

# The Survivor's Benefit Program

for

## **New York State**

Employees



New York State Office of the State Comptroller  
**Thomas P. DiNapoli**

New York State and Local Retirement System



Employees' Retirement System  
Police and Fire Retirement System

*The Survivor's Benefit Program is a financial protection plan that will provide a minimum death benefit to your survivors, if you are an eligible New York State employee. You may be eligible even if you are not a member of the New York State Employees' Retirement System (ERS), the New York State Police and Fire Retirement System (PFRS), the New York State Teachers' Retirement System (NYSTRS), or the State University Optional Retirement Program (TIAA/CREF).*

## What are the eligibility requirements?

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There is no need to enroll — your beneficiary is eligible to receive this benefit if, at the time of your death, you were a full-time employee or officer of New York State whose regularly scheduled work week equaled 20 or more hours (or your annual salary was at least 1,000 hours times the State minimum wage), and your salary was paid directly from State funds.

Additionally, you must meet one of the following requirements at the time of your death:

- You were on the State payroll for at least 90 days out of the 120 days immediately preceding your death. (If you entered State service at age 65 or older, you must have at least one year of continuous service to qualify); **OR**
- You have at least one year of State service and die while on the State payroll following your return from an authorized leave of absence without pay; **OR**
- You have at least one year of State service, were on a State payroll within the last six months and your death occurs while on an authorized leave without pay (and you were not otherwise gainfully employed); **OR**
- You have at least five years of State service, were on the State payroll within the last 12 months and your death occurs while on an authorized leave without pay (and you were not otherwise gainfully employed).

If your death occurs within 30 days after you leave State service and prior to the effective date of your retirement, your beneficiary may still be eligible to collect a benefit.

**NOTE:** The service requirement is waived if your death occurs as the result of an on-the-job accident and an accidental death benefit is paid on your behalf by your retirement system.

## **How much will my beneficiary receive?**

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The amount of the benefit varies depending on several factors and whether you are a member of a retirement system.

If you **are not** a member of a State retirement system or TIAA/CREF:

- The benefit payable to your beneficiary is equal to one-half of your annual salary, up to a maximum of \$10,000.
- The minimum benefit payable is \$2,000.

If you **are** a member of a State retirement system or TIAA/CREF:

- This program supplements the ordinary death benefit payment from your retirement system if that payment is less than one-half of your annual salary or if you do not qualify for any ordinary death benefit payment.
- The maximum total amount payable to your beneficiary cannot exceed \$10,000. This includes the ordinary death benefit payment paid by your retirement system plus your survivor benefit. If your beneficiary is eligible to receive an ordinary death benefit of more than \$10,000 from your retirement system, this program will not provide any additional benefit.

- The minimum total benefit payable to your beneficiary will be \$2,000. This includes the ordinary death benefit payment paid by your retirement system plus your survivor benefit.
- If an accidental death benefit is paid by your retirement system, a \$2,000 survivor's benefit will be paid to your beneficiary.

## **Who is my beneficiary for this benefit?**

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If you **are not** a member of a State retirement system or TIAA/CREF:

- You must designate a beneficiary to receive the survivor's benefit. Request a Non-Member Employee Designation of Beneficiary Form (RS6357) from your employer and return the completed form to your personnel office.

If you **are** a member of a State retirement system or TIAA/CREF:

- It is the same beneficiary you designated to receive your ordinary death benefit.
- You may change your beneficiary designation with your retirement system.

Ordinarily, no action by your beneficiary is necessary. Upon your death, your employing agency will notify the Survivor's Benefit Program.

## **Divorce**

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It is especially important you review the beneficiary designation for your survivor benefit if you are divorced. Effective July 7, 2008, the beneficiary

designation for certain benefits, including the survivor benefit, can be revoked when a divorce, annulment or judicial separation becomes final.

For more information on how your pension benefits can be affected by divorce, consult your attorney, contact our Matrimonial Bureau, read our guide to domestic relations orders available on our website at [www.osc.state.ny.us/retire/publications](http://www.osc.state.ny.us/retire/publications) and review our Divorce FAQs at [www.osc.state.ny.us/retire/members/divorce/faq/index.php](http://www.osc.state.ny.us/retire/members/divorce/faq/index.php).

## **Where can I get more information?**

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Your employer's benefits administrator will be able to answer questions you or your beneficiary may have about this benefit. You may also contact our Call Center toll-free at 1-866-805-0990, or 518-474-7736 within the Albany, New York area, or write to us at the following address. Your Social Security number and your current State employer should be included on any correspondence:

New York State and Local  
Retirement System  
Survivor's Benefit Program  
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Albany, NY 12244-0001.

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