

PERS PLAN I

Interruptive Military Service Credit

What is interruptive military service credit?

Interruptive military service credit is service credit available to those who temporarily leave membership with the Public Employees' Retirement System Plan 1 (PERS) to serve in the United States Armed Forces. If you are an eligible PERS 1 member, you may purchase service credit for the interruptive military service you rendered.

NOTE: The distribution of military service credit is governed by both state and federal laws. The laws described here are federal laws which take precedence over state law. State law is applied only in those instances in which a member completed military service prior to December 4, 1974, or cannot meet federal requirements.

Am I eligible to receive interruptive military service credit?

You must satisfy the following requirements to receive interruptive military service credit under federal law:

- You must leave employment with an employer participating in PERS to serve in the military,
- Serve in one of the armed or uniformed services of the United States, and
- Return to work with an employer participating in PERS within defined time limits.

What if I die or become disabled as a result of military service?

Effective July 24, 2005, a member who becomes totally incapacitated for continued employment as a result of service in the uniformed services of the United States, or the surviving spouse* or eligible children of a member who dies while serving in the uniformed services of the United States may apply for interruptive military service credit. The member or eligible spouse or children would pay only the employee contributions. Contact DRS for more information.

*Civil Marriage law allows same-sex couples to marry and entitles all spouses, (regardless of gender) to equal rights in PERS Plan 1. Beginning January 1, 2014, state-registered domestic partners will have the same survivor and death benefits as married spouses.

What qualifies as military service?

Most types of military service qualify members to receive military service credit. They include:

- Service in the Army, Navy, Air Force, Marine Corps, or their Reserve units (including two-week annual training for reservists);
- Full-time service in the United States Coast Guard;
- Service in the Public Health Service; and
- Service in the Army or Air National Guard.

How much military service credit can I purchase?

The maximum amount of service credit you can purchase is determined primarily by the date on which you completed military service.

If you completed military service on or after October 6, 1994: Federal law provides for a maximum of five years of interruptive military service credit.

If you completed military service on or before October 5, 1994: The maximum amount of military service credit that you can receive depends upon the type of military service rendered.



- If you enlisted in the Armed Forces (other than a Reserve component), you are entitled to a maximum of five years.
- If you were on active duty in the Armed Forces or the Public Health Service in response to an order or call to active duty, you are entitled to a maximum of four years.
- If you served in a Reserve component of the armed forces and voluntarily or involuntarily entered active duty, you are entitled to a maximum of four years.

Federal law provides exceptions that allow those who have served more than the maximum years of service stated above to receive additional service credit. Contact your retirement benefit specialist for further information.

If you cannot meet the federal requirements for returning to employment listed in this brochure, but do meet state requirements, you will receive credit subject to the state maximums.

Members who completed their military service on or before December 3, 1974, are also subject to state maximums.

What are the time limits for reemployment?

The time limits within which you must initiate reemployment after completing military service depend on several factors, including the date on which you completed military service.

If you completed military service on or after October 6, 1994:

- If your military service was 30 days or less you must report to your employer not later than the beginning of the first regularly scheduled work day following the completion of military service, given eight hours for safe transport from place of military service, OR within a reasonable time if you are not at fault;
- If your military service was more than 30 days but less than 181 days, you must submit an application for reemployment within 14 days,

- OR within a reasonable time if you are not at fault;
- If your military service was for 181 days or more, you must submit an application for reemployment within 90 days; or
- If you are hospitalized as a result of your military service, you have a maximum of two years to recover before submitting application for reemployment.

If you completed military service on or before October 5, 1994:

- If you served in a Reserve component of the armed forces and performed active or inactive duty training for any duration of time, you must have reported to work on the next regularly scheduled work day following your release from training, given one day for transport from the place of training, OR within a reasonable time if you were not at fault;
- If you served in a Reserve component of the armed forces and were ordered to initial active duty training of at least twelve weeks, you must have applied for reemployment within 31 days;
- If you were inducted or enlisted in the Armed Forces for any duration of time, you must have applied for reemployment within 90 days of your release from the Armed Forces; or
- If you were hospitalized as a result of your military service, you had up to one year to recover before initiating reemployment.
- If you cannot meet the requirements for initiating reemployment listed above, you may still qualify to receive military service credit under state law. Contact your retirement benefit specialist for further information.

How much am I required to pay?

You must pay into the retirement funds the same amount of money you would have contributed to the system if you had not interrupted your employment with military service.

You must present proof of your military service and make the required payments before June 30th of the fifth year after you return to PERS-covered employment.

Those who fail to establish military service credit within the five year limit have the option of purchasing service credit by paying the actuarial value of the resulting increase in their benefit.

Note: Effective July 24, 2005, a member who becomes totally incapacitated for continued employment as a result of service in the uniformed services of the United States, or the surviving spouse or eligible children of a member who dies while serving in the uniformed services of the United States may apply for interruptive military service credit. The member or eligible spouse or children would pay only the employee contributions.

To find out if you are eligible to receive interruptive service credit, send your request for a determination along with documentation of your military service, such as a DD214 form, to your retirement system for review.

If you have questions, contact DRS.

Contacting DRS

For more information about your plan, refer to your *PERS Plan 1 Member Handbook*, visit the DRS website, or contact DRS directly. DRS office hours are 8 a.m. to 5 p.m., Monday through Friday, except legal holidays.

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