



2024

Annual Delegates Meeting

The Return of Max Benefit's Retirement Quest

NYSTRS' PENSION BENEFITS ARE GUARANTEED BY THE NYS CONSTITUTION.

{TRUE}

Answer:

- **Article 5, Section 7:**
“... membership in any [state] retirement system...shall be contractual..., the benefits of which shall not be diminished or impaired.”
- This protection is largely why NYSTRS has six tiers of membership. If the legislature determines that the benefits being offered public pensioners needs to be adjusted or reduced, this protection prohibits any changes that could be viewed as a diminishment of previously contracted benefits. The result is a new set of retirement laws (Tiers) that apply the needed adjustments without impairing the benefits of current members.

THE 2013 LEGISLATION ESTABLISHING TIER 6 WAS THE FIRST TO REQUIRE MANDATORY PENSION CONTRIBUTIONS FOR THE MEMBER'S ENTIRE CAREER.

{FALSE}

Answer:

- Tier 2 is the only tier that was established without a requirement to make mandatory contributions.
- The original legislation for Tiers 3 & 4 required mandatory contributions for the entire career.
- Article 19 legislation passed in 2000 stopped the 3% contribution rate for Tier 3 and 4 members, after 10 years of service or membership.

MEMBERSHIP IN NYSTRS IS MANDATORY FOR ALL EDUCATORS OUTSIDE OF NYC.

{FALSE}

Answer:

You must join NYSTRS if you are employed under all of the following conditions:

- As a teacher, teaching assistant, guidance counselor, educational administrator, or any other title covered by this System, and
- By a New York State (excluding New York City) public school district or BOCES, or by a charter school that has chosen to participate as an employer in NYSTRS, and
- Full-time every workday for the full day, as defined in the appropriate contract or job description, through the end of the school year.

You may join if:

- You are employed less than full time in any of the positions and by any of the employers listed above, or
- You are employed by a New York State community college or SUNY in a teaching position (excluding graduate assistants or teaching assistants). Alternatively, you could join the Optional Retirement Program.

NYSTRS SENDS EACH OF ITS MEMBERS A POCKET CALENDAR EACH YEAR.

{FALSE}

Answer:

- The calendars are sent to you as a courtesy by your union, NYSUT.
- Based on the number of calls we get inquiring about them, they must be very nice calendars. 😊



A DISTRICT EMPLOYEE WORKING IN THE TITLE OF TEACHER AIDE IS NOT ELIGIBLE FOR MEMBERSHIP IN NYSTRS.

{TRUE}

Answer:

- The title of Teacher Aide reports to the New York State and Local Retirement System (NYSLRS).
- Teacher aides generally perform non-instructional services under supervision determined by the local school district, consistent with Civil Service Law.
- Teaching assistants perform instructional services under the direction of a licensed or certified teacher and are required to pass an examination. The Teaching Assistant title does report to NYSTRS.

A POST-RETIREMENT DEATH BENEFIT IS AVAILABLE FOR ALL QUALIFYING MEMBERS IN ALL TIERS OF MEMBERSHIP.

{FALSE}

Answer:

- Tier 1 legislation provides no post-retirement death benefit.

Hot Topics - Round 1: PRIOR SERVICE

WHICH OF THE FOLLOWING EMPLOYERS IS NOT CONSIDERED A NYS PUBLIC EMPLOYER?

Answer:

- The correct answer is the SUNY Research Foundation.
- NYS public work covers a wide variety of employer types.

WHAT IS THE MOST DANGEROUS LAND ANIMAL IN AFRICA?

Answer:

- The correct answer is hippopotamus.
- They look cute and friendly, but we recommend not trying to hug one.



HOW MANY YEARS OF NYSTRS SERVICE MUST BE CREDITED IN YOUR CURRENT MEMBERSHIP TO BE ELIGIBLE TO PURCHASE PRIOR SERVICE?

Answer:

- You must have accumulated 2 years of service credit with NYSTRS before you may purchase prior service.
- You can and should begin the process of obtaining verification of that service as soon as you join NYSTRS.

WHICH OF THE FOLLOWING STATEMENTS ABOUT PRIOR SERVICE CREDIT IS NOT TRUE?

Answer:

- Payments for prior service can be made by personal or bank check, money order, or by rolling money from a qualified deferred compensation plan.

Hot Topics - Round Two: TRANSFERS AND REINSTATEMENT

WHAT IS THE FIRST STEP TO TAKE IF YOU WANT TO TRANSFER MEMBERSHIP FROM ANOTHER NYS PUBLIC RETIREMENT SYSTEM TO NYSTRS?

Answer:

- The member will file the appropriate form(s) with the retirement system they are leaving.
- The other retirement system will send a request to NYSTRS to verify that the individual has an active NYSTRS membership. NYSTRS will complete and return that form to the other retirement system and will also send a letter to the member letting them know we received that notice from the other retirement system.
- The other system will send the member's date of membership, service and contribution breakdown to NYSTRS.
- Once NYSTRS has received all the information from the other retirement system, we will convert the service if necessary (NYSLRS) and compare it to the member's



NYSTRS service. When NYSTRS has completed our review, the member's date of membership will be adjusted (if earlier), and the service and contributions posted to their account. If the date of membership and/or service credit changes the member's contribution status (to Tier 3/4 non-contributory), NYSTRS will notify both the member and their current employer.

A NEW MEMBER JOINS NYSTRS TODAY AND INITIATES A TRANSFER OF THEIR ACTIVE TIER 4 MEMBERSHIP FROM NYSLRS. WHICH OF THE FOLLOWING IS TRUE?

Answer:

- Once the transfer of membership is complete, the member's NYSTRS date of membership changes to the earlier date of membership with NYSLRS. The earliest date of membership determines the member's tier, changing this member from Tier 6 to Tier 4.
- Mandatory contributions to NYSTRS cease, the employer is notified, and the member's contributions are refunded back to the beginning of the school year in which the transfer was initiated.
- If the member has an outstanding loan balance with NYSLRS and transfers their membership to NYSTRS, NYSTRS will re-establish the loan after the transfer is completed, and the member will continue making loan repayments to NYSTRS.
- NYSTRS is a 9-month retirement system; therefore, when service is being transferred from a 12-month retirement system such as NYSLRS, NYSTRS must convert the service to a 9-month basis. In addition, different retirement systems use different fiscal years. For example, the TRSNYC year runs from September 1 – August 31 and the NYSLRS year runs from April 1 – March 31. Therefore, service may overlap with NYSTRS service (July 1 – June 30) a little differently than the member might expect.

WHICH OF THE FOLLOWING STATEMENTS ABOUT REINSTATEMENT OF AN INACTIVE NYS PUBLIC RETIREMENT SYSTEM MEMBERSHIP IS TRUE?

Answer:

- To reinstate a former (ceased or withdrawn) membership, a member must file an *Election to Reinstate* (RIS-1) or elect reinstatement on an *Application for Membership* (NET-2).
- NYSTRS requests documentation of the previous membership from the other retirement system, including information about service and salary, withdrawn contributions, and date of membership.



- The cost to reinstate represents mandatory contributions, plus interest. Since Tiers 1 and 2 did not contribute to NYSTRS, there is no cost for the member to reinstate a former Tier 1 or Tier 2 membership.
- If reinstating a former Tier 3-6 membership, the member will be required to repay, in a lump sum with interest, the amount refunded from the previous membership.
- The member may choose to instead purchase the reinstatement as prior service to purchase school years separately. The date of membership and tier will not change until all the service credit has been purchased. If the member decides to purchase the service as prior service, they must have 2 years of active membership service with NYSTRS to do so. Once all the service credit is purchased, they will need to request reinstatement.
- As vesting requirements have changed, members that previously ceased due to insufficient service may be able to collect a benefit based on these changes. To reinstate with 1 day of service the member must join the system as a Tier 6 member and work at least one day in a reportable title. On the application they will elect reinstatement. As long as the former membership has at least 5 years of service credit they will then be able to file an Application for Retirement and collect a pension.
- Electing to reinstate is an irrevocable decision. While in most cases reinstatement to an earlier tier of membership is beneficial, it is important to contact NYSTRS to discuss the advantages and disadvantages of a possible reinstatement.

True or False:

A MEMBER IS ONLY ELIGIBLE TO TRANSFER AN ACTIVE MEMBERSHIP INTO THE NYS PUBLIC RETIREMENT SYSTEM WHERE THEY WERE LAST REPORTED WITH SERVICE.

{TRUE}

Answer:

- A member may transfer active memberships between public retirement systems throughout their active career, but transfers can only go in the direction of the most recent employer. For example, a member has a vested membership in the TRSNYC but has been working for the last ten years for a NYSTRS employer. The member may transfer the TRSNYC membership to NYSTRS, but may not transfer the NYSTRS membership to TRSNYC.
- Each NYS public retirement system has system-specific rules surrounding transferred service, many requiring specific amounts of “current membership service” before accepting a member transfer from another system. It is important to consult with both systems before initiating a transfer.



A MEMBER CAN ROLL OVER MONEY FROM A QUALIFIED DEFERRED COMPENSATION ACCOUNT TO PAY THE COST TO REINSTATE A FORMER MEMBERSHIP.

{TRUE}

- Members are required to pay the full calculated cost of the reinstatement.
- NYSTRS will accept a check or money order for payment.
- A member may use abandoned funds from a ceased NYSTRS membership if they have not formally withdrawn or been refunded contributions at the time the membership ceased.
- Finally, a member can roll money without tax penalties from a qualified deferred compensation plan to pay the cost of reinstatement.

Examples of acceptable sources of pre-tax money are:

- 403(b) tax-sheltered annuity
 - 457(b) governmental deferred compensation plan
 - 408(a) traditional IRA
 - 401(a) qualified plan including a 401(k) qualified plan
- **The qualified rollover account must be in the member's name.**
- **Rollovers from Roth plans (IRA or 401(k)) cannot be accepted and will be returned to the original source.**
- **A transfer from a non-governmental 457 plan is not permitted under the law at this time.**

Hot Topics - Round Three: RESOURCES AND RETIREMENT

MNYSTRS IS A POWERFUL SELF-SERVICE TOOL. WHICH OF THE FOLLOWING TASKS CANNOT BE COMPLETED WITH A MNYSTRS ACCOUNT?

Answer:

- Currently, NYSTRS does not accept documents through the MyNYSTRS portal.
- You can file for service and disability retirement, put an application "for protection only" on file if you are ill, update beneficiaries, get loan estimates and apply for a loan, access your most recent benefit profile, update your contact information, update prior service costs, schedule appointments, register for free seminars and events, run pension estimates, send secure email messages, and more!



ESTABLISHED IN 1885, WHICH OF THE FOLLOWING NYS PARKS IS THE OLDEST STATE PARK IN THE UNITED STATES?

Answer:

Niagara Falls State Park is the oldest State Park in the U.S.

WHICH OF THE FOLLOWING FREE NYSTRS RESOURCES IS BEST SUITED FOR MEMBERS AT MID- TO LATE- CAREER?

Answer:

- The Pension & Retirement Education Program (PREP) is designed to help members in mid- to late- career who are beginning preparations for a secure retirement.
- In addition to general information about pension benefit calculations and pension payment options, attendees will receive information about deferred compensation, social security, and estate planning.
- Attending these additional sessions at mid- to late- career can provide members with enough knowledge to form a more robust retirement plan and, most importantly, the time necessary to put those plans into action.

IF A MEMBER PLANS TO RETIRE ON JULY 1, THE MEMBER MUST SUBMIT THEIR APPLICATION TO NYSTRS BY:

Answer:

- Members may submit their retirement applications as early as 90 days in advance of their dates of retirement.
- NYSTRS recommends members submit applications 30 days in advance of their dates of retirement to allow more service and salary to be verified before the initial payment amount is calculated.
- Members may submit their applications on their MyNYSTRS accounts or by using a NYSTRS-approved, trackable mail option as late as their actual date of retirement.

WHAT FICTIONAL TEACHER DRIVES A MAGIC SCHOOL BUS??

Answer:

- Ms. Valerie Frizzle

