nyc.ny.us).

### Employer Reporting

#### **New York City Department of Education (NYCDOE and City University of New York (CUNY**

As our largest employer, the NYCDOE provides TRSNYC with at least 20 different files containing various data reporting on their employees. The primary data files provided by NYCDOE and CUNY directing member information are the Address, Salary, and Service data files. The expected data elements for these files are provided below for your information.

TRSNYC runs processes to extract information for potential members and to update our database with service and salary information. TRSNYC performs various reasonability checks and validations to ensure the data is consumable for our systems. New data files referred to as Delta Files are compared to the historical data stored in our database to assess changes. TRSNYC uploads and processes new data. Data errors and files that do not pass system validations may be rejected and returned to the employer for correction and resubmission.

CUNY may provide data mentioned in the file description above that is relevant to their business and employees. This data may be provided in various manual and automated formats. TRSNYC is currently working with all employers to standardize the format in which data is submitted to TRSNYC.

## When to Report

The Bi-Weekly reporting of Address, Service/Employment and Salary data are submitted to TRSNYC using secure file processing. Timely and accurate submission will enable us to process files efficiently and result in timely updates to TRSNYC members data. **Note:** some files mentioned later in this document are reported monthly, semi-annually and/or annually.

## What to Report

The data elements for the Address, Service/Employment and Salary files (primary files) to be reported to TRSNYC are indicated below. The detailed record layouts are provided to the authorized personnel within the NYCDOE and CUNY.

In addition to the files mentioned earlier in this document, NYCDOE and CUNY provide TRSNYC data files necessary to determine and provide services and benefits to our members as well as their beneficiaries.

TRSNYC is currently working with all employers to standardize the format in which data is submitted to TRSNYC.

## Data Files Submitted to TRSNYC

File Name	Description of Data Reported
<b>HRS Status File</b>	Service codes and their meaning. ( <i>i.e.</i> , 1AH-Active, 2LR-Leave, etc.)
<b>History File</b>	Contains the historical service, salary and address information for each member. The data elements are primarily the same as the service, salary and address Delta files.
<b>Supertable</b>	List of all schools in the NYCDOE: Name and address (work locations)
<b>Summer Pay</b>	Summer Pay earnings
<b>Per Session</b>	Contains service and earnings details for members working in Per Session titles
<b>Class Coverage</b>	Contains earnings for work performed during 6 <sup>th</sup> period, class coverage
<b>Performance Bonus</b>	Reports bonus pay for work meeting special criteria and goals met
<b>LODI</b>	Identifies members injured in the line of duty and monies
<b>Death Notification</b>	Notifies TRSNYC of member deaths and dates of death
<b>Chapter 683</b>	Reports pensionable earnings for summer employment under the Special Education Program

<b>Mega File</b>	Reports on union contract retro salaries and incremental increases
<b>Service Delta</b>	Changes to employees' start and end of employment and title
<b>Salary Delta</b>	Changes to employee salaries since previous upload
<b>Address Delta</b>	Changes to employee addresses since previous upload

## Who to Report

Employers are required to report on all pedagogical employees in TRS-membership eligible titles as indicated in the collective bargaining agreements on the files transmitted to TRSNYC (See **Section 1: Membership**). These employees may be referred to as teachers or members throughout this manual.

See **Appendix A** for address files, salary, service and employment and salary record types and descriptions.

## Employer Reporting

### Reported Wages/ Payroll Schedules

The primary source for payroll data to TRSNYC is from the New York City Office of Payroll Administration- Financial Information Systems Agency (OPA-FISA). OPA-FISA is a city-wide payroll management agency that pays the City of New York's employees, retirees and vendors.

TRSNYC receives PCEF files from OPA-FISA for every member. For security purposes, the complete contents and layout of these files are provided to authorized personnel only. These are very large data files and the key reporting files are:

- **Employee attributes**- Includes date of birth, gender, employment start date, title/title details and other employment details, pension designation, pension number, pension tier, pay data including salary, pay cycle, collective bargaining unit, and other data specific to the member.
- **Employee Deduction** - Includes details on check data, deductions, deduction amounts, contribution rates, goal amounts for TDA. Also reports on pension pay, bank information for EFT-related details and other deduction details.
- **Employee Payment**- Reports on pay details including earn date, pay dates, payment types, pay cycle, payment adjustments and other payment details.

TRSNYC also receives payroll reporting data and reported wages from at least 13 employer payroll systems (EPS). The New York State Office of Comptroller (OSC) is TRSNYC's second largest payroll reporting agency. For example, FISA reports on DOE, CUNY, Health and Hospitals, Housing Authority and New York City, and each charter school has their own employer payroll system.

Each EPS is responsible for providing TRSNYC the following data elements for all active TRSNYC members on payroll. See **Appendix B**.

Payroll Cycle Schedules are provided through the EPS, or in the case of participating Charter School Employers, are provided directly to TRSNYC to the Employer Inbox at [Employer@trs.nyc.ny.us](mailto:Employer@trs.nyc.ny.us). Payroll Cycle Schedules are to be submitted annually to TRSNYC in the required format. Updates are needed at least three months prior to the last pay period on the schedule last provided to TRSNYC.

Payroll Cycle Schedules contain the payroll issue dates, start and end dates of payroll cycles, and cutoff dates by which any deductions that TRSNYC needs to implement on that payroll must be received by the employer.

An example of a Payroll Cycle Schedule is provided with the definitions of the data terms. See **Appendix C**.

### **Participating Charter School Employers**

The Charter School Payroll Interface Facility (Payroll Interface) is provided as an electronic means to report payroll, service and salary information about the members you employ. Payroll data files are uploaded to the TRSNYC systems to provide updates to member accounts. Presently, TRSNYC performs a monthly update to our system with the payroll data files that have reconciled with the payment submitted by the employer. Monies are deposited into member accounts upon the reconciliation of both payroll reporting files and payment. Service and Salary data files are also uploaded and provide TRSNYC with employment details and status and salary changes.

Utilizing specialized software applications, Charter School Employers connect to the TRSNYC systems to report the following data elements to TRSNYC. Charter School Employers with access to the secured site may log-in for specific details to reporting this data to TRSNYC. An example of payroll and payment details and deduction information is provided followed by the definitions of the data terms See **Appendix D**.

### **Reporting Tier VI Earnings**

The term “wages” in the context of Tier VI is defined as regular compensation earned by and paid to a member by a public employer.

Compensation that is excluded from the definition of wages include:

1. Overtime compensation paid in any year in excess of the overtime ceiling;
2. Wages in excess of the annual salary paid to the governor;
3. Lump sum payments for deferred compensation, sick leave, accumulated vacation or other credits for time not worked; and,
4. Any form of termination pay.

An example of payroll and payment details and deduction information is provided followed by the definitions of the data terms. See **Appendix D**.

## Authorized Contacts

There are several reasons why TRSNYC would contact someone within your organization. To ensure the appropriate personnel is contacted to do business on behalf of your organization, TRSNYC requires the Chief Administrator/ Executive persons within your organization to appoint you as the primary contact for your area of business. For example:

- CUNY: The Executive Director of University Benefits Office (or their designee)
- Charter School Employers: The Chairperson of the Board of Trustees
- NYCDOE (Payroll) The CFO or Executive Director of Payroll Administration (or their designee)
- NYCDOE (HR) The Executive Director of Human Resource/ Human Capital Management (or their designee)
- NYCDOE (IT) The CIS or Executive Director of Information Systems/Information Technology (or their designee)
- NYCDOE identifies contact representatives on a project basis and as such those contacts are established when project requests are initiated.

TRSNYC systematically maintains contact information for our employers and other stakeholder partners. Authorized contact representatives for CUNY and Charter School Employers are usually the initial point of contact, responsible for responding to TRSNYC's questions concerning payroll reporting, employment and salary verifications for our members.

**Note:** There are some system generated correspondence that are sent directly to the authorized contact on file at TRSNYC. It is important to inform TRSNYC when an established contact representative transition to other job responsibilities and/or leave the organization.

Please send updates to the employer mailbox via [Employer@trs.nyc.ny.us](mailto:Employer@trs.nyc.ny.us).

## What TRSNYC Needs from Employers

### Manually Reporting Service, Salary and Employment Data

It is important that TRS receives accurate and timely data reporting from our partners. The data is used to determine benefits for TRS members.

**Employment Data Form (code RE5)**—complete request in its entirety reporting on all employments including title, wages, hours, days, service, leaves and transfers within your organization for full-time and part-time employment and return to TRS.

**Letter of Appointment/Employment Update (code IP44b)** (CUNY and Charter Schools)—report new enrollments and employment updates within your school to TRSNYC using this form. The form should be completed in its entirety and signed by an authorized HR personnel.

**Membership Verification Form**—request to validate and verify TRS membership form—TRS will complete the form and send to the original organization.

## What Employers Need to Know

The data reported impacts the benefits and services TRSNYC provides to our members. The EMG unit is here to support our employers and partners. Please send all questions regarding employer reporting to the employer mailbox [Employer@trs.nyc.ny.us](mailto:Employer@trs.nyc.ny.us).

## Appendix A

### Address File Records and Descriptions

Type	Data Element	Description
<b>Address</b>	Record Type	Header, detail or footer
<b>Address</b>	Social Security Number	Nine-digit social security number
<b>Address</b>	Last Name	Last name
<b>Address</b>	Middle Initial	Middle initial
<b>Address</b>	First Name	First name
<b>Address</b>	Employee number	Employee number or alternate ID
<b>Address</b>	Employee address Line 1	Current address
<b>Address</b>	Employee address Line 2	Extension of current address
<b>Address</b>	City	Current city
<b>Address</b>	State	Current state
<b>Address</b>	Postal/Zip Code	Current zip code
<b>Address</b>	Country Code	Country Code
<b>Address</b>	Address effective date	The value of this field will be either the date that the employee's address changed to the new address or the start date of the earliest employment activity reported. (ccyy-mm-dd).
<b>Address</b>	Prior employee address Line 1	These fields will be populated when an employee has had a change of address with the address that employee has changed from.
<b>Address</b>	Prior employee address Line 2	These fields will be populated when an employee has had a change of address with the address that employee has changed from.
<b>Address</b>	Prior City	This field will be populated when an employee has had a change of city with the city that employee has changed from.
<b>Address</b>	Prior State	This field will be populated when an employee has had a change of state with the state that employee has changed from.
<b>Address</b>	Prior Postal/Zip Code	Prior zip field. This field will be populated when an employee has had a change of address.



<b>Address</b>	Prior Country Code	Country Code
<b>Address</b>	Prior SSN1 - Social Security Number	SSN 1 and SSN 2 used to communicate any SSN changes made to an employee's account. A previously reported SSN may need to be corrected or changed due to an error in the original reporting of the SSN.
<b>Address</b>	Prior SSN2 - Social Security Number	Prior SSN 2
<b>Address</b>	Phone number	If populated formatted as a three-digit area code followed by a three-digit exchange and a four-digit phone number
<b>Address</b>	E mail type	Work email
<b>Address</b>	E mail	If populated the email address provided by the employer
<b>Address</b>	Date of Birth	Date of birth
<b>Address</b>	Date of Death	Date of death
<b>Address</b>	Date of Death reported date	Date the death was reported to TRSNYC
<b>Address</b>	Gender	Member's Gender
<b>Address</b>	Record ID	Unique record ID for this file

## Service/Employment File Records and Descriptions

Type	Data Element	Description
<b>SERVICE/EMPLOY</b>	Record Type	Header, detail or footer
<b>SERVICE/EMPLOY</b>	Social Security Number	Nine-digit social security number
<b>SERVICE/EMPLOY</b>	Last Name	Last name
<b>SERVICE/EMPLOY</b>	Middle Initial	Middle initial
<b>SERVICE/EMPLOY</b>	First Name	First name
<b>SERVICE/EMPLOY</b>	Employer name	Employee's employer name
<b>SERVICE/EMPLOY</b>	Work Location Description	Work location is used to identify where an employee is working
<b>SERVICE/EMPLOY</b>	Work Location Code	Defined code for an employee's work location (school)
<b>SERVICE/EMPLOY</b>	Work Location Address Line 1	Employer's current address
<b>SERVICE/EMPLOY</b>	Work Location Address Line 2	Extension of employer's current address, if needed
<b>SERVICE/EMPLOY</b>	Work Location City	Employer's work location
<b>SERVICE/EMPLOY</b>	Work Location State	Employer's work state
<b>SERVICE/EMPLOY</b>	Work Location Zip Code	Employer's work location zip code
<b>SERVICE/EMPLOY</b>	Work Location Country	Employer's country
<b>SERVICE/EMPLOY</b>	Service Code	Status of Employment

Type	Data Element	Description
<b>SERVICE/EMPLOY</b>	Job Title	Reported job title to identify eligibility and creditability of service
<b>SERVICE/EMPLOY</b>	Job Class Sequence number	Sequence of employee's job
<b>SERVICE/EMPLOY</b>	Time Quantity	Service reported is to be credited based on a reported quantity of time (days or hours)
<b>SERVICE/EMPLOY</b>	Service Start Date	Time span of the reported period
<b>SERVICE/EMPLOY</b>	Service End Date	Time span of the reported period
<b>SERVICE/EMPLOY</b>	Service Post Date	Effective date
<b>SERVICE/EMPLOY</b>	Evening Session Employment	Employment type
<b>SERVICE/EMPLOY</b>	Summer Session Employment	Employment type
<b>SERVICE/EMPLOY</b>	Part Time Employment	Part Time
<b>SERVICE/EMPLOY</b>	Full Time Employment	Full Time
<b>SERVICE/EMPLOY</b>	Other Employment	Employment type
<b>SERVICE/EMPLOY</b>	Vacation Adjustment Indicator	Indicates if service credit is given for summer months
<b>SERVICE/EMPLOY</b>	FICA class	Used when the employment record is created for the first time to determine fed tax eligibility status
<b>SERVICE/EMPLOY</b>	Pension designation	Example "T=TRS", "G = BERS" or previous provider
<b>SERVICE/EMPLOY</b>	Pension #	Employee pension number
<b>SERVICE/EMPLOY</b>	Force in flag indicator	Indicator of a force in Y or N which denotes how the member was enrolled
<b>SERVICE/EMPLOY</b>	Non TRS TDA accounts	Name of the employee's outside account holder
<b>SERVICE/EMPLOY</b>	Record ID	Unique record ID for this file

## Salary File Records and Descriptions

Type	Data Element	Description
<b>Salary</b>	Record Type	Header, detail or footer
<b>Salary</b>	Social Security Number	Nine-digit social security number
<b>Salary</b>	From Date (Salary)	Effective start date of the salary for the employee
<b>Salary</b>	To Date (Salary)	Effective end date of the salary unless it's the most current salary
<b>Salary</b>	Job Title	Job title
<b>Salary</b>	Job Sequence number	Sequence of employee's job
<b>Salary</b>	Salary	Annual Salary for employee
<b>Salary</b>	Pay Basis	The pay basis should be valid for the job title that the basis is being reported for. Valid values for A=Annual, D=Daily and H=Hourly.
<b>Salary</b>	Rate of Pay	Rate of pay for an hourly or daily employee

<b>Salary</b>	EPS Code	Bank Code "Q"= Pedagogues, "E"=Paras etc.
<b>Salary</b>	EPS Cycle	Payroll bank the employee is paid on
<b>Salary</b>	Contract Date	The date a contract is ratified. This date is used to track salary back to a specific contract's salary schedule.
<b>Salary</b>	Salary Change Indicator (Reason)	An employee's salary can change for various reasons. These reasons may include a new contract being ratified or promotion.
<b>Salary</b>	Union - Union Code for employee	Employees employed in certain titles are represented by unions. Union Code (UFT, DC37, CSA, PSC)
<b>Salary</b>	Record ID	Unique record ID for this file

## Appendix B

Data Element	Description
Name	Member full name
SSN	Full Social Security Number
Payroll ID	Identifier on payroll
Start Date	Start date for period
End Date	End date for period
Paid Date	Date in which monies were paid
Earned Date	Date monies earned
Employer	Name of employer
Job Class	Job title
Actual Wages	Pensionable monies paid
Salary	Contractual salary
Wage Type	Regular, over time

## Appendix C

### Payroll Cycle Schedule Format

Payroll Schedule	Pay Iss Dte	Period Start Date	Period End Date	Cut Off Date
C0	YYYY-MM-DD	YYYY-MM-DD	YYYY-MM-DD	YYYY-MM-DD
C0	2020-07-31	2020-07-16	2020-07-31	2020-07-25

FIELD NAME	DESCRIPTION
Cycle Code	Code unique to your organization
Payroll Issue Date	Date when check will be issued
Pay Period Start Date	Start of Pay Period
Pay Period End Date	End of Pay Period
Cut Off Date	Last date deduction instructions can be sent to your organization to be implemented on a payroll.

## Appendix D

### Payroll Details

Data Element	Description
Check Date	Date of pay
Pay period	Start /End date of pay period
Status	Status of payroll
Cycle code	School pay code

### Payment Details

Data Element	Description
Work Location	Code for school location
Job ID	Job title
Pay Period Gross Dollar Amount	Gross pay amount for pay period
Payment Type	Reports on type of pay ( <i>i.e.</i> , regular, per session, class coverage etc.)
Annual Salary Dollar Amount	Annual contractual salary

## Deduction Information

Data element	Description
Deduction Type	Code that identifies type of deduction
Deduction Amount	Amount of deduction taken (will be negative for a refund)
Deduction Rate	Percentage indicated as a decimal amount of member's pay ( <i>i.e.</i> , 0.0300 for 3% pension contribution)
Pay Base Amt	Base Pay for which contribution is applied
Goal Amt	Maximum accumulated amount of TDA contributions for current tax year
Goal Amt Bal	Remainder of maximum accumulated amount of TDA contributions less accumulated contributions made YTD

## Service and Employment

Data Element	Description
Svc Pd Start Date	Start date for service code
Svc Pd End Date	End date for service code
Service Status Code	Status of employment for title for pay period
Job Cls	Job Title
Time Quantity	Number of hours, sessions, days etc. for job

## Contractual Salary

Data Element	Description
Effective date	Start date of salary
Salary	Dollar amount of salary
Job Class	Job title

## Section 3: Reportable Pensionable Salaries

### Introduction

Salaries may be defined as fixed compensation, paid regularly for labor or services. Salaries are generally paid weekly, biweekly or monthly. Salaries do not vary with the amount of labor or services produced. However, a salaried employee's income may vary occasionally due to overtime pay, bonuses, and etc. Contractual income is income paid on a contractual basis and is intended to cover a specific period of time. Currently, TRSNYC receives salary data from DOE via data feed, CUNY via payroll file and Charter Schools via an interface. TRS also receives retro and CSA bonus files.

Legal authority would determine if these monies are deemed pensionable and used in the calculation of a pension benefit. TRSNYC also does not determine if these funds are pensionable. It is the provisions of contractual agreements and/or legislative changes that will indicate if these salaries are deemed pensionable and used in the determination of the FAS. Click [here](#) for a list of FISA pay codes and pensionable and non-pensionable salaries.

### Overview

The salary data provided by the employer is used to update salaries and salary-related data in our systems which can impact the benefits. In an effort to ensure that the salary information received from employers meet the needs of TRSNYC, this section has been prepared. The goal is to ensure quality data is received while providing an understanding of what TRSNYC does with the data received.

This reference serves as a guide to employers that provide data on a regular, recurring basis. Included are detailed requirements of TRSNYC to successfully process the data files received from the employer including data elements and each transaction format that interfaces with our systems.

The purpose of providing this information is so that service and salary data are up to date in our systems based on the feeds received from the employer. Keeping this data up to date in TRSNYC's systems is of paramount importance in processing of membership benefits efficiently, which is a shared obligation between TRSNYC and the employer.

This section also details the expected content of the input file(s), naming conventions to be used by the employer for the file(s) sent to TRSNYC, and any outputs generated by TRSNYC upon processing of these files.

The overall content of this section is applicable to all employers with additional requirements specific to position types and how these individual types of positions should be reported for different types of employment related activity. The requirements that are specific to position types pertain to regular/pedagogical positions, per diem and regular substitutes, paraprofessionals as well as administrative positions. The following content represents the data requirements of TRSNYC going forward. Any deviation from these requirements must be discussed with TRSNYC and approved in advance.

### Method of Transmission

All salary feeds are to be transmitted to TRSNYC via a VPN Secure Tunnel thru a firewall. Files are to be encrypted before transmission and keys are to be exchanged for transmission to occur. Under no circumstances will data be exchanged between employer and TRSNYC via e-mail or any other non-secure means. TRSNYC is able to accept encrypted data through email.

## Header/Footer

Each data file should include a standard header and footer. The header should include data elements that define the source of the data, the type of data and create date (*i.e.*, filename to verify data sent) and the scope of the data in terms of the frequency that data feed is sent and effective date range of an individual data feed's data. These attributes are used to anticipate a) the file coming in, b) reconcile the file's receipt, c) identify the file is not a duplicate (previously sent). The footer should include totals for number of records in file and any applicable counts/totals. Counts should include the total number of unique SSNs and the total number of records in each data feed.

## Record ID

Each data file record should have a unique record id that can be referenced when communicating with the employer any questions/issues related to a specific data feed file record.

## File Transmission Intervals

### Salary Data Files

The Historical Salary data files should be created on a monthly basis with the file data current through the end of the month prior to the file transmission.

## Data Feed Integrity

In order to accurately and completely process a data feed received from an employer, data integrity must exist across and within the data files that comprise each instance of the data feed.

*It is expected that the required integrity will be enforced by the employer during the creation of each data feed instance.*

The data integrity requirements across the data feed includes the existence of corresponding records in each file while also mandating the consistency of the information.

*Address should be reported for each SSN reported on Service and Salary Data feeds*

TRSNYC sends communications to members related to membership benefits at their home address. The primary source of this information and subsequent updates is the employer. Therefore, it is important that this information be provided with changes reported in a timely manner.

*Salary information should be reported for all reported service*

Salary information is used in the calculation of retirement benefits as well as service purchases. Therefore, supporting salary information for service must exist in our system.

*Title reported for salary should correspond to title reported for service during same time span*

The calculation of salary that is attributable to a period is based on the employment in which a member is working. The salary information is selected based on the required timeframe and employment job title. Therefore, the title for the employment and salary data for a period must match for the calculation to be correct.

**Note:** *If on leave or resignation/termination from regularly eligible position and working as regular or per diem substitute, there will be an overlap of both salary and service for the service/salary of the regular eligible position and regular or per diem substitute.*

Within data feed files, there are a number of requirements related to the scope and structure of the data. These include rules such as the information being reported from date of appointment or start date of original full-time employment (that is membership eligible) without any gaps or invalid overlaps.

### **File Integrity**

*No overlaps of salary information should be reported within an SSN*

Since a member cannot actively work in two full-time positions simultaneously, overlaps in salary reported are identified as an error condition.

**Note:** *If on leave or resignation/termination from regular eligible position and working as regular or per diem substitute, there will be an overlap of salary for the regular eligible position and regular or per diem substitute.*

*No gaps in salary information should occur from date of original appointment*

From the date of appointment, a complete and uninterrupted timeline of salary activity should be reported in order to accurately calculate salary attributable to service. Salary should be reported for periods of leave as well as periods of resignation/termination. Salary during periods of resignation/termination should be the last salary prior to the resignation/termination as it will remain in effect until member returns to active service. The salary during these periods may be used to calculate the cost of purchase plans for credited leaves or special circumstances such as Chapter 470 layoff periods. Any unreported periods would be flagged as an error.

### **Code Table Changes**

The service and salary data reported by the employer is uploaded to our systems based on different codes that are used to lookup additional information that defines how this data should be processed or translated. The associated code tables are also used to validate that the reported code values are valid. Therefore, any changes to code tables need to be reported to TRSNYC in order to ensure proper validation and processing.

### **Record Integrity**

*Start Date cannot be greater than End Date when End Date is populated*

The current period is identified by an unpopulated end date (0001-01-01 represents blanks for a date). There can only be one period that has an unpopulated end date. For all other periods, the end date must be populated, and the end date must be after the start date.

*Pay Basis must be compatible with Job Title*

The pay basis must be valid for the job title in which the pay basis is reported. For example, if the pay basis is hourly, the corresponding title for the period should be for a position that is paid hourly. (See **Appendix A** for Data Feed Requirements)



## Field Integrity

### *SSN cannot be blank*

- The SSN is used in identifying the party in our system.

### *From Date cannot be blank*

- In order to correctly track salary to a time span, the start date must be populated. This date represents the effective start date of the salary for the member.
- The date of 01/01/1940 has been identified as the earliest start date that is valid for reported salary. Any date earlier than this will be flagged as an error and not posted.

### *To Date cannot be blank*

- To date should be populated with the effective end date unless it is the most current salary. If it is the most current record (open ended), the end date should be populated as 0001-01-01.

### *Salary*

- The salary amount cannot be zero.
- The salary field is an eight-digit field with six-digit dollar and two-digit cent positions with no formatting (comma, decimalpoint).

Salary amounts reported should be within reasonable ranges based on the pay basis, which indicates the time unit in which the salary amount is reported.

The following are the current ranges:

- Annual Range (\$500 - \$300,000+)
- Daily Range (\$3 - \$600)
- Hourly Range (\$1 - \$99.99+)

### *Pay Basis*

- Valid values for pay basis are A = Annual, D = Daily and H = Hourly

### *Job Title cannot be blank*

- The job title is used to correctly attribute salary information to employment activity.

### *Salary Schedule cannot be blank when Union is populated*

- Salary amounts are based on predetermined schedules when the title that member is working in is represented by a union.
- Unions and Employers negotiate and ratify based on job titles and other criteria such as longevity, work conditions and experience.

### *Salary Schedule Step cannot be blank when Union is populated*

- Salary schedule step defines different salary levels within a salary schedule. In order to match a salary back to a schedule, the step must be populated.

*Longevity can be blank (optional field)*

- When a member's salary amount is based on the salary contract with consideration of their longevity of employment, this field should be populated. Longevity increments are currently 10, 13, 15, 18, 20 and 22 years.

*Contract Date cannot be blank when Union is populated*

- The date that a contract is ratified is known as the contract date. This date is used to track the salary back to a specific contract's salary schedule.

*Reason cannot be blank*

- A member's salary may change for different reasons. These reasons include a new contract being ratified, a promotion, a salary schedule step change or title change.
  - New Contract (NC)
  - Promotion (PR)
  - Step Change (SC)
  - Title Change (JC)

*Union (optional field)*

- Members employed in certain titles are represented by Collective Bargaining Units (CBUs) or unions. The union will negotiate on behalf of the member for employment related issues such as salary where contracts are adopted. The union that is associated with the employment is tracked in order to match back to the set of salary schedules applicable to the member.

The following is an example of data contained for a single record in the Salary file. Hourly, daily and annually paid employees of the employer that are in TRSNYC-eligible positions should be reported on a regular basis within the Salary file. There may be one or more records in the salary file for a member (SSN). (See **Appendix B**)

**Note:** See the following on Reporting of Exception Scenarios for Salary for Per Diem or Regular Substitute during Leave or Resignation/Termination.

**Reporting of Exception Scenarios**Salary for Per Diem or Regular Substitute during Leave or Resignation/Termination

*Salary data reported will overlap as a result of per diem or regular substitute employment during a leave or resignation/termination from a regular membership-eligible employment.*

Overlapping of salary data is normally an error. However, when an employee is working as a per diem or regular substitute during a leave or resignation/termination from a regular membership-eligible employment, the salary data for the per diem or regular substitute employment should be reported as a subset of the time span of the salary for the regular membership-eligible employment. The time span of the salary for the per diem or regular substitute will overlap the salary for the regular membership-eligible employment.

The following are examples of valid values within the Salary file feed that would be used to report regular substitute salary during a period of resignation from the regular eligible position. (See **Appendix C** for examples).

### Record size

Records are fixed length of 90 positions (CUNY is 130 positions).

### **Note:**

*The regular substitute salary is an overlapping subset of the time span of the regular teaching salary. For the non-overlapping period of the regular teaching salary, the salary for the regular teaching salary would be considered in effect for this period up until when the next salary record starts.*

### **Salary Errors**

This report will list all the reported salary periods that have been found to have errors that require the employer to be notified.

The reported salary period data will be listed for each impacted record that requires review and/or correction. (See **Appendix D** for Salary Error Report Inputs and Outputs)

### Details

SSN

Start Date

End date

Salary Amount

Salary Type (Annual, Daily, hourly)

Job Title

### **Charter School**

Charter Schools are requested to report all Pensionable Earnings which will be used to calculate a member's pension benefits. This includes, but is not limited to, a base or contractual salary. Reportable salaries are entered through the Charter School Interface Facility (CSIF) in two places. It may be input while entering payment data or service data.

The requested information consists of the Effective Date of the salary and the amount. Please note: the programming automatically populates the title and its description. If a member has changed positions, please change the title (in the service screens) prior to adjusting the salary.

### **What TRSNYC Needs from Employers**

It is important that TRS receives accurate and timely data reporting from our partners. The data is used to determine benefits for TRS members.

### **What Employers Need to Know**

The data reported impacts the benefits and services TRSNYC provides to our members. The EMG unit is here to support our employers and partners. Please send all questions regarding employer reporting to the employer mailbox [Employer@trs.nyc.ny.us](mailto:Employer@trs.nyc.ny.us).

## Appendix A

### DOE Data Feed Requirements – Data Elements – Total record length is 90 bytes

#### Header

Field	Type	Length	Description
RECORD TYPE	CHAR	2	Record Type = 'H'
FILENAME	CHAR	10	Filename of transmitted file
FREQUENCY	CHAR	2	Frequency M = Monthly SM = Semi-Monthly BW = Bi-Weekly W = Weekly O = One Time
START DATE	DATE	10	Start Date of Timespan of data
END DATE	DATE	10	End Date of Timespan of data
FILLER	CHAR	56	Spaces

#### Detail

Field	Type	Length	Description
RECORD TYPE	CHAR	2	Record Type = 'D'
SSN	CHAR	9	Social Security Number
FROM DATE	CHAR	10	From Date
TO DATE	CHAR	10	To Date
SALARY	CHAR	8	Salary
TITLE	CHAR	5	Job Title
PAY BASIS	CHAR	1	Pay Basis
SCHEDULE	CHAR	10	Salary Schedule
STEP	CHAR	6	Salary Schedule Step
LONGEVITY	CHAR	6	Salary Schedule Longevity
CONTRACT DATE	DATE	10	Contract Date
REASON	CHAR	2	Reason for Salary Change
UNION	CHAR	3	Union Code
RECORD ID	NUM	8	Unique Record ID

#### Footer

Field	Type	Length	Description
RECORD TYPE	CHAR	2	Record Type = 'T'
FILENAME	CHAR	10	Filename of transmitted file
RECORD COUNT	NUM	7	Count of Detail Records
SSN COUNT	NUM	7	Count of Unique SSNs
FILLER	CHAR	64	Spaces

**CUNY Data Feed Requirements – Data Elements – Total record length is 130 bytes**
Header

Field	Type	Length	Description
RECORD TYPE	CHAR	2	(H) header and a space.
FILE NAME	CHAR	10	SAL082015
FREQUENCY	CHAR	2	Frequency M = Monthly SM = Semi-Monthly BW = Bi-Weekly W = Weekly O = One Time
START DATE	DATE	10	2015-09-01 (ccyy-mm-dd)
END DATE	DATE	10	2016-08-31(ccyy-mm-dd)
EMPLOYER CODE	CHAR	10	CUNY-EMP and 2 spaces
FILLER	CHAR	86	Spaces

Detail

Field	Type	Length	Description
RECORD TYPE	CHAR	2	Header, detail or footer
SOCIAL SECURITY NUMBER	NUM	9	Nine-digit social security number. SSN cannot be blank. The SSN is used in identifying the employee in the system.
START DATE (SALARY)	CHAR	10	Beginning time span of the reported period
END DATE (SALARY)	CHAR	10	Ending time span of the reported period
SALARY		8	The salary amount cannot be zero. The salary field is an eight-digit field with six-digit dollar and two-digit cent positions with no formatting (comma, decimal point).
JOB TITLE	CHAR	6	Cannot be blank. The reported job title is used to identify the eligibility and creditability of the service reported.
PAY BASIS	CHAR	1	The pay basis should be valid for the job title that the basis is being reported for. Valid values for A=Annual, D=Daily and H=Hourly.
STEP	CHAR	6	Salary Schedule Step
LONGEVITY	CHAR	6	Filler
UNION CODE FOR EMPLOYEE	CHAR	4	Employees employed in certain titles are represented by unions.

RECORD ID	NUM	16	Unique record ID for this file.
SCHEDULE	CHAR	10	Filler
JOB SEQUENCE NUMBER	NUM	2	Cannot be blank. Sequence of an employee's job.
RATE OF PAY	CHAR	6	Rate of pay for an hourly or daily employee.
CONTRACT DATE	DATE	10	The date a contract is ratified. This date is used to track salary back to a specific contract's salary schedule.
SALARY CHANGE INDICATOR (REASON)	CHAR	4	Reason cannot be blank. A member's salary may change for different reasons. These reasons include (NC) a new contract being ratified, (PR) a promotion, (SC) a salary schedule step change or (JC)title change.
ACTION CODE	CHAR	4	Event on Job Data
WORK LOCATION CODE	CHAR	6	Cannot be blank. The work location is used to identify where a member is working at any given time and may be used to verify information related to the service. It may also be used to identify non-duplicate service when a member works in more than one part-time position concurrently.
POST DATE	DATE	10	Date Record Last Updated

#### Footer

Field	Type	Length	Description
RECORD TYPE	CHAR	2	(T) trailer and a space
FILE NAME	CHAR	10	SAL082015
RECORD COUNT	CHAR	7	Count of detailed records. (Example 7,000 records would be reflected in the file as 0007000)
SSN COUNT	CHAR	7	Count of unique SSNs (Example 58 records would be reflected in the file as 0000058)
FILLER	CHAR	104	Spaces

## Appendix B

### Single Record Salary File

Field Name	Value (example)	Position
Record Type	'D'	1-2
SSN	312073764	3-11
FROMDATE	1994-09-01	12-21
TODATE	1996-06-30	22-31
SALARY	05500000	32-39
TITLE	TRTRQ	40-44
PAY BASIS	A	45-45
SCHEDULE	C2	46-55
STEP	4B	55-61
LONGEVITY	10	61-67
CONTRACT DATE	1995-01-15	68-77
REASON	NC	78-79
UNION	UFT	80-82
RECORD ID	00000123	83-90

## Appendix C

### Single Record Salary File – Valid Values

Field Name	Value (example)	Position
Record Type	'D'	1-2
SSN	381560921	3-11
StartDate	1993-09-01	12-21
EndDate	1996-09-02	22-31
Salary	02851700	32-39
JobTitle	TRTSQ	40-44
Pay Basis	A	45-45
Schedule	C2	46-55
Step	4B	55-61
Longevity	10	61-67
CONTRACT DATE	1995-01-15	68-77
REASON	NC	78-79
UNION	UFT	80-82
RECORD ID	00000123	83-90

Field Name	Value (example)	Position
Record Type	'D'	1-2
SSN	381560921	3-11
StartDate	1994-04-01	12-21
EndDate	1995-03-31	22-31
Salary	02708700	32-39

JobTitle	TRTSR	40-44
Pay Basis	A	45-45
Schedule	C1	46-55
Step	4B	55-61
Longevity	10	61-67
Contract Date	1995-01-15	68-77
Reason	JC	78-79
Union	UFT	80-82
Record ID	00000124	83-90

Field Name	Value (example)	Position
Record Type	'D'	1-2
SSN	381560921	3-11
StartDate	1996-09-03	12-21
EndDate	1997-10-15	22-31
Salary	04224000	32-39
JobTitle	TRTSQ	40-44
Pay Basis	A	45-45
Schedule	C2	46-55
Step	4B	55-61
Longevity	10	61-67
Contract Date	1995-01-15	68-77
Reason	JC	78-79
Union	UFT	80-82
Record ID	00000124	83-90



## Appendix D

### Salary Error Report Inputs and Outputs

#### Inputs

#	Incoming Document / Tape / File	When/Why Used
1	Service History Data feed	Monthly and semi-monthly/Used to record and update service data for a member
2	Salary Data Feed	Monthly and semi-monthly/Used to record salary info for a member
3	CUNY Service File	Bi-weekly/Used to record and update service data for a member
4	CUNY Salary File	Bi-weekly/Used to record and update salary data for a member
5	Address Data feed	Monthly/Used to update current addresses for a member
6	Service Code Table	Monthly/Provides TRSNYC a list of valid service codes
7	Work location Table	Monthly/Provides TRSNYC a list of work locations
8	Death Notification Data Feed	Weekly to DOE/Used to initiate verification of death

#### Outputs

#	Outgoing Document / Tape / File	When/Why Used
1	Exception Reports	Used to report back to the employer the records which could not be processed and for corrective action to those records.

## Section 4: Employer Reporting Interface

### TRSNYC Partner Portal

We are committed to developing innovations that help us fulfill our mission. The **Partner Portal** is a web-based tool for conducting business transactions with TRSNYC and allows for the exchange of information with our Partners.

Currently, TRSNYC participating Charter School employers use the **Partner Portal** to enroll in TRSNYC programs on behalf of a new employee<sup>^</sup>. Employers provide TRSNYC all data necessary to initiate the enrollment process such as:

- **Demographic data:** Full Name, address, date of birth, work email, contact number and SSN.
- **Employment data:** Job title, employment start date, annual salary, employee number and job sequence.

Employers can provide information on an employees' previous membership in other NYC/NYS public pension systems, if applicable.

After employers have successfully submitted the enrollment details, TRSNYC performs an internal review to complete the process. The initial notification of the employee's TRSNYC membership date and contribution rate can be viewed in the **Partner Portal**. Final confirmation of contribution rate is provided via email. New members are sent a Welcome Kit within 10 days.

In future developments of the **Partner Portal**, employers will report payroll, updates to employment, salary, and demographic data for their employees. Employer notifications will also be sent via the **Partner Portal**.

TRSNYC uses a third-party authentication solution to ensure the secured access to the portal. The **Partner Portal** account is created by TRSNYC for employers who have been authorized by the administrators within their organization. Click [TRSNYC Partner Portal](#) to access the secure area for TRSNYC Partners.

<sup>^</sup>Membership in TRSNYC is governed by NYC/NYS law; TRSNYC determines final approval for membership.

## Section 5: Rejected File Error Messages

### Introduction

The New York City Department of Education (NYCDOE) provides TRSNYC with at least 20 different files containing various data reporting on their employees. The primary data files provided by NYCDOE and CUNY comprise of member information such as Address, Salary, and Service data files.

TRSNYC runs processes to extract information for potential members and updates our database with service and salary information. TRSNYC performs various reasonability checks and validations to ensure the data is consumable for our systems. New data files referred to as Delta Files are compared to the historical data stored in our database to assess changes. TRSNYC uploads and processes new data. Data errors and files that do not pass system validations may be rejected and returned to the employer for correction and resubmission.

CUNY provides member data mentioned above which may be provided in various manual and automated formats. However, Charter School employers remit member data directly into our system through a payroll interface. TRSNYC is currently working with all employers to standardize the format in which data is submitted to us.

### New York City Department of Education (NYCDOE)

The NYCDOE sends TRSNYC multiple files throughout the month containing member-related data. These files are processed across two TRSNYC systems. The processing of some of these files generates error files that are sent back to the NYCDOE. Error files are generated when processing the monthly service files and the twice monthly delta files.

Once a month, the NYCDOE sends TRSNYC two files containing service data. The data on these files are used for time posting and service calculations. TRSNYC processes these files in our system and generates an error file which is sent back to the DOE. The errors on this file are generated for reasons such as:

- Missing or incorrect data
- Incorrect time types
- Titles or service codes
- Job classes that do not match the TRSNYC/NYCDOE title layout

This error file is placed in a secure folder, and the NYCDOE is responsible for retrieving and reviewing this file. TRSNYC notifies the NYCDOE of the file's creation via email. Details on how to access this file and retrieve the data is supplied by TRSNYC IT Operations. The error file follows the agreed upon file layout (see **Appendix A** for the file layout).

Twice a month, the NYCDOE sends TRSNYC three delta files containing service, salary, and address information. The data on these files is used for member enrollments and demographic updates. TRSNYC processes these files in our system and generates an error file that is sent back to the NYCDOE. The errors on this file are generated for reasons such as:

- Record doesn't meet the file layout description (*i.e.*, alphas in a numeric field)
- Program errors that prevent the member from making it through the enrollment process. (*i.e.*, data may be incorrect or missing)

- Errors manually rejected by the TRSNYC business areas that were generated during the enrollment or demographic update process

This error file is generated twice a week and placed in a secure folder on where the NYCDOE is responsible for retrieving and reviewing this file. TRSNYC notifies the NYCDOE of the file's creation via email. Details on how to access this file and retrieve the data is supplied by TRSNYC IT Operations. The error file follows the agreed upon file layout (see **Appendix A** for the file layout).

Once these error files are received, the NYCDOE is responsible for addressing all errors on these files. The list of all possible error messages and descriptions for both error files are provided to the DOE. (see **Appendix B** for the list of error codes and descriptions. Additionally, all errors have a mutually agreed upon resolution timeframe. Error resolution timeframes can range from two weeks to 4 months.

If there are member specific questions regarding any of these errors, the questions should be sent to the TRSNYC Employer Mailbox at [Employer@trs.nyc.ny.us](mailto:Employer@trs.nyc.ny.us) The response time is within two business days.

If file errors are not member-specific, but more of a systemic issue, they will be brought to the attention of the TRSNYC and NYCDOE business owners. The issue will be addressed at the monthly employer meetings. At this time, it will be determined if programming changes are required by TRSNYC and/or the NYCDOE.

Weekly, the EMG unit emails the NYCDOE and FISA error examiners a list (Excel document of member-specific data inaccuracies received from other TRSNYC business units. NYCDOE specific data inaccuracies will be included in the NYCDOE list and PMS specific data inaccuracies will be included in the FISA list. The lists will only include data inaccuracies for members that are active or on leave that fall within the past 10 (rolling years). Upon receipt of these lists, the NYCDOE and FISA error examiners are responsible for investigating and correcting these data inaccuracies. They will respond back to TRSNYC with the updated information in the spreadsheet and will update the data on the next available incoming file. These data inaccuracies should be fixed within 30-90 calendar days of receipt. If there are any questions regarding these data inaccuracies, send to the employer mailbox at [Employer@trs.nyc.ny.us](mailto:Employer@trs.nyc.ny.us) where they will be addressed and responded to within two business days.

Additionally, TRSNYC performs a monthly comparison of the error files sent to the NYCDOE to see if the errors are being addressed in the agreed upon resolution timeframes. If TRSNYC finds that errors are not being addressed, then the NYCDOE will be notified. All error file issues that require further discussion will be addressed at the monthly employer meetings. These issues may require additional coding on behalf of TRSNYC and/or the NYCDOE.

It is for the benefit of all parties involved (TRSNYC, NYCDOE and the members to resolve all errors as quickly as possible. Errors lead to incorrect member data in our systems and/or delay a member's enrollment leading to large service deficits for the member.

### **City University of New York (CUNY)**

Every two weeks, CUNY sends TRSNYC three payroll files containing service, salary, and address information. The data on these files are used for member enrollments and member demographic updates. However, when processing these files, the TRSNYC programs may encounter issues, which prevents the process from successfully completing the member enrollment or demographic update.

Therefore, error records are generated to identify the issues preventing the successful completion of these processes. Error records can be created during any one of these processes:

- File load process - errors created where the data does not meet the file layout description (*i.e.*, alphas in a numeric field)
- Creation of the eligible records for the force-in enrollment process - errors that prevent the member from making it through the enrollment process. (*i.e.*, data may be incorrect or missing)
- Errors manually rejected by the TRSNYC business areas that were generated during the enrollment or demographic update process.

Once a month, TRSNYC provides CUNY with an error file of all errors generated from the above processes for the prior month. This file is placed in a secure folder where CUNY is responsible for retrieving and reviewing this error file. TRSNYC notifies CUNY via email upon file creation. Details on how to access this file and retrieve the data are supplied by TRSNYC IT Operations. The error file follows the agreed upon file layout (see **Appendix A** for the file layout).

Once this error file is received, CUNY is responsible for addressing all the errors on the file. The list of all possible errors, along with error descriptions, was provided to CUNY by TRSNYC (see **Appendix C** for the list of errors and error descriptions. Additionally, all errors have a mutually agreed upon resolution timeframe. The resolution timeframes were determined based on the complexity and severity of the error messages. Error resolution timeframes can range from two weeks to 4 months.

When CUNY retrieves the error file, they will distribute the errors to the various work locations or campuses from where the data originated. Each work location/campus is tasked with addressing the errors for their location; however, CUNY Central is ultimately be responsible for all error corrections. If the work locations/campuses have member-specific questions, those questions should be sent to the Employer Management Group at [Employer@trs.nyc.ny.us](mailto:Employer@trs.nyc.ny.us) All questions sent to the employer mailbox will be responded to within two business days.

If file errors are not member-specific, but more of a systemic issue, they will be brought to the attention of the TRSNYC and CUNY business owners. The issue will be addressed at the monthly employer meetings. At this time, it will be determined if programming changes are required by TRSNYC and/or CUNY.

The EMG unit sends member-specific data requests to the 24 individual CUNY locations. These requests will be addressed to the individual CUNY locations and sent from the Employer Management Group at [Employer@trs.nyc.ny.us](mailto:Employer@trs.nyc.ny.us). CUNY will look into the data request and respond back to the employer mailbox with the requested data, and, if necessary, update their system. Once received by the EMG unit, the data is sent to the appropriate TRSNYC business area so the system can be updated accordingly.

Additionally, TRSNYC performs a comparison of the monthly error files sent to CUNY to see if the errors are being addressed in the agreed upon resolution timeframes. If errors are not resolved within the agreed timeframe, the CUNY Central Benefits Office and IT Office will be informed. All error file issues that require further discussion will be addressed at the weekly/monthly employer meetings. These issues may require additional coding on behalf of TRSNYC and/or CUNY.

It is for the benefit of all parties involved (TRSNYC, CUNY and the members) to resolve all errors as quickly as possible. Errors lead to incorrect member data in our systems and/or delay a member's enrollment leading to large service deficits for the member.

## Charter Schools

The Charter School Payroll Interface Facility (Payroll Interface) is provided as an electronic means to report payroll information about the members you employ. Unlike the other data feed transmissions, the Payroll Interface is a direct connection to the TRSNYC system in which Charter School employers may access to enter members' monetary and service data. Although this direct connection is established, there are background functions run to populate data files essential to updating members' monetary and service accounts. Please note that any demographic updates (i.e., name change, change of address, etc.) should be performed by the member on the TRSNYC website.

Charter Schools submit their payroll bi-weekly or bi-monthly, dependent on their pay schedule. However, the TRSNYC IT teams incorporate the data in the appropriate files monthly. Once the TRSNYC system is updated, the data goes through numerous validations and reasonability checks. Today, the error identification and transmission to the employer is performed through a manual process. For example, service-related discrepancies are noted through an associate's review of a member's account or in preparation for the annual Office of the Actuary's Valuation reporting. An e-mail is sent to the employer with the applicable discrepancy details for review or any corrections to the data that's being reported. Deletions or alterations to past payroll data must be communicated to EMG for IT intervention and resolution. For questions or issues regarding the transmission of member data or error corrections, contact the Employer Management Group via [Employer@trs.nyc.ny.us](mailto:Employer@trs.nyc.ny.us).

### What TRSNYC Needs from Employers

- TRSNYC needs to receive member-specific data accurately and timely and in the agreed upon format to reduce and/or prevent file errors.

### What Employers Need to Know

- It is important to resolve all errors as quickly as possible. Errors can lead to incorrect member data in our systems and/or delay a member's enrollment leading to large service deficits for the member.
- The data reported impacts the benefits and services TRSNYC provides to our members. The EMG unit is here to support our employers and partners. Please send all questions regarding employer reporting to the employer mailbox at [Employer@trs.nyc.ny.us](mailto:Employer@trs.nyc.ny.us).

## Appendix A: Error File Layout

Detail Record			
Data Element	Type	Record Length	Displacement
Social Security Number	NUM	11	1-11
Start Date	CHAR	10	12-21
End Date	CHAR	10	22-31
Service Code	CHAR	10	32-41
Job Title	CHAR	6	42-47
Time Quantity	NUM	9	48-56
Date of Death	CHAR	10	57-66
Death Verified Flag	CHAR	1	67-67
Work Location	CHAR	10	68-77
Error Code	CHAR	10	78-87
Error Description	CHAR	100	88-187
File Name	CHAR	20	188-207
Record Id	CHAR	16	208-223
<b>Total Length</b>		<b>223</b>	

## Appendix B: NYCDOE Error Codes and Descriptions

Click [here](#) for examples of common NYCDOE Error Codes.

## Appendix C: CUNY Error Codes and Descriptions

Click [here](#) for examples of common CUNY Error Codes.

## Section 6: Reporting a Member's or Retiree's Death

When a member dies, the member's designated beneficiaries may be eligible to receive both a Qualified Pension Plan (QPP) benefit and a Tax Deferred Annuity (TDA) benefit (if the member had a TDA account). Members may designate different beneficiaries under the QPP and the TDA Program. QPP and TDA death benefits are determined and paid separately. If TRSNYC does not have a valid beneficiary designation on file, any death benefit due would generally be paid to the member's estate.

The following information relates to non-COVID-19 related death reporting and processing. Please see the **What Employers Need to Know** section below for information relating to COVID-19 deaths.

- **Does TRSNYC have to be notified when a member or retiree dies?**  
 Yes. When a TRSNYC member or retiree dies, we realize it is a difficult time for family and friends. Since the family and/or friends are likely to be the beneficiaries of death benefits payable from TRSNYC, it is important that TRSNYC be notified as soon as possible. Notification of a member's or retiree's death triggers the death benefit process for any payable death benefits.
- **Who should notify TRSNYC about the death of one of its members or retirees?**  
 Anyone can notify TRSNYC of the death of a member or retiree. Usually, the surviving spouse, another family member or a friend informs TRSNYC of the death. However, TRSNYC employers can also report a member's death through the Employer Inbox at [Employer@trs.nyc.ny.us](mailto:Employer@trs.nyc.ny.us).
- **How is TRSNYC notified?**  
 TRSNYC is notified by contacting our Call Center at 1 (888) 8-NYC-TRS (1-888-869-2877) or through the Employer Inbox at [Employer@trs.nyc.ny.us](mailto:Employer@trs.nyc.ny.us).
- **What type of information is needed when a death is reported?**  
 To begin the process of identifying the decedent and his or her beneficiary(ies), and determining the death benefits payable, TRSNYC will need some general information including: If you are reporting a death by contacting our Call Center, please have this information readily available.

  - the full name of the decedent
  - the decedent's member number or pension number
  - the last four digits of the decedent's Social Security number
  - the date of death the place of death (City/State/Country)
  - the decedent's address
  - the informant's information
  - the next of kin (including his or her address)



- **Are any documents required by TRSNYC when a death is reported?**

The informant (person reporting) is not required to submit any documentation at the time of reporting the death. However, documentation will be required to process any claim for benefits; please see the following for details on the required documentation.

- **Once a death is reported, what types of documents are required to process a claim?**

A certified Original Death Certificate must be submitted to TRSNYC before any benefits are paid to a beneficiary. In addition, one or more of the following documents may be required. These documents are typically requested from the designated beneficiary(ies), the executor of the decedent's estate or the next of kin:

- Claimants Statement Form (TRSNYC will send this to the beneficiary, executor of the estate or next of kin)
- Rollover Letter (a payment election letter sent by TRSNYC which contains options for the disbursement of the death benefit, *e.g.*, lump sum, rollover, etc.)
- Tax Forms
- Tax Waiver
- Letters of Administration (Original only) (if applicable, issued by the Surrogate's Court of the county in which the deceased pensioner resided)
- Guardianship papers (Original only)
- Power of Attorney
- Vital Records, if applicable (*e.g.*, Beneficiary's Social Security Card)

- **What is the procedure after TRSNYC has been notified of a death?**

The informant will receive an acknowledgement letter explaining the next steps in the process. The letter may request the Death Certificate (if one hasn't already been filed) or other information necessary to continue the member/retiree identification process. Once TRSNYC identifies the retirement plan and the death benefit(s) payable under such plan, the next step is identifying the designated beneficiary(ies) and attempting to contact him or her. The beneficiary may or may not be the person who reports the death to TRSNYC. If the informant is not one of the designated beneficiaries(ies) on file with TRSNYC, then all subsequent communication will be to the beneficiary(ies).

The length of time to identify a designated beneficiary depends on whether the deceased member/retiree had filed a Designation of Beneficiary(ies) form with TRSNYC, whether the beneficiary names and addresses are current, and how soon the beneficiary(ies) responds to inquiries from TRSNYC.

- **How long does it take to process death benefits?**

Generally, the process takes up to 90 days. The 90 days is from the point of sending an acknowledgement letter to the beneficiary. Processing delays may be attributable to the timely receipt of the Official Death Certificate and claim form.

Employers may find additional information on TRSNYC' death benefits in the [Guide to Death Benefits for Beneficiaries of Non-Retired Members](#) brochure.

## What Employers Need to Know

- Email or call TRS to report the member's death.
- Advise informant that if they are submitting the following to TRS we only accept original documents: Death Certificate, Letters of Administration and Guardianship papers.
- Processing time is approximately 90 days from death notification.
- In 2020, TRSNYC added an Accidental Death Benefit due to COVID-19 that requires employers to verify the member's last date and location the member reported to work physically. Additional information on death benefits as a result of COVID 19 can be found in our [Accidental Death Benefit FAQs](#).

## What TRSNYC Needs from Employers

- Upon death notification, be sure to report the member's name as it appears in TRS' system.

## Section 7: Service Crediting

### Types of Credited Service

Total Service Credit is a critical factor in determining eligibility for retirement and the amount of many TRSNYC benefits. It consists of the following types of service:

- **Membership Service:** service credit performed as a TRSNYC member.
- **Transferred Service:** service credit transferred to TRSNYC as part of a membership transfer from an eligible retirement system.^
- **Optional Service:** service available for purchase, in one of the following categories:
  - **Prior Service**—any creditable public service within New York State (including New York City) performed before becoming a TRSNYC member.
  - **Amann Service**—any creditable public service within New York State (including New York City) such as regular substitute teaching and/or per diem service performed during a leave of absence or after separating from service from a TRSNYC-eligible position. (Credit for such service, known as “Amann service,” can be purchased only if the member returns to a TRSNYC-eligible position or becomes a transferred contributor.)
  - **Military Service**—eligible military service that federal and/or state law allow members to purchase for time spent in a branch of the U.S. military before and/or during TRSNYC membership.

**Note:** Certain non-military leaves of absence without pay may also be creditable under limited circumstances; these include leaves for public employment in a New York State or City position that is not a TRSNYC-eligible position, as well as for service as an officer of or on the staff of a recognized collective bargaining agency.

### Purchasing Credit for Optional Service

Tier III/IV and VI members may purchase credit for the categories of optional service described above. In most cases, members must have two years of membership service in order to receive credit for purchased optional service; For Tier III/IV members, the cost is 3% of the salary earned when the service was performed the (plus 1.85% of the salary earned for Age 55 Retirement Program participants plus 5% annual interest, whenever applicable. For Tier VI members, the cost is 6% of the wages for the service performed. Members may have several payment options:

- A lump-sum payment
- Payment plan of deductions from pay
- Transfer of funds from an external NYS- or NYC-sponsored Section 403(b) or Section 457 Plan
- Transfer of funds from their TRSNYC TDA account

## Crediting Equivalencies for Members Not Employed Full-Time

Members receive a maximum of one year of credited service per year. TRSNYC adjusts the service credit for members in part-time positions to reflect the reduced amount of service performed. The most common categories of part-time service are shown below, along with the minimum amount required for service credit:

- **Substitute/Per Diem teaching:** Minimum: 20 days during a school year. Total service less than 170 days is prorated.
- **Paraprofessional:** Minimum: 233 hours during a school year. Total service less than 935 hours is prorated.
- **Adjunct teaching:** Minimum: 45 hours during a school year. Total service less than 360 hours is prorated.
- **Adult education teaching:** Minimum: 255 hours during a school year. Total service less than 1,020 hours is prorated.

### What TRSNYC Needs from Employers

It is important that TRS receives accurate and timely data reporting from our partners. The data is used to determine benefits for TRS members.

- **Service Data Form (code RE5)**—complete request in its entirety reporting on all employments including title, wages, hours, days, service, leaves and transfers within your organization for full-time and part-time employment and return to TRS.
- **Letter of Appointment/Employment Update (code IP44b)**—report new enrollments and employment updates within your school to TRSNYC using this form. The form should be completed in its entirety and signed by an authorized HR personnel.

### What Employers Need to Know

- The data reported impacts the benefits and services TRSNYC provides to our members. The EMG unit is here to support our employers and partners. Please send all questions regarding service crediting to the employer mailbox [Employer@trs.nyc.ny.us](mailto:Employer@trs.nyc.ny.us).

## Section 8: Military Service

### Introduction

Federal and state laws, each with different provisions, allow members to purchase service credit for time spent in the U.S. uniformed services, which include the Army, Navy, Marine Corps, Air Force, National Guard, and Public Health Service commissioned corps. Interest may apply to purchases of military service credit. Members may receive military service credit under the provisions that provide the maximum benefit, as long as they have met the service eligibility criteria and have not received credit for the service periods in any public retirement system within New York State.

Two types of service credit are available for active military duty: prior military service (service preceding TRSNYC membership) and service interrupting TRSNYC membership. In all cases, members should apply for military service credit before retirement. They must provide proof of honorable discharge from military service (*i.e.*, Form DD 214 or the equivalent).

To obtain a copy of a DD214, members may contact:

National Personnel Records Center  
Military Personnel Records  
1 Archives Drive  
St. Louis, MO 63138  
Phone: (314) 801-0800  
or

[www.archives.gov/veterans/military-service-records](http://www.archives.gov/veterans/military-service-records)

A recently separated veteran may be able to access their DD214 online through the eBenefits portal at: [www.ebenefits.va.gov](http://www.ebenefits.va.gov)

The applicable provisions of the pertinent laws are as follows:

### Prior Military Service

#### Article 20 of the New York State Retirement and Social Security Law

- Under this law, members may purchase military service credit of up to three years, including military service performed before their TRSNYC membership began. To be eligible, members must have at least five years of credited service.
- Payment for service credit must be made within a time period that does not exceed the period of military service to be credited. The cost equals 3% of compensation earned (plus 1.85% of the compensation earned for Age 55 Retirement Program participants) during the 12 months preceding the request, multiplied by the number of years of military service claimed. If the full cost is not paid before the member's retirement, the amount of military service credited will be proportional to the amount paid before retirement.

- For Tier VI members, the cost to purchase such service credit is 6% of the member's compensation earned during the 12 months preceding the date the member made the application for the credit, multiplied by the number of years of military service claimed. If the full cost is not paid before the member's retirement, the amount of military service credited will be proportional to the amount paid before retirement.

## Service Interrupting NYCTRS Membership

### Uniformed Services Employment and Reemployment Rights Act of 1994 (USERRA)

- Under USERRA, members who held a New York City position at the time of their entry to military service can apply for service credit for up to five years of military duty. (Some exceptions for longer periods may be granted.)
- Re-employment must begin within 90 days after termination of military duty if the military service lasted more than 180 days, or within 14 days if the military service lasted between 31 and 180 days. After re-employment, members may apply to purchase credit for the military service.
- The cost is based on the compensation that they would have received in the position **but for** the absence during the period of military service. The cost is the equivalent of the member contributions that would have been required during the absence.
- Payment for service credit must be made within three times the period of military service but no longer than five years from the date of re-employment.

### Article 11 of the New York State Military Law

- Members who were on a leave of absence from a TRS-eligible position while engaged in the performance of military service may apply for service credit of up to four years (five years if the military service was extended at the request of the Federal Government).
- Members must apply for reinstatement to the position within 90 days after termination from military duty, or at any time during the leave, and payment for service credit must be made within five years from restoration to the position.
- The cost is based on the compensation that they would have received in the position **but for** the absence during the period of military service. The cost is the equivalent of the member contributions that would have been required during the absence.

## What TRSNYC Needs from Employers

- TRSNYC will request employment history to confirm member was on a military leave prior to returning to active service, if necessary.

## What Employers Need to Know

- Military service must have been satisfactorily completed and a discharge under honorable circumstances must have been granted. A federal DD214 form is the most common proof of satisfactory military service.
- Members may receive credit only once for the same period of service.
- The member is entitled to the more beneficial of New York State laws or the federal law, USERRA.
- The member may receive credit for up to the maximum allowed under both USERRA and state laws provided the service granted under each is for a different service period and the member meets the criteria for each law under which credit is being granted.
- No interest is charged on military service purchased under USERRA or RSSL Article 20.
- Members may purchase Military Service by making a lump sum payment, periodic payments or transfers from their TRSNYC TDA or external NYS or NYC sponsored 403(b) or 457 plans.

## Section 9: Transfers (Transferred Membership, Transferred Contributors)

A member who holds simultaneous memberships in two New York State public retirement systems may request to transfer membership from one system to the other. This is possible providing that the memberships are valid in both systems and the member is no longer employed under the system s/he is leaving. This section provides information on Transferring In, Transferring Out of TRSNYC, and the option of membership as a Transferred Contributor for instances when there is a change in a member's employment status.

TRSNYC membership transfers occur between the following eligible public retirement systems:

- New York City Board of Education Retirement System (BERS)
- New York City Employees' Retirement System (NYCERS)
- New York State Teachers' Retirement System (NYSTRS)
- New York State and Local Employees' Retirement System (NYSLERS)

Unless otherwise stated, these are the systems eligible for membership transfers referenced in this section.

### Transferred-In Membership

#### In-Service Members of Other Retirement Systems

Individuals must first become a member of TRSNYC (see **Section 1: Membership**). Membership transfers are initiated by the member, usually by completing the required filing with the other public retirement system.

The other system is responsible for transferring the service credit and pension accumulations to TRSNYC.

Members are initially placed in the tier in effect as of TRSNYC membership date. TRSNYC will adjust the tier to the tier in effect as of the membership date in the former retirement system after the transfer is completed.

**Note:** The date of membership of a person who transfers into TRSNYC will be the EARLIER of the membership dates in the two systems. TRSNYC refers to this as the "Deemed Date." The Deemed Date is the date of membership in the previous retirement system and the TRSNYC Date of Membership (DOM) will be the latest date that the member joined TRSNYC.

The member will be credited in TRSNYC with all service that was credited in the other system. However, a member may not receive more than one year of credit for any one school year.

Generally, transfers between systems take one to two years to complete.



## Retired Members of Other Retirement Systems

Retirees from one of the retirement systems listed in the chart below, who are now working in a position that entitles membership in TRSNYC, may be eligible to transfer their membership to TRSNYC under certain conditions, as stated below:

<p><b>NYCERS or BERS (Tiers I and II only)</b></p>	<p>The retirement application from the prior system for retired members who have not received a retirement allowance payment from the other system or are on deferred payability, would be considered withdrawn. Once the membership is transferred, there is no minimum service requirement before becoming eligible for a (potentially higher) TRSNYC retirement benefit.</p> <p>Retired members receiving a retirement allowance payment from the other system must first suspend their retirement allowance from that system. In addition, retirees must repay the other system any retirement allowance payment(s) received. The membership transfer would be permitted after the repayment is verified by TRSNYC.</p> <p>The tier held in the previous retirement system would normally transfer to TRSNYC with the membership. However, the retiree will be enrolled in the current TRSNYC tier until the transfer process is completed. TRSNYC would make any necessary adjustments to the tier after the transfer is completed.</p>
<p><b>NYSTRS or NYSLERS or New York State and Local Police and Fire Retirement System (All Tiers)</b></p>	<p>The retirement allowance from the other retirement system must first be suspended. When enrolling for TRSNYC membership, retirees must provide the documentation confirming the suspension before TRSNYC membership will be granted.</p> <p>Retirees are not required to transfer their membership to TRSNYC; instead, members can opt to maintain the two memberships separately.</p> <p>TRSNYC requires immediate notification when a retiree later chooses to reinstate their retirement allowance with the other system. In such a case, no additional service credit is earned from TRSNYC, and the TRSNYC membership rights may be affected.</p>

	Members who attain vested rights with TRSNYC and then retire from the new position may be eligible to receive a retirement allowance from both the other retirement system and TRSNYC. This provision is tier specific.
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Retired members of the following retirement systems may **not** transfer their membership to TRSNYC:

- NYCERS (Tiers III, IV, and VI)
- New York City Fire Department Pension Fund
- BERS (Tiers III, IV, and VI)
- New York City Police Pension Fund

### Memberships Transferred-Out

Members having a valid TRSNYC membership may request to transfer their membership to an eligible retirement system including the tier status, service credit<sup>^</sup>, and fund balances to the extent possible. However, some TRSNYC funds (*e.g.*, TDA accounts, ASAF accounts under the QPP) cannot be transferred to other retirement systems that do not have equivalent programs. These funds are distributed to the member or rolled over to an IRA or other successor programs.

Members may be eligible for the transfer if they:

- Have obtained a New York City or New York State position which provides membership in another eligible retirement system, and
- Are separated from service (*i.e.*, resigned or terminated) or
- Currently are on an unpaid leave of absence from their TRSNYC-eligible position, and
- Apply by application to TRSNYC by filing the TRSNYC Membership Transfer Form (RW39) before their membership rights expire<sup>^^</sup>.

Upon completion of the request to transfer, the TRSNYC membership is terminated.

### Transferred Contributor

A member who resigns or terminates from the position in which their TRSNYC membership is based may elect to remain in TRSNYC as a Transferred Contributor provided:

- The member accepts a position entitling membership in another New York City public retirement system within 60 days of their resignation/termination date;
- The member has not withdrawn their Qualified Pension Plan (QPP) accumulations from TRSNYC;
- A Transfer Contributor Election Form (EN17) is filed with TRSNYC.

These members would retain their current membership rights by continuing to contribute to TRSNYC although they are eligible to join another retirement system. Once the election to become a Transferred Contributor is made, the status is maintained throughout the life of the membership.

### What TRSNYC Needs from the Employer

- Transfers require a complete breakdown of service and salary history.
- Contact TRSNYC to communicate directly with associates by emailing [Employer@trs.nyc.ny.us](mailto:Employer@trs.nyc.ny.us) when questions arise pertaining to transfers.
- The resignation or termination accurately coded on the reporting data file immediately following the event.
- For members applying for Transferred Contributor status, proof of the new employment such as, notice of appointment showing member obtained the position no later than 60 days from the date of resignation or termination.

### What Employers Need to Know

- Generally, transfers between systems take one to two years to complete.
- Transferred membership may affect the TRSNYC date of membership, and other critical key dates in which benefit eligibility was previously determined (*i.e.*, Chapter 126, Laws of 2000, cessation of member contributions).
- The Deemed Date, which is the Date of Membership in the former retirement system, is utilized to determine the tier status in the new system.
- Members of NYSTRS, employed by participating Charter School employers may be eligible to transfer their NYSTRS membership to TRSNYC.
- Transferring membership may not always be favorable to the member. Members may incur tax consequences for distributions as result of a membership transfer. For more information, members may contact TRSNYC's Member Services at 1-888-8NYC-TRS or visit the Member Services Walk-In Center at our 55 Water Street location for assistance. However, members seeking financial advice pertaining to IRS regulations should be encouraged to contact a financial advisor.
- An election of transferred contributor status is irrevocable.

^Prior service is not creditable for Tiers II, III, IV and VI members until they have at least two years of membership service. Therefore, Tiers III, IV, and VI members who have purchased their prior service, but who have less than two years of membership service, will not receive credit for the prior service they purchased. In that case, these members should contact their new retirement system regarding refunds for the amount paid to purchase prior service, as well as crediting options for prior service.

^^Non-vested members who have separated from service must apply for transfer within seven school years of separating from the TRS-eligible position. At the end of this seven school-year period, membership rights in TRS will be lost (including tier status and eligibility for a membership transfer).

## Section 10: Leaves of Absence

The service credit regulations of the Teachers' Retirement System of the City of New York (TRS NYC) do not provide for the automatic granting of credit for leaves of absence without pay. In general, since the authority to grant a leave of absence without pay initially rests with the member's employer (*i.e.*, the New York City Department of Education (NYCDOE), an eligible Charter School, or the City University of New York (CUNY)), the Teachers' Retirement Board cannot grant credit in such situations unless the member's employer first recommends that credit be granted.

This section provides answers to some common questions regarding leaves of absence without pay.

### What Types of Leaves of Absence Without Pay May Be Eligible for Credit?

The Administrative Code of the City of New York allows for credit to be granted based on tier status.

**Note:** For all tiers, leaves without pay for maternity, child care, or other types of family care ARE NOT currently creditable.

#### Tier I

Tier I members may be eligible to receive credit for the following types of leaves of absence without pay:

- (i) **Military service** as provided under Military Law (such credit is mandated by federal law and does not require prior recommendation from employers), and study under the Servicemen's Readjustment Act of 1944;
- (ii) **Restoration of health**; in general, NYCDOE employees must file a Form OP183 with the NYCDOE and such credit may be recommended for a period not to exceed one year over the course of employment (Charter School and CUNY employees are subject to similar regulations);
- (iii) A **federal, New York State, or New York City program of service for the public welfare**, such as Peace Corps or VISTA;
- (iv) The **performance of scholarly research; study for an advanced degree** (*e.g.*, a master's or doctorate); or **study for a teaching license**, under certain circumstances;
- (v) **Service rendered with another New York City or New York State public employer**; and
- (vi) Other purposes agreed to in collective bargaining agreements with the NYCDOE, an eligible Charter School, or CUNY, including **teaching service in a foreign country** in a position sponsored or approved by the federal government, or **service as an officer or staff member of a collective bargaining unit** where provided by contractual agreement.

#### Tiers II/III/IV and VI

For Tier II, III, IV and VI members, credit for leaves of absence without pay would be restricted by law. Under certain limited circumstances, they may be granted credit for the following types of leave:

- (i) **Military service** as provided under Military Law;
- (ii) **Service rendered with another New York City or New York State public employer**; and
- (iii) **Service as an officer or staff member of a collective bargaining unit** where provided by contractual agreement.

## **Will Members be Required to Pay for Credit That is Granted by the Teachers' Retirement Board?**

In general, members would be required to make pension contributions in the amount that they would have contributed if the leave had not occurred. However, if they are no longer required to make contributions (*i.e.*, Tier I/II members who elect a zero rate of contribution and Tier III/IV members who have attained 10 years of membership or credited service, they may be exempt from this general rule). Members may also be exempt from this general rule for certain approved leaves for restoration of health, service rendered with another New York City or New York State public employer (if direct payroll contributions are eligible to be made), a public welfare service program (*e.g.*, Peace Corps), or where provided for under Military Law.

If credit for their approved leave requires payment, TRSNYC would send a Cost Letter indicating the amount of leave eligible for credit, the cost to purchase the credit, the available payment options, and the relevant deadlines for payment. And, for members enrolled in the Age 55 program the additional AMCs will need to be paid.

## **Is There a Maximum Amount of Credit That Can be Granted for Leaves of Absence Without Pay?**

Yes, but that maximum amount varies depending on the circumstances. In general, credit for leaves of absence without pay would be limited to the following:

- (i) A one-year maximum for restoration of health leaves;
- (ii) A two-year maximum for most other leaves, or combination of leaves, including study for an advanced degree or a teaching license;
- (iii) A three-year combined maximum for military service leaves covered under Military Law;
- (iv) A five-year maximum under certain circumstances, including leaves for teaching at CUNY or the State University of New York (SUNY), or for service rendered with another New York City or New York State public employer (including the NYCDOE); and
- (v) No maximum, where provided by contractual agreement, for service as an officer or staff member of a collective bargaining unit.

Credit for leaves in excess of the periods described above may be allowed under certain limited circumstances, but would be subject to the review and approval of the Teachers' Retirement Board.

## **Can Members Obtain Credit for a Leave of Absence Without Pay During Which They Became Eligible for Pension Benefits in Another Retirement System?**

No. The Administrative Code of the City of New York prohibits TRSNYC from granting credit for any period of leave that results in the earning of pension benefits under any other public (or private pension system).

## **Once Members Have Completed a Leave of Absence Without Pay, Are There Any Requirements Members Would Need to Fulfill Before Being Granted Credit?**

Yes, there are certain service requirements that they would need to fulfill before being granted credit. If their leave was approved for study, scholarly research, or another educational purpose, they would generally be required to return to active service for a period equal to the length of time for which they would like to be granted credit.

Certain other types of creditable leave (*e.g.*, leaves deemed to have been of some obvious value to the City, State, or federal government or those directly impacting the educational activities of the students of the City of New York may not require members to return to active service in order to be granted credit.

If a return to service is required, it need not immediately follow the termination of the leave, but must be completed before a member files their retirement application.

## **How Will Loan Repayments Be Handled if Members Have an Outstanding Loan Balance While on a Leave of Absence Without Pay?**

While on a leave of absence, members are entitled to a 12-month grace period during which they would not need to make payments on their outstanding loans, whether it is from TRSNYC' Qualified Pension Plan (QPP or Tax-Deferred Annuity (TDA Program. (However, interest and any applicable insurance charges would continue to accrue on the unpaid balance. Members may elect to initiate immediate repayment at any time during the grace period to avoid paying such charges at the end of the grace period.

If TRSNYC issues any loans to a member during their leave of absence, the grace period would begin upon issuance of the loan(s) unless they elect to begin making regular payments instead. If their leave exceeds the 12-month grace period, they must commence periodic payments on the outstanding loan to avoid federal tax consequences.

Tier I or II members must make *quarterly* QPP loan payments directly to TRSNYC (unless the leave is for employment with the United Federation of Teachers (UFT or the Council of School Supervisors and Administrators (CSA, in which case the appropriate loan payment amounts would be deducted from their paycheck by the UFT or the CSA and provided monthly to TRSNYC on their behalf. Tier III, IV and VI members must make *monthly* QPP loan payments directly to TRSNYC (in all cases.

For all tiers participating in the TDA Program with an outstanding TDA loan, they must make *monthly* TDA loan payments directly to TRSNYC (unless their leave is for employment with the UFT or the CSA, in which case the appropriate loan payment amounts would be deducted from their paycheck by the UFT or the CSA and provided monthly to TRSNYC on their behalf. A voucher will be sent to members prior to the payment due date, and all payments are due to TRSNYC no later than the 15th of the applicable month.

Upon return to active service, members must recommence scheduled loan payments if they still have an outstanding loan balance. Any outstanding loan balance after five years would be considered a distribution, and may be subject to a 10% penalty tax for distributions received prior to reaching age 59½. At the member's request, TRSNYC would recalculate their loan repayment schedule to meet this five-year requirement.

## **Will a Leave of Absence Without Pay Affect a Member's Tier Status?**

In general, leaves of absence do not affect tier status.

## **How Will a Leave of Absence Without Pay Affect the Calculation of Summer Vacation Credit?**

In general, full summer vacation credit is granted if the member worked the entire school year or if they received pension credit for a leave of absence covering the entire school year. However, if they only receive credit during a part of a school year, they would receive prorated summer vacation credit corresponding to that partial period.

## How Do Members Apply for Credit for a Leave of Absence Without Pay?

If members believe that their leave of absence without pay should be considered for credit by the Teachers' Retirement Board, they may submit a written request and supporting documentation to TRSNYC. Members may mail their request to TRSNYC' Member Status Unit at 55 Water Street, New York, NY 10041 or submit it in person to our Walk-In Center, located on the 2nd floor of 55 Water Street. Members will be notified in writing of the Board's decision. If credit for the leave is approved and requires payment, TRSNYC would send the member a Cost Letter indicating the amount of leave eligible for credit, the cost to purchase the credit, the available payment options, and the relevant deadlines for payment.

## What Kind of Documentation Must Members Provide?

For non-military leaves of absence, members will need to provide a copy of a leave notice issued by their employer that clearly states the purpose for which the leave was granted, the period covered by the leave, and a recommendation that credit be approved.

For military leaves of absence, members must also supply a copy of their DD-214 military discharge form. If requesting credit for military service rendered during specified periods of military conflicts under Article 20 of the Retirement and Social Security Law of New York State, they must also file a [Military Service Credit Request Form \(code SD68\)](#). Military leaves of absence would not require the prior recommendation from their employer as indicated above.

Depending on the type of leave, other documentation may also be required.

## How Do Employers Submit Members Leaves of Absence?

The employer submits member information to TRSNYC for Leaves of Absence in the same manner as they provide regular service information to us as follows:

- DOE provides Leave of Absence information on the service tapes.
- CUNY provides Leave of Absence information on paper as service verification.
- Charter Schools provide Leave of Absence information using the partner portal.

### What Employers Need to Know

- Not all leaves are creditable
- Have member contact TRS to find out if a leave of absence is creditable

### What TRSNYC Needs from Employers

- Provide documentation if the leave was paid or unpaid
- Provide start and end dates of leaves
- Provide the type of leave (*e.g.*, Military, Union Leave, etc.)

## Section 11: Separating from Service Before Retirement (Resignation/Termination)

Members who resign or are terminated from their TRSNYC-eligible position(s) before retirement may:

- Maintain TRSNYC membership rights;
- Transfer TRSNYC membership to another eligible retirement system;
- Become a transferred contributor to TRSNYC; or
- Withdraw TRSNYC funds, if eligible, and terminate TRSNYC membership.

### Maintaining Membership Rights

After separating from service, vested members<sup>^</sup> can maintain their membership rights to preserve any future retirement benefits.

Non-vested members can maintain membership rights for up to seven school years from their separation date. Funds continue to accrue interest during that time. Membership rights will expire for members who do not return to service within the seven school years.

**Note:** For non-vested members who separated from service before July 17, 1993, TRSNYC membership rights expired after five years.

### Transferring Membership

Members may transfer their TRSNYC membership to another retirement system if they leave their TRSNYC-eligible position(s) and obtain a position eligible for membership in one of the following systems:

- New York City Board of Education Retirement System (BERS)
- New York City Employees' Retirement System (NYCERS)
- New York State and Local Retirement System (NYSLERS)
- New York State Teachers' Retirement System (NYSTRS)

Members must apply for transfer before their TRSNYC membership rights expire. As part of a membership transfer, TRSNYC transfers a member's tier status, service credit and fund balances to the extent possible. However, some TRSNYC funds (*e.g.*, TDA accounts and ASAF accounts under the QPP) cannot be transferred to other retirement systems that do not have equivalent programs. These funds must be distributed to the member or rolled over to an IRA or other successor programs.



## Becoming a Transferred Contributor

TRSNYC members who resign from a TRS-eligible position and who, within 60 days, accept another position in City service may elect to continue their membership with TRSNYC instead of transferring membership to the other retirement system. Members must inform TRSNYC and the other retirement system (*i.e.*, NYCERS or NYCBERS) of the decision before joining the other retirement system.

**Note:** Transferred contributors may not be permitted to contribute to their TRSNYC TDA account if their new position is not eligible for TDA participation.

## Withdrawing TRSNYC Funds

Non-vested members with less than 10 years of credited service may withdraw their QPP funds after separating from service; this generally means funds in the MCAF and ASAF accounts, but not the employee portion of the AMC account.

Vested members with less than 10 years of credited service may withdraw eligible QPP funds. Withdrawing QPP funds terminates TRSNYC membership, tier rights, participation in the TDA Program, and the right to receive a QPP retirement allowance from TRS. Withdrawals are generally eligible for rollover to an IRA or other successor plans. Members should apply to remove their QPP and TDA funds from TRSNYC at the same time.

Withdrawing QPP funds terminates TRSNYC membership, tier rights, participation in the TDA Program, and the right to receive a QPP retirement allowance from TRSNYC. Withdrawals are generally eligible for rollover to an IRA or other successor plans. Members withdrawing their QPP funds must also withdraw their TDA funds at the same time.

Individuals who terminate their TRSNYC membership but are later reappointed to a TRS-eligible position are treated as new members and placed in the tier for new members (Tier VI at the time this document was published). However, they may be eligible for Tier Reinstatement. For more information about Tier Reinstatement, see **Section 1: Membership**.

When a member withdraws any taxable portion of retirement funds, TRSNYC reports the withdrawal amount to the IRS and withholds 20%. If the member is under age 59½, the IRS may impose an additional 10% early distribution penalty. Withdrawing members may also roll over or transfer the taxable portion of the funds to an eligible retirement plan.

### **What Employers Need to Know**

- Members have options when separating from service that may impact future benefits. In some instances, taking action is time-dependent to ensure eligibility for these options. It is important to encourage members separating from service to contact TRSNYC's Member Services Center at 1 (888) 869-2877 to gain information to assist in making an informed decision.

### **What TRSNYC Needs from Employers**

- Timely and accurate employer data reporting will allow TRSNYC to determine benefit eligibility and process timely.

^Tier VI members become vested after attaining 10 years of credited service.

## Section 12: Multiple Employment Membership

Multiple Employment Membership (MEM) status is assigned to members of the Teachers' Retirement System of the City of New York (TRS NYC) who render employment in both primary and secondary TRS NYC membership-eligible positions during any school year. The eligibility start date for MEM is January 1, 1995. Once a member attains MEM status, it will remain in effect until his/her retirement or termination of TRS NYC membership. A primary position is the one in which the TRS NYC membership is based (*i.e.*, New York City Department of Education (DOE), a participating Charter School Employer or the City University of New York (CUNY)). (For members who have attained transferred-contributor status, the current transferred-contributor position would be considered their primary position.) A secondary position is any additional position(s) with the DOE, a participating Charter School Employer or CUNY that members hold concurrently with their primary position and independently entitles them to TRS NYC membership. The secondary position must be one that is entitled to membership in TRS and not another public retirement system.

Members may attain **Multiple Employment Membership status** if they are employed in two or more TRS NYC-eligible positions, either full-time or part-time, during the same school year. Members who concurrently hold two or more TRS NYC-eligible positions must make member contributions based on wages from these positions. Wages earned from the third or successive employer(s) are excluded. If the member has already reached their Chapter 126 or Chapter 19 eligibility dates with their primary employment, the same dates would apply to the secondary employment.

Members may not earn a greater amount of service credit in any period of time than they could have earned during that same period from one full-time position. Therefore, if the member has a regular full-time position, having an additional part-time position does not increase service credit.

### Who is eligible for Multiple Employment Membership Status?

In general, active members may attain MEM status if they are on an approved leave of absence, or have transferred contributor status and work concurrently in two or more TRS NYC-eligible positions during the same school year.

### What positions may qualify for Multiple Employment Membership Status?

The following primary or secondary position(s) may be eligible for MEM status:

- Teacher or pedagogue employed by the DOE, Charter School and CUNY;
- Paraprofessional in one of the following titles: Auxiliary Teacher, Bilingual Professional Assistant, Educational Assistant, Educational Associate, Family Assistant (A & B), Family Associate, Family Worker, Health Aide, Parent Program Assistant, or Teacher Aide;
- TRS NYC-eligible position at a participating Charter School;

- CUNY Full-time instructional staff; and
- CUNY Adjunct instructor and other certain part time positions.

## **What Positions May Not Qualify for Multiple Employment Membership Status?**

The following positions may not be eligible for MEM status if a member's secondary position involves working for certain employers or programs (see below for examples):

- Adult Occupation Training Program;
- After School Center/Playground Program/Recreation Center;
- After School Occupation Skills Program (ASOSP)/Study Center;
- Auxiliary Services for High School;
- Board of Examiners;
- Bureau of Non-Public Schools;
- Consortium for Worker Education;
- CUNY Research Foundation;
- Fund for Labor Education;
- High School Equivalency (HSE) Consortium;
- In-Service Institute;
- Leap Program;
- Neighborhood Youth Corps;
- New York City Department of Personnel;
- Office of High School Admissions;
- Office of Recruitment (ORPAL);
- Peer Tutoring Program (Homework Helpers); and
- Veterans Reconversion Training Program.

**For example, if the secondary position is as a CUNY adjunct instructor, and the primary position is as a professor for CUNY, the secondary position would not qualify for MEM status. The member may, however, be eligible for salary and/or service credit for the secondary adjunct position.**

Also note that members generally would not attain MEM status by holding a summer position. Teaching in special positions in summer programs such as under Chapter 683 (supplemental summer employment under a special education program) do not qualify for MEM status

## **What Are the Benefits of Multiple Employment Membership Status?**

- This status may increase funds in a member's TRSNYC accounts, allow for a greater amount of Tax-Deferred Annuity (TDA) Program contributions, and positively affect their Final Average Salary (FAS) when the retirement benefit is calculated.
- Members are entitled to receive a maximum of one year's service credit in a given school year, regardless of the number of positions they hold during that year. However,

each position must independently meet any minimum service requirements in order for it to be included in FAS calculations.

- Members in part-time positions may need to render a minimum number of hours or days of service in that position in order for it to be creditable and included in FAS calculations. For more information about service credit equivalencies, please refer to the [Service Credit Equivalency Guidelines](#) brochure.

## Whom Would Multiple Employment Membership Status Benefit?

This status is most likely to benefit those members whose primary and secondary positions each meet basic FAS requirements. The FAS requirement is applied separately and the total amount is combined to calculate the FAS. As a result of these FAS requirements, MEM status will benefit certain members, but will not benefit others. For example, if a Tier I member who served in the same primary and secondary positions in the last three years before they retired, the salaries may be applied towards their FAS and may increase the retirement allowance. On the other hand, if a Tier II, III, or IV member who received a large salary increase in the last five years (Tier VI is nine years) before they retired, holding a secondary position in the last three years (Tier VI would be five years) before retirement may not increase their retirement benefits because of FAS salary caps. Additional information regarding FAS requirements and how MEM affects FAS can be found in the [Multiple Employment Membership Status](#) brochure.

## How Can Members Ensure They Have Multiple Employment Membership Status?

Provided TRSNYC' records contain appropriate documentation of eligibility, MEM status is generally granted automatically for active members, members on an approved leave of absence or transferred contributors. In order for TRSNYC to verify eligibility and periods of multiple employment, they must file a [Multiple Employment Membership Status Employment History Data Form \(code RW67\)](#) any time before their effective retirement date.

For more information regarding MEM status, please encourage members to contact TRSYC' Member Services Center at 1-888-869-2877 or write to TRSNYC' Member Services Correspondence Unit at 55 Water Street, New York, NY 10041.

### What TRSNYC Needs from Employers

- Accurate and timely employment and salary information reported to TRSNYC, for all TRSNYC eligible positions.
- TRSNYC needs employers to apply the TRSNYC deduction instructions across all TRSNYC eligible positions. This will help to eliminate deficits in the expected contributions for all employments.

### What Employers Need to Know

- Members in full-time positions are credited with one year of service credit for each full school year of service rendered. There is no additional service credit for MEM.

- The qualifying list mentioned above are a few examples, encourage members to contact the TRSNYC Member Services Center for additional information and/or to confirm their MEM is pension eligible.
- The secondary position must be one that is entitled to membership in TRS only.
- If the member has already reached their Ch126 or Ch19 dates with their primary employment, the same dates would apply to the secondary employment. Therefore, no additional contributions would be required for the secondary position.

## Section 13: Loans

### Loan Eligibility

Members are eligible to take a loan from QPP funds if they:

- Are in active payroll status, including on an approved leave of absence;
- Have at least one year of TRSNYC membership service, or at least one year of service transferred from another public retirement system in New York State;
- Are not currently in default on a QPP loan; and
- Are not retired.

**Note:** Members may also take loans against their accounts in TRSNYC' TDA Program.

For more information, refer to the [TDA Program Summary](#).

### Loan Amounts

- If no outstanding QPP loan balance – the minimum loan amount is \$1,000.
- If outstanding QPP loan balance – the minimum new loan amount is \$250; the total outstanding loan balance must be at least \$1,000.

The maximum loan amount available to members depends on the balances in their QPP accounts^ and the amount of any outstanding loan balances. The total loan balance, including QPP loans, TDA loans and loans taken from the New York City Deferred Compensation Plan (DCP) may not exceed \$50,000. If a member is also contributing to other qualified employer plans (*e.g.*, 401K), it's the member's responsibility to check with their accountant to make sure they will not exceed the maximum loan limit. For more information, refer to the [QPP Loans](#) brochure

### Applying for a Loan

- Members may apply for a QPP loan on TRSNYC' secure website. Paper loan applications are available by request on a limited basis by calling **TRSNYC' Member Services Center at 1 (888) 869-2877**.
- Tier I and II members may take two new QPP loans within a 12-month period (and can have up to 10 QPP open loans). Tier III, IV and VI members may take one new QPP loan within a 12-month period (and can have up to 5 open loans).

TRSNYC generally issues loan payments each Wednesday, usually through electronic transfer to members' accounts, with the funds becoming available on Friday of the same week. The loan process, from request to fund availability, normally occurs within one to two weeks. A loan request may be delayed or canceled if TRSNYC does not have the member's date-of-birth documentation on file. A member can login to the Member Portal to verify if their DOB is on file.

## Request to Change Loan Amount or Terms

Members may contact the TRSNYC Member Services Center or send a letter requesting to reamortize their loan. The fee is \$30.00. When there's a change of employment status (*e.g.*, active to inactive, this change is done systematically and there's no fee.

## Request to Cancel Loan

Members requesting to cancel their QPP loan request must send a notarized [Request for Withdrawal of Form/Application/Online Filing \(code MI5\)](#) to TRSNYC by certain deadlines. Failure to file notarized cancellation request by the appropriate deadline would result in the processing of the loan request and disbursement. Loans may not be returned after they have been issued.

## Repaying a Loan

According to the Internal Revenue Service (IRS regulations, outstanding loan balances may not be combined with new loans. Any new QPP loan is treated as a separate loan balance and is subject to a separate repayment period and plan, interest charges, and insurance premiums.

With the exception of a loan taken at retirement, QPP loans generally must be repaid within four years (48 months of the date the loan was issued. Members on active payroll normally repay loans through deductions from pay. Members not on payroll (*e.g.*, on a leave of absence may need to make payments directly to TRSNYC.

For CUNY employees paid on the New York State Payroll, TRSNYC would receive payment for only one outstanding QPP loan through automatic payroll deductions. For any additional QPP loan balance, monthly payments are required either online through the secure section of TRS' website or by check mailed to TRSNYC. Payments are due to TRSNYC no later than the 15<sup>th</sup> of the month, normally for the duration of the loan.

Members who take a leave of absence automatically qualify for a 12-month grace period during which loan payments need not be made, but interest and insurance charges continue to accrue. If the leave exceeds the 12-month grace period or the member opts not to take advantage of the grace period, the member must make monthly payments directly to TRSNYC or repay the outstanding loan balance in a lump sum. TRSNYC does not charge a returned check fee.

## Service Charge

A nonrefundable service charge is added to each QPP loan to cover administrative costs. (At the time this document was published, the service charge was \$30.00 except for Tiers I and II members. An additional service charge may apply when a member request results in a recalculation of the repayment amount.



## Interest

The annual interest rate on a QPP loan was 6% at the time this document was published.

## Insurance

For members in active service, the QPP loan would be fully insured against their death 30 days after it is issued and is maintained as long as the loan is not in default. Prior to that date, there would be no insurance coverage. Insurance premiums are included in regular loan payments as long as an outstanding balance is maintained. The costs for insurance coverage are as follows:

- The premium on QPP loans will not exceed 1% of the outstanding loan balance as of July 1 of each year. (At the time this document was published, the rate for Tier I and II members was 0.0 % and the rate for Tier III, IV and VI members was 0.10% effective 07/01/2019).
- Any uninsured loan balance outstanding after death is deducted from the member's account; this reduces benefits payable to beneficiaries.

## Loan Default

With the exception of a loan taken at retirement, a QPP loan would be in default if:

- a. the loan balance is outstanding for five years (60 months) after the loan's issuance date; or
- b. the total past due amount is equal to or greater than the equivalent of three regular monthly payments; or
- c. the member is not vested and resigns or is terminated with an outstanding QPP loan balance.

TRSNYC requests the past-due balance be paid within 30 days; if TRSNYC does not receive payment in that time, the outstanding loan balance is deemed a distribution and the taxable portion is reported to the IRS on Form 1099-R for that tax year.

## Leaving Service With Loan Balance

At separation from service, members must repay an outstanding loan balance within 30 days of TRSNYC notification. If TRSNYC does not receive payment within that time period, the following rules apply:

- Members transferring membership to another public retirement system within New York State – the outstanding QPP loan balance will be transferred to the new retirement system. (Note: Loan balances that cannot be transferred to the new system must be repaid to TRSNYC.)

- Vested members separating from service without transferring to another retirement system – any outstanding QPP loan balance continues to accumulate interest. It will be considered a distribution as of the member’s retirement date and reduces the retirement allowance that a member would otherwise receive.
- Non-vested members separating from service without transferring to another retirement system – the taxable portion of an outstanding QPP loan balance is considered a distribution and the entire loan balance plus interest is deducted from available QPP funds as of the separation date.
- Members can also rollover the taxable portion of their loan balance to an eligible retirement plan within the tax year.
- Rollover – This is the new IRS rule:  
Effective January 1, 2018, if the plan loan offset is due to plan termination or severance from employment, instead of the usual 60-day rollover period, you have until the due date, including extensions, for filing the Federal income tax return for the taxable year in which the offset occurs.

## Loans at Retirement

Members may apply for a QPP loan at or near the time of retirement; such loans are not repaid. However, any outstanding loan balance at retirement results in a reduction to the retirement allowance based on actuarial factors. In addition, the taxable portion of an outstanding loan at retirement is considered a distribution. IRS rules require TRSNYC to withhold 20% of any taxable amount over \$200 that is not directly rolled over into an eligible retirement plan.

### What Employers Need to Know

- Missing information, such as date of birth can be the cause of delay or cancellation of members loan request.
- For members working in multiple employments, loan repayments are deducted from the primary employment.
- Monies are deposited in member accounts upon receipt for members employed at Charter Schools. Delayed payroll reporting may impact the processing of loan payments.

### What TRSNYC Needs from Employers

- TRSNYC must have updated Payroll Cycle Schedules to calculate the loan amortization. Missing schedules will cause a delay in processing loan requests. For more information on reporting payroll cycle schedules, see **Section 2: Employer Reporting**.

^Member Contributions Accumulation Fund, Annuity Savings Accumulation Fund (if applicable), and the employee portion of the Additional Member Contributions account (if applicable).

## Section 14: Employer Billing

### Introduction

The Qualified Pension Plan (QPP) is a defined-benefit plan administered under Section 401(a) of the Internal Revenue Code, which enables TRSNYC members to receive a monthly retirement allowance upon meeting certain eligibility requirements. The Employer Contribution represents the amount which the employer must contribute each year to ensure the plan is fully funded to meet the needs of the defined benefit for their employees. As of June 30, 2020, TRSNYC has 15 participating employers (including 12 Charter Schools). Each year, during the Actuarial Valuation process, the Employer Contribution is calculated by the New York City Office of the Actuary (OA) and is then adopted by the Retirement Board of the Teacher's Retirement System of the City of New York.

### Actuarial Valuation Data Collection, Timing, Billing and Payment

#### Data Collection

The census data reflecting the members status as of June 30<sup>th</sup> is collected and provided annually to the OA. Census data is submitted by the TRSNYC's administrative staff, participating employers' payroll facilities, the Office of Payroll Administration (OPA), and the Financial Information Services Agency (FISA). TRSNYC accumulates data elements through the monthly Employer Reporting process to provide census data such as pensionable earnings (including Per Session, Class Coverage, Retro pay, etc.), employment data, years of service, demographic data, including date of birth and gender. This data is reviewed by the OA for consistency and reasonability.

The Employer Contribution is based on the valuation data, the plan provisions, and the Actuary's methods and assumptions; also, this calculation takes into consideration the member's life expectancy and normal retirement age, possible changes to interest rates, annual retirement benefit amount, the potential for employee turnover, new pension legislations and several other factors.

To assist in their internal budgeting process, Charter School Employers receive a copy of the final census data report submitted to the OA.

The OA uses a one-year Lag Methodology to calculate the Employer Contribution. As such, the actuarial valuation determines the Employer Contribution for the second following Fiscal Year. The June 30, xx Actuarial Valuation determines the Fiscal Year xx +2 Employer Contribution (*e.g.*, **June 30, 2018 Actuarial Valuation determines Fiscal Year 2020 Employer Contribution.**)

As part of the overall budget process for the entire City of New York, the OA provides current year and out year employer cost projections to the Office of Management and Budget (OMB). The OMB computes the City liability to be paid monthly by using the Financial Management

System (FMS) online system. The City liability excludes State, CUNY, Charter Schools and the School Construction Authority. These employers are sent a separate communication outlining the employer's obligation and have a similar payment structure.

The Pension Appropriation calculated by the OA is provided to TRSNYC towards the end of the Fiscal year. The Pension Appropriation Memo includes the current year final employer contribution and the next Fiscal Year estimated amount to be collected from each participating employer.

TRSNYC generates three types of billing communications for participating employers:

- Preliminary
- Final Bill
- Monthly Reminder

### **Preliminary FY Appropriation**

The Preliminary Appropriation also referred to as **The Estimate** is produced and communicated to employers in April-June.

### **Final FY Appropriation**

The Final FY Appropriation is produced and communicated to the employers during April-May.

**Note:** Final Appropriation may differ from the Preliminary Appropriation amounts. The Employer Contribution could be revised due to items such as, but not limited to census data refinements, actuarial adjustments and refinements, labor agreements with retroactive effective dates, and actions of the New York State Legislature and Governor.

### **Monthly Reminder**

A reminder to employers making monthly payments that Employer Contributions are due by the 30th of each month.

Questions regarding the Preliminary or Final Appropriation for your organization should be directed to TRSNYC Employer Inbox [Employer@trs.nyc.ny.us](mailto:Employer@trs.nyc.ny.us).

### **Billing Calendar**

Nearest payroll to July 5 <sup>th</sup>	Due date for payroll reporting for June. Census data is collected and utilized in the calculation of the Preliminary bill.
April-May	Preliminary bill for the following Fiscal Year produced for each employer.
July	1 <sup>st</sup> Monthly payment due
April-May	Final bill produced for current Fiscal Year

## Employer Payments

TRSNYC employers can opt to pay the Employer Contribution in twelve scheduled monthly payments or in one lump sum on or before December 31<sup>st</sup>. TRSNYC encourages electronic payments; details are provided in the billing communications. When employers submit their contribution(s) later than the scheduled due date(s), this causes TRSNYC (and NYC) to earn less income on the employer contribution that is needed to fund the pensions of the members for whom the employer contribution is being made. To mitigate this situation, employer contributions that are submitted after the scheduled due date(s) will be subject to 7% interest. The 7% interest is calculated for each day the payment is overdue.

### What Employers Need to Know

- TRSNYC requires timely and accurate data reporting.
- The OA cannot complete TRSNYC Actuarial Valuation without complete data from all TRSNYC employers.
- Contribution rates may fluctuate. Items that affect the contribution are:
  - Investment return of the TRS Trust
  - Turnover of employees
  - Pay increases (including contractual retro payments)
  - Changes in actuarial assumptions
- Timely and exact payments will prevent interest charges.
- Electronic payments allow for faster processing.

## Section 15: Refunds and Withdrawals

### Refunds

Generally, TRSNYC pays monies out to members as a Qualified Pension Plan (QPP) and/or Tax Deferred Annuity Plan (TDA) benefit, or as a refund or withdrawal. Members may file for the following refund types by applying to TRSNYC. Some refund types include TDA contribution refund, QPP contribution refund, Additional Membership Contribution (AMC) refund, Buy Back refund and QPP/TDA loan refund. There are other types of refunds and the following are the most common:

#### **Chapter 126 Refunds (Impacting Tiers III/IV members)**

Under Chapter 126 of the Laws of 2000, Tier III and IV members are no longer required to make 3% QPP contributions once they attain 10 years of membership or credited service. This law entitles affected members who have met the 10-year service requirement to a refund of any overpaid QPP contributions. Members entitled to a refund for overpayment of QPP contributions are sent notification letters. Refunds include applicable interest.

Any pension contributions made before the effective date of the law (*i.e.*, October 1, 2000) and the member's Eligibility Date will not be refunded. Any such contributions would remain in the members' account. Changes to employment details such as an earlier membership date can impact the eligibility. If the eligibility date changes to an earlier date, TRSNYC makes adjustment and will refund the member.

Prior to issuing a refund, TRSNYC will review the member's account. If there is a deficit in member contributions, it will be applied to the member's account and any remaining Chapter 126 refund will be sent to the member.

#### **Chapter 19 Refunds (Impacting Tiers II, III and IV members)**

Under Chapter 19 (Ch 19) Laws of 2008, Tiers II, III and IV members are eligible to stop 1.85% AMC deductions when they have met the Chapter 19 service requirement. These members include members enrolled in the Age 55 Retirement Program (55/25 or 55/27 plans) or when they switch to a non-eligible job title. Ch 19 members are also required to restart AMC deductions when they lose eligibility due to a change in service information or when they change employment back to an eligible title.

Ch 19 refunds are paid based on if the member's eligibility date changes to an earlier eligibility date. Age 55 Retirement Program participants who retire from active service at age 62 or older may be entitled to a refund of half of their AMC contributions.

## What TRSNYC Needs from Employers

- Reporting accurate and timely service information allows TRSNYC to correctly determine refund amounts.

## What Employers Need to Know

- To request a refund, members complete the appropriate application for the refund they're entitled to on the TRSNYC website. However, some refunds are sent automatically to members.
- Refunds are sent via Electronic Fund Transfer (EFT) if they're paid on the City of New York payroll and receive their paychecks through direct deposit. Refunds for members being paid on other payrolls will be sent to the account where their paychecks are direct deposited. If the EFT process cannot be completed, TRSNYC will send the refund check to the address on file.
- Refunds are processed monthly.
- TRSNYC will refund all erroneous contributions.

## Taxes

Generally, there is a 10% tax withholding. In accordance with the Tax Equity and Fiscal Responsibility Act (TEFRA) of 1982, 10% will automatically be withheld from the member's refund unless they indicate not to have this withholding applied. The member would be able to claim the amount withheld as taxes paid on their federal income tax return for the year of distribution.

After filing, members may revoke their election by writing to TRSNYC before distribution is made; generally, TRSNYC issues payments on the first payroll that occurs at least 60 days after TRSNYC receives application. However, a request made in this period may delay payment or may not be possible for TRSNYC to implement. If payments of estimated tax and withholding are not sufficient under the Internal Revenue Code, members may be subject to tax penalties. Therefore, members may want to discuss this matter with a tax advisor.

## Withdrawals

Members may file a withdrawal application if separated from their TRSNYC-eligible position and elect to withdraw (and/or directly roll over) their Qualified Pension Plan (QPP) accumulations.

### Eligibility to Withdraw QPP Funds

Members may withdraw their QPP funds after separating from service in the following cases if they are a:

- Non-vested member;
- Vested Tiers I/II member;
- Vested Tiers III/IV member who has at least five, but less than ten, years of Total Service Credit.

## Effects of Withdrawing QPP Funds

Upon TRSNYC' receipt of the member's [Application for Withdrawal of QPP Accumulations \(code RW41\)](#), membership in TRSNYC (including tier status) will be terminated upon completion of the withdrawal process. Upon termination of membership rights, investment return/interest on their QPP accumulations will cease.

- **Vested members** – filing this application would nullify vested rights and rights to a retirement allowance from TRSNYC.
- **Tiers I/II members** – filing this application would result in forfeiting any Increased-Take-Home-Pay (ITHP) contributions that the City of New York made to their QPP account.

## QPP Funds Available for Withdrawals

- For Tiers I/II members, QPP accumulations equal their Annuity Savings Fund (ASF) balance; for Tiers III, IV and VI members, QPP accumulations equal their Member Contributions Accumulation Fund (MCAF) and Annuity Savings Accumulation Fund (ASAF) balances.
- For Tier II, III or IV members who participated in the Age 55 Retirement Program, and were laid off from their TRSNYC-eligible position for reasons of economic hardship, their QPP accumulations available for withdrawal would also include the balance in the **employee** portion of the Additional Member Contributions (AMCs) made under this program.

## Additional Documentation Required

Members electing to directly roll over all or part of the taxable portion of their withdrawal to one or more eligible Individual Retirement Arrangements (IRAs) or other successor programs must also remit a completed [QPP Direct Rollover Election Form \(code RW29\)](#) to TRSNYC. In all cases, the tax-free portion of the withdrawal will be paid directly to them.

## TDA Participants

- Members filing the withdrawal form who are also a participant in TRSNYC' Tax-Deferred Annuity (TDA) Program must also withdraw their TDA funds at this time by filing a [TDA Withdrawal Application \(code TD32\)](#). They may elect that TRSNYC effect a Direct Rollover of their TDA withdrawal by filing a [TDA Direct Rollover Election Form \(code TD22\)](#) with the withdrawal application.
- Members requesting to withdraw funds from their TDA may file a "TDA Withdrawal Application" (code TD32). Tax withholding will apply.

**Note:** *As a result of Internal Revenue Service (IRS) regulations governing Section 403(b) Plans, TDA participants are currently not permitted to move funds from TRSNYC' TDA Program to a Section 403(b) Plan outside of New York City. On the advice of outside tax counsel, TRSNYC has suspended all processing of requests to move TDA funds to a Section 403(b) Plan (except the New York City Board of Education Retirement System) pending further clarification from the IRS.*



## Cancellation of Withdrawal Applications

Members may cancel their withdrawal application by filing a [Request for Withdrawal of Form/Application/Online Filing \(code MI5\)](#) with TRSNYC within 30 days of filing the application. Subsequently, they may file a new withdrawal application; TRSNYC would implement the elections that are indicated on the most recent form on file.

## Processing of Withdrawal Application

- Processing of QPP withdrawal applications should be completed at least four months of TRSNYC' receipt of all completed forms and required documentation.

## Taxes

- At the time of processing the withdrawal application, TRSNYC withholds 20% taxes. Members should consult with a tax advisor regarding further tax liability.

## What TRSNYC Needs from Employers.

- When members file a withdrawal application, the following must be attached:
  - The resignation or termination coded on the reporting data file immediately following the event.
  - In some instances, for members employed by CUNY and Charter School employers, TRSNYC may require an official service history from the employer. TRSNYC needs accurate and complete service history to assess vesting eligibility.

## What Employers Need to Know.

- Members who withdraw and subsequently rejoin TRSNYC will do so under the laws and tier in effect at that time; however, they may elect to reinstate to a former membership date (see **Section 1: Membership- Membership Restoration**).

## Section 16: Tax-Deferred Annuity Program

### Introduction

TRS' Tax-Deferred Annuity (TDA) Program is an excellent way for members to save additional money for retirement. By investing part of their paycheck—even a small percentage—they take an important step toward their financial growth. This summary provides an overview of the TDA Program, highlights many of its advantages, and includes important guidelines about participation.

TRS' TDA Program enables members to invest money for the future on a tax-deferred basis. By contributing, members may reduce their taxable income and current tax liability. They will not pay any taxes on contributions or earnings until they withdraw the funds. (Distributions generally are federally taxable and may be subject to state and local taxes.)

At the start of 2019, more than 150,000 TRSNYC members had TDA accounts, taking advantage of two retirement plans under the same roof. Approximately 90,000 members (or nearly three-quarters of our in-service membership) were actively contributing to TRS' TDA Program. These members are enjoying the benefits of tax-deferred investing, as well as the following advantages that our TDA Program offers:

- **Flexibility:** Six diverse investment options
- **Convenience:** Contributions deducted automatically from pay
- **Loan availability:** Access to TDA funds before retirement
- **Online access:** Account management on our website

### Membership Eligibility

The TDA Program is an optional investment plan open to all TRSNYC members who have a valid TRSNYC QPP membership. Established in 1970, our TDA Program is maintained in accordance with Section 403(b) of the Internal Revenue Code (IRC).

### Enrolling in the TDA Program

All TRSNYC members are eligible to participate in the TDA Program. Enrollment is quick and secure via the secure section of our website. A paper **TDA Enrollment Form (code TD1)** is also available on request. However, TRSNYC strongly encourages members to use the website to enroll.

When enrolling in the TDA Program, members choose a percentage of their pay to contribute and designate how these contributions will be invested among TRS' investment programs. After enrolling, TDA contributions would begin on the first payroll 30 days after TRS receives their enrollment request. When a new enrollee requests an amount that exceeds the IRS contribution limit, their Full Year Full Calculation (FYFC) or contribution limit for the year will be set to 20%.

As part of the enrollment process, members should also designate a TDA beneficiary. It is important to keep their beneficiary designations current throughout TDA participation.

## Contributing to the TDA Program

Federal law allows members to contribute up to a designated amount to TRS' TDA Program each year. In addition, all members 50 years and older are eligible to make additional pre-tax "catch-up" contributions. A separate "catch-up" rule applies for certain members with 15 years of qualifying City employment. See the box below for contribution amounts. TRSNYC determines 15 years of qualifying service based on employment information provided by the employer.

### TDA Contribution Limits for 2024

- The general contribution limit is \$23,000 per year.
- Members age 50 and older may make additional "catch-up" contributions of \$7,500 per year over this contribution limit.
- Members with 15 years of qualifying City employment (who have contributed an average of \$5,000 or less per year) may contribute up to an additional \$3,000 per year in "catch-up" contributions, up to a total of \$15,000 over their lifetime.

Members contributing to TRS' TDA Program and an external 401(k Plan should be aware that IRS contribution limits are applied cumulatively to the total of their TDA Program and 401(k Plan contributions. However, contributions to a 457 Plan are considered separately. (For example, since the IRS contribution limit for 2024 is \$23,000, they would be able to contribute a total combined amount of \$23,000 to the TDA and a 401(k Plan in 2024. Members also participating in a 457 Plan, would be able to contribute up to \$23,000 to that plan as well.

TDA contributions are automatically deducted from member's pay and deposited in their TDA account. They never have to write a check to deposit money to their account. Please note: TRSNYC does not accept personal checks from member for TDA contributions. Investing a set amount on a regular basis (called "dollar-cost averaging" tends to be a reliable method for saving, and produces positive results over time. Member contributions buy more shares (units when the price is low, and fewer when the price is high, so their money continues to accumulate and generate earnings. In addition, since they contribute to TDA at a set rate, contributions automatically increase when their salary does.

By using the TDA calculator on TRS' secure website, members can pick a contribution rate and see the effect it would have on their take-home pay; if they want to contribute a specific dollar amount, the calculator can convert it to a percentage of their pay. Using the calculator can also help them reach their TDA savings goal for the calendar year.

## Implementing TDA Deduction Instructions

When TRSNYC applies the deduction instruction to payroll, the deduction instruction is applied after a new TDA enrollment or rate change request. It's effective the 1<sup>st</sup> payroll 30 days after the new enrollment or rate change request.

When members make additional "catch-up" contributions, TRSNYC automatically makes the adjustment as long as they have been contributing their FYFC. All members will see the new limit on the Member Portal.

## TDA Contribution Limits (Goal Amounts)

It is important to ensure members do not exceed the IRS contribution limit for the year. The following outlines how TDA contributions and goal amounts are handled by employer and the impact when members overcontribute to their TDA account.

- **DOE** – FISA monitors contributions for DOE members and on occasion there is a member who exceeds their limit. When members meet their limit earlier in the calendar year, FISA will stop any remaining deductions for the year.
- **CUNY and Charter Schools** – These employers enter member contributions manually and based on salary changes which may result in members overcontributing to their TDA account in a calendar year, if the deductions are not stopped. Employer payroll systems are responsible for monitoring payroll deductions to ensure goal amounts are not exceeded.

At the start of the year, TRSNYC runs a process for the previous calendar year to evaluate whether members overcontributed. Members who overcontributed receive refunds of the excess contributions and a 1099 for the prior year excess amount. There are IRS tax consequences to members for excess contributions.

### What Employers Need to Know

- Members must be enrolled in the QPP prior to enrolling in the TDA program.
- When utilizing the TDA calculator, members should have a paystub available in order to obtain accurate contribution amounts (using the secure calculator).
- New TDA enrollees – when members enroll in the TDA Program and request a FYFC that will exceed the contribution limit set by the IRS for the year, the system will not process. These members will receive the standard rate set by TRSNYC of 20%.
- Members may contribute up to the contribution limit set by the IRS each year to their TDA plan, and this amount is combined with external 401(K) plans. However, they may contribute separately to a 457 Plan up to the contribution limit per year.
- Members can also set a high contribution rate which means they will reach the IRS limit earlier in the year. FISA stops the deductions once members reach their contribution limit. Employers in which TRSNYC does not directly affect the payroll process (such as CUNY 4-year colleges and Charter Schools) should monitor employees' goal amounts during the year. Additionally, employers should ensure that their payroll service provider monitors this amount to prevent members from exceeding their IRS limit.

There are IRS tax consequences to members for excess contributions. TRSNYC also checks for members who may have exceeded their limits at the start of the following year.

- When members want to increase TDA rate due to contractual retro pay, they login online to make the rate change. Employers send a list of members receiving retro pay giving TRSNYC a heads' up. TRSNYC informs members when we change their rate back.
- All mandated pension deductions should be applied to payroll before TDA deductions are applied.
- How TRSNYC communicates changes to rates – TRSNYC sends communications to members and updates the Member Portal whenever their rate changes. TRSNYC does a passive TDA enrollment every year and applies the same rate from the previous year for the new year.

For more information, refer to the [TDA Program Summary](#).

## Section 17: Annual Benefits Statement and Quarterly Account Statement

### Annual Benefits Statement

The Annual Benefits Statement (ABS) is a comprehensive personalized statement emailed to members annually, who are in active service or on a leave of absence for less than 7 years. Members who are resigned or terminated do not receive ABS statements. The ABS provides a summary of their membership status, reports on eligibility for certain benefits, and lists the designated beneficiaries as of June 30<sup>th</sup>. It also includes detailed explanations to help members make informed decisions about retirement.

The ABS includes:

- **Account Summary** – shows complete account summary for both QPP and TDA membership accounts.
- **Last Reported Salary** – data as reported by the member’s employer(s) for the previous school year; For members on leave as of 6/30, the amount shown may be the salary information prior to the leave.
- **Membership Service Credit** – reports on credit earned from 7/1 to 6/30 of the reporting year.
- **Service Credit** – provides service credit information by category as of 6/30, based on the information in our database. Additional information on Service Credit may be found in **Sections 7, 8 and 9** of this manual.
- **Membership Service** – includes any credited service rendered as a TRSNYC member; it would also include credited breaks in service for military service rendered during a leave of absence, layoff service credit, any credit granted for Amman service (such as regular substitute teaching or per diem service rendered with a public employer during a leave of absence from the TRS-eligible position or after separating from service), and any other credited breaks in service.
- **Transferred Service** – includes any service rendered from an eligible public retirement system prior to the date of membership with TRS, that was transferred as part of a membership transfer.
- **Prior Service/Optional Service** – includes any credited service rendered with a NYC/NYS public employer before joining TRS that was not transferred to TRSNYC, as well as credit granted for certain military service. For Tiers III/IV and VI, this service may require payment and other criteria to be credited. **Note:** Additional information on Prior Service Credit may be found in Sections 7, 8 and 9.
- **Chapter 126 Credit** – includes any credit for remaining in active service from October 1, 2000 through June 30, 2001 and from July 1, 2001 through June 30, 2002. Generally, Tier I/II members receive one month of additional retirement credit for each year of credited service, up to a total additional credit of two years. For more information see either the [Chapter 126 Credit for Tier I/II Members](#) or the [Service Credit for Tiers III/IV Members](#) brochures.

- **Service Purchases** – for Tier III/IV and VI members, information on any service purchase plans in progress may also display service balances of plans in active status.
- **Service credit available for purchase** – this section reports service that may be purchased to receive pension credit. Members must apply online via the TRSNYC site to proceed. Additional information on Service Credit may be found in Sections 7, 8 and 9.
- **Service Milestones** – dates in which members reach dates enabling eligibility for certain benefits. Dates are printed only when reached.
- **Service Retirement Benefit Formulas** – benefit formulas which show the Final Average Salary (FAS) calculation.
- **Cost of Living Adjustment (COLA)** – members retired for at least five years, upon meeting criteria, receive a COLA to their retirement allowance. The adjustment is shown here.
- **Service Retirement Benefit Estimates** – for the QPP service retirement allowance benefit is provided based on an effective retirement date, the QPP fund balance as of 6/30 and available salary information.
- **QPP Payment Options** – outlines the payment options available to members at retirement under the Maximum Payment Option.
- **Death Benefits** – members will be provided with an estimated death benefit payable to their beneficiaries on file with TRSNYC.
- **TDA Annuity Estimates** – are provided for the various elections for TDA monies at retirement.
- **Benefit eligibility and calculations** – displays calculations for eligible benefits.
- **Beneficiaries** – displays information on the beneficiaries on file at TRSNYC.
- **Summary** – of all key TRSNYC benefits as of 6/30

Members can access their ABS by logging into the Member Portal, a username and password are required to access the secure section of our website.

## Quarterly Account Statement

TRSNYC distributes Quarterly Account Statement (QAS) to all active members. Members who are inactive for more than 18 months or have expired memberships do not receive QAS. The QAS provides an overview of the Qualified Pension Plan (QPP) and Tax-Deferred Annuity (TDA) Program account(s).

The QAS shows the total of all activity that has occurred in the member's account(s) during the quarter. If a member has both QPP and TDA Program accounts, the statement will include a separate summary for each.

The QAS includes:

- **Member Contributions** – displays all monies contributed during the quarter.
- **Contribution Rates** – for QPP and/or TDA Program account(s).
- **Fund Allocation** – shows how funds are invested among TRSNYC investment programs.

- **Investment Elections** – for contributions, indicates how a member elected to invest their future contributions.
- **Conversion of Past Accumulations (Tiers I/II)** – shows recent QPP investment election changes.
- **Annualized Investment Performance** – indicating the performance for TRSNYC investment programs.
- **Unit Values** – are determined monthly by multiplying the preceding month’s unit value by the monthly net change in the value of the Program’s portfolio.
- **Loans Summary** - shows the loan activity that has occurred during the quarter for any QPP and/or TDA loan.
- **Detailed Loan Information** – reports detailed information for each loan that is open, in default, or closed during the quarter for both QPP and TDA accounts.
- **Beneficiaries** – displays information on the beneficiaries on file at TRSNYC.

### What TRSNYC Needs from Employers

- The ABS is based, in part, on data that comes directly from our participating employers. Timely and accurate employer data feeds help us to provide our members with the information they will need to plan their careers and make important financial decisions.

### What Employers Need to Know

- Account summary includes information on QPP contributions and any supplemental contributions that may have been made by the employer for members at maximum salary schedule. ITHP includes New York City contributions equaling 2.5% of a member’s gross salary.
- Missing data such as employment details which include salary, date of birth, beneficiary information will prevent TRSNYC from providing members with benefit estimates and benefit projections.
- Members having discrepancies with the information on their ABS should complete the [inquiry form](#) on the TRSNYC Member Portal.
- Many factors can alter the amount of the retirement benefit a member will actually receive. The ABS provide estimates and should not be solely relied upon when making retirement decisions. These projections do not imply any entitlement; specific account information will be evaluated at retirement. In all cases, the provisions of the governing laws, rules, and regulations will prevail.
- Members who are inactive for more than 18 months and members having expired memberships are excluded from the population to receive QAS.



## Section 18: Retirements

### Service Retirement

#### Tier III and Tier IV Eligibility

Members must be vested to qualify for service retirement benefits. Generally, Tier III and Tier IV members must have 5 years of credited service to be considered vested. Members who serve in titles represented by the United Federation of Teachers and joined TRS after December 10, 2009 must have 10 years of credited service to be vested.

Normal service retirement age is 62; however, vested members can retire as early as age 55.

#### Tier VI Eligibility

Members must be vested to be eligible for service retirement benefits. Tier VI members must have at least 10 years of service to be considered vested.

Normal retirement age for Tier VI members is age 63. Vested members are eligible for unreduced retirement benefits at age 63. Members may retire prior to age 63, with a reduced benefit, but no earlier than age 55.

A member with at least 10 years of credited service, upon termination of employment, is entitled to a deferred vested benefit payable at age 63.

#### Final Average Salary

A member's Final Average the Salary is the highest average of [wages](#) earned during any continuous period of employment for which the member receives three years (five years for Tier VI) of service credit. However, if the wages earned during any year included in the three-year period (five-year period) exceed the average of the previous two years' (four years for Tier VI) wages by more than 10%, the amount exceeding 10% is excluded from the computation of the Final Average Salary.

#### QPP Accounts

Any outstanding QPP loan balance at retirement results in a reduction to retirement benefits, based on actuarial factors.

#### Filing for Service Retirement

TRS must receive a member's retirement application at least one business day, but no more than 90 days, before the member's retirement date.

Members may withdraw the retirement application no later than one day before the retirement date. Members may make changes to their payment option up to 30 days after their retirement date. Calculating and processing a retirement benefit may take several months depending on the availability and completeness of service and earnings information. In the interim, TRS issues advance payments, which are a conservative approximation of the final retirement allowance and continue until regular retirement allowance payments begin.

## Disability Retirement

### Types of Disability Retirement

TRS members who become physically or mentally incapacitated and unable to perform their duties may be eligible for one of the following disability retirement benefits:

#### Ordinary Disability Retirement

To be eligible for ordinary disability retirement, members must have at least **10 years<sup>^^</sup>** of credited service, and they must be found physically or mentally incapacitated for the performance of gainful employment and found to have been incapacitated at the time they ceased performance of their duties.

#### Accident Disability Retirement

To be eligible for accident disability retirement, members must be found to be physically or mentally incapacitated for the performance of gainful employment and found to have been disabled as the natural and proximate result of an **accident<sup>^^^</sup>** sustained in the performance of duties in active service and not caused by the member's own willful negligence.

#### Lump-Sum Disability Retirement

To be eligible for lump-sum disability retirement, the member must have been diagnosed with (i) a terminal illness and have a life expectancy of one year or less, or (ii) a medical condition of a long, continued, and indefinite duration requiring extraordinary care and treatment, regardless of life expectancy.

**Note:** A member who meets the service credit requirement for an ordinary disability retirement may file for both ordinary disability retirement and the lump-sum disability benefit. The lump-sum disability benefit is irrevocable. No retirement allowance is payable, and no death benefit is payable to the survivors.

### Filing for Disability Retirements

Application for disability retirement benefits may be made by the member, an authorized representative on the member's behalf, or the head of the department where the member is employed.

To qualify for a disability benefit, TRS members must file an application within three months of the last date of being paid on the payroll. However, members who were terminated after being placed on a leave of absence without pay for medical reasons must file no later than 12 months after the date they receive notice of termination.

Tier III members may apply for a disability retirement under Tier IV. If they apply for a Tier III disability retirement, they must waive the benefits of any statutory presumption related to the cause of disability or eligibility for disability benefits, and b if under age 65, have been found eligible to receive primary Social Security disability benefits.

### World Trade Center Presumptive Disability and Death Benefits Laws

Under this law, members may qualify for disability retirement if they worked in the World Trade Center rescue, recovery, or cleanup operations between September 11, 2001 and September 12, 2002, filed a Notice of Participation with TRS (on or before the legislative deadline, and became incapacitated as the result of a qualifying condition, as determined by the TRS Medical Board. Members approved for

disability retirement under this law receive a benefit equal to the amount payable under the applicable disability section of law.

If a member filed a Notice of Participation, met the qualifying criteria, and subsequently died from a qualifying condition, eligible beneficiaries of these members and retirees may apply for an accidental death benefit.

## TDA Options Upon Retirement

Members who participate in TRS' TDA Program may choose from the following options at retirement:

- TDA funds remain invested, and members may take loans, withdrawals, and change their TDA investment elections
- Withdraw and/or roll over some or all of the TDA account
- Annuitize the TDA account to receive lifetime monthly payments

## Taxes on Retirement Benefits

Retirement allowances are subject to federal taxes (except for contributions that were previously taxed). For federal tax withholdings, retired members may file an IRS Form W-4P or online equivalent, indicating marital status and the number of dependents. Otherwise, TRS is required to compute withholding based on a default status of married with three dependents. Retirees can change their withholding election at any time.

Retirement allowances are exempt from New York State and New York City income taxes. However, allowances may be subject to taxation in another state or city based on residency.

Each January, TRS sends members an IRS Form 1099-R showing the total amount of retirement allowance payments that TRS distributed for the previous year, as well as the federal taxes withheld.

### What TRSNYC Needs from Employers

- If the member has an hourly title such as Adjunct or Per Diem, TRS needs updated # of hours and salary.
- Remind members to elect a Fractional and DB2 beneficiary.
- Remind members to provide proof of birth for beneficiaries, if a continuing option is elected.

### What Employers Need to Know

- Retirement processing will be delayed if:
  - TRS doesn't have all of service verification needed to finalize the retirement
  - Corrections are needed on the retirement application
  - Member has outstanding deficits or prior service to purchase
- Members should only select one payment option on the retirement application
- If a benefit estimate is needed for a pension consultation, the member should request this information from TRS as soon as possible to allow adequate time for the document creation.

^ Wages include any regular compensation such as base salary, Chapter 683 earnings, and additional pensionable earnings such as per-session pay, but exclude any form of termination pay or lump-sum payment for unused leave.

^^ At least five years for members applying for Tier III ordinary disability retirement.

^^^ The term "accident" is defined by the courts as a sudden, fortuitous mischance, unexpected, out of the ordinary, and injurious in impact.

## Section 19: Earnings After Retirement

### Restrictions on Post-Retirement Earnings

Section 212 of the RSSL limits the amount that service retirees may earn in public employment with New York State or any of its political subdivisions each calendar year without jeopardizing their retirement allowance. (At the time this document was published, this amount was \$35,000.) To comply with the provisions of this section, retirees must file a Section 212 Waiver with TRSNYC. Failure to do so may result in the suspension of the retirement allowance or forfeiture of the public employment earnings.

Section 211 of the RSSL states the prospective employer must request and receive approval of employment from the appropriate agency for the member to receive an unreduced pension while still working. Usually, for TRSNYC members that agency is The Chancellor of the NYC Department of Education. However, depending on the job, one of the entities listed below may be authorized to grant this approval. These include:

- The New York State Commissioner of Education;
- The Chancellor of the City University of New York;
- The New York City Division of Citywide Personnel Services

Approval is given for a fixed period of time, up to two years. For members who want to continue working beyond the approved period without affecting their eligibility for a full retirement benefit, the employer must submit a new request to the appropriate approving agency.

Disability retirees, or service retirees who do not file a Section 211 or 212 Waiver, the total of the pension portion of their retirement allowance payments and post-retirement earnings must be less than \$1,800 annually. For additional information, refer to the [Earnings After Retirement](#) brochure.

### Unrestricted Post-Retirement Earnings

Post-retirement earnings limitations do not apply in the following cases:

- Earnings on or after January 1 of the year in which the retiree reaches age 65; or,
- Work in private employment, in public service outside New York State, federal government or in a position with a nonprofit organization; or,
- Any of the following positions: jury duty, an elective public office, a position as a poll or ballot clerk under the Election Law, a position in the office of the Inspector of Elections, or a position as a notary public or commissioner of deeds; or
- Members with TRSNYC memberships beginning before May 31, 1973, and after retirement they are hired as a consultant in public service with New York State or any of its political subdivisions (*e.g.*, New York City); or,
- Work for a Public Benefit Corporation, such as MTA New York City Transit, the New York City Housing Authority, Off-Track Betting Corporation, or MTA Bridges and Tunnels (Triboro Bridge and Tunnel Authority).

Work in any type of New York State public employment that is not included in the list above, and when the member is less than 65 years old, their earnings in that position would be subject to limits, as described in the following sections.

## **Restricted Post-Retirement Employment**

### **Section 212 Waiver**

A service retiree under age 65 may return to public employment with New York State or any of its political subdivisions and earn up to a designated limit each calendar year without jeopardizing their retirement allowance. (Note: This amount is \$35,000 in 2020; the previous limit was \$30,000 per year.

Retirees must file a [Certification Of Employment Under Section 212 \(code RP76](#) with TRSNYC in order to apply the provisions of Section 212 of the Retirement and Social Security Law (RSSL to their employment. This form must be renewed each calendar year that retirees continue in public employment in New York State until the year in which they reach age 65. Failure to do so may result in the suspension of the pension portion of their retirement allowance.

### **Section 211 Waiver**

If the employer anticipates the retiree's earnings in public employment with New York State or any of its political subdivisions will exceed the Section 212 limit for the calendar year, the retiree must comply with Section 211 of the RSSL to continue receiving a retirement allowance (subject to certain restrictions.

Under Section 211, employers must obtain approval for the employment from the appropriate source; for example, the City or State Civil Service Commission, the Chancellor of the New York City DOE, the Trustees of the City University of New York (CUNY, or the Chancellor of the State University of New York (SUNY. The employer determines when the Section 211 Waiver expires and may grant a maximum two-year waiver, which is renewable. Please note that retirees may still have restrictions on earnings under a Section 211 Waiver. Retirees are encouraged to contact TRSNYC to request an estimate of their earnings limit prior to filing a Section 211 Waiver with the employer.

Retirees must file a Section 211 Waiver with employers (not with TRSNYC. DOE employees may call (718)935-2900 to obtain a Section 211 Waiver. CUNY employees may contact the college campus Benefits Officer. Other service retirees may contact the following locations, as applicable:

New York State Education Department Office of Teaching Initiatives  
5N Education Building  
Albany, NY 12234  
(518) 474-3901  
[www.nysed.gov](http://www.nysed.gov)

New York State Department of Civil Service  
Alfred E. Smith State Office Building  
80 South Swan Street  
Albany, NY 12239  
(877) 697-5627  
[www.cs.ny.gov](http://www.cs.ny.gov)

## Suspending the Pension

Members who anticipate that their earnings will exceed the Section 212 limit can authorize TRSNYC to suspend their retirement allowance. Alternatively, members can file a Section 211 Waiver with the employer which may allow them to earn more than the Section 212 limit provided that the employer obtains the necessary approval. For members receiving an annuity under the Tax-Deferred Annuity (TDA) Program, their monthly TDA annuity payments would not be affected by the amount of their post-retirement income.

Members can earn more than the Section 212 maximum during a calendar year while working under a Section 212 Waiver. Their retirement allowance would be suspended, usually for the rest of the calendar year. TRSNYC generally sends retirees reminder letters approximately four weeks before they are projected to reach their earnings limit. If TRSNYC does not learn in time about earnings that exceed the Section 212 limit, the suspension of their retirement allowance would continue into the next calendar year, but only long enough to make up for the missed suspension time. Alternatively, members may repay the excess earnings to the employer (not TRSNYC) to avoid suspension of their retirement allowance. (Note: DOE employees must obtain a certified check or money order make it payable to the “New York City Department of Finance.”)

Members may voluntarily suspend their retirement allowance if they think they will exceed the Section 211 or Section 212 earnings limit by filing a [Retirement Allowance Suspension/Resumption Form \(code RP88\)](#) with TRSNYC.

If TRSNYC ultimately determines that a retiree’s earnings have exceeded their Section 211 or 212 limit, their retirement allowance would be suspended. Retirees who do not obtain a Section 211 or 212 Waiver, and exceed the applicable limit, the pension portion of their retirement allowance would be suspended. In accordance with applicable provisions of the RSSL, they may avoid suspension by making a lump-sum payment in the amount of the excess earnings directly to the employer (not to TRSNYC). To do so, retirees must submit an [Overpayment of Post-Retirement Earnings Form \(code RP92\)](#) to TRSNYC. Members must make

payment within 30 days of the date of the final notification letter (code RP95) from TRSNYC. (Note: DOE employees must obtain a certified check or money order and make it payable to the “New York City Department of Finance.”)

## What Employers Need to Know

- Service retirees working in public employment in New York State are required to have a valid Section 211 or 212 Waiver form on file if they expect the total of the pension portion of their retirement allowance plus post-retirement earnings to be more than \$1,800 annually. Therefore, if retirees file a Section 211 Waiver with the employer, they should also file a **Certification of Employment Under Section 212** form with TRSNYC; this will allow them to earn up to the Section 212 limit while awaiting approval of their Section 211 Waiver. As a reminder, all paperwork necessary for a Section 211 Waiver must be obtained from the employer.
- Wages earned during one calendar year count towards the earnings limits for the year in which they were earned.
- Employers are required to adjust the W-2 form for the applicable year in which a retiree repays excess earnings.
- TRSNYC determines whether retirees’ earnings have exceeded their limit based on records of reported wages supplied by the employer. Retirees who believe that the information is incorrect should check the employer’s records. Members may also provide their pay stubs to TRSNYC’s Internal Audit Division so that we can verify the employer’s records. In addition, if any earnings during a calendar year included income that they earned before retirement (*e.g.*, vacation pay, sick pay, termination pay, retroactive pay for a salary increase), retirees must submit a [Report of Income Earned Before Retirement \(code RP86\)](#) along with relevant documentation (*e.g.*, pay stubs) to TRSNYC. Providing this documentation will ensure that these earnings will not count toward their post-retirement earnings.
- Retirees working for two or more New York State public employers combined earnings from those positions cannot exceed their earnings limit.
- Any pay from their post-retirement summer employment and vacation pay will count toward post-retirement earnings.
- Disability retirees are not eligible for these waivers.

## What TRSNYC Needs from the Employer

- Earnings of all retired employees who receive a TRSNYC pension, no matter the capacity in which they are employed, must be reported to TRSNYC. The most common earnings reportable to TRSNYC include those paid on regular payroll, whether full-time, part-time or temporary. Employers need to report these payments to TRSNYC.
- TRSNYC requests a copy of the approved 211 Waiver from DOE and CUNY to be scanned into the retiree’s casefile.

**Teachers' Retirement System of the City of New York**

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