

Notice No.: 89-004

Date: October 17, 1989

Applies to: Personnel/Payroll Officers
LEOFF Retirement System, Plan II

Subject: Temporary Duty Disability Service Credit
(SB 5353, Ch. 88, Laws of 1989, Regular Session)

This information applies only to Plan II members of the Washington Law Enforcement Officers' and Fire Fighters' Retirement System (LEOFF).

Any member who is disabled in the line of duty on or after July 23, 1989, may establish service credit under LEOFF Plan II if he or she receives disability leave supplement under RCW 41.04.500 through 41.04.530 or similar benefits under RCW 41.04.535. Moreover, any member who was disabled before July 23, 1989, and who wishes to establish retroactive service credit, must apply to the Department of Retirement Systems on or before December 31, 1991.

Requests for service credit are subject to the following conditions:

1. Every member who wishes to establish service credit for disability, whether before or after July 23, 1989, must send a written request to the Department of Retirement Systems, LEOFF Benefit Supervisor, 1025 East Union, Olympia, WA 98504-2511. The request must include the member's name, social security number, current employer, and the period(s) for which service credit is requested.
2. The member may establish up to six (6) months of service credit for each incident covered by RCW 41.04.500 through 41.04.530 or RCW 41.04.535.
3. To establish service credit, a member must be employed in an eligible position or on an authorized leave of absence. Service credit cannot be granted after a member separates from employment even if he/she subsequently returns to service.

4. The member and the employer will pay contributions at the rates in effect for the period of service to be credited. Employer contributions will be paid by the employer. In addition, the employer is responsible for collecting the member contributions and forwarding them to the Department of Retirement Systems.
5. Contributions are to be based on the “regular compensation” the member would have received if he/she had been able to work during the time to be credited. Salary increases that would have applied during this time are “regular compensation.”
6. Member contributions under this act are not tax-deferred contributions covered under the provisions of the employer pick up legislation, which took effect September 1, 1984.
7. If a member is acquiring service for a period of temporary disability that occurred before July 23, 1989, seven percent (7%) compounded interest will be added to both the member’s and employer’s obligation from the date each monthly salary would have been earned to the payment date.

Department of Retirement Systems will calculate member and employer obligations based on Verification of Employment (DRS 003) forms submitted by the employer. The employer must verify that the member received disability leave supplement under RCW 41.04.500 through 41.04.530 or similar benefits under RCW 41.04.535 during the period indicated on the DRS 003.

Note: Members disabled on or after July 23, 1989, who receive benefits under Title 51 RCW (Worker’s Compensation) but who do not receive disability leave supplement may apply for service credit under the “service credit for authorized leave of absence” provisions of RCW 41.26.520 (2).

George Northcroft
Director