



# Colorado PERA LEAVES AND SABBATICALS

If you leave work temporarily, it may be appropriate to take a leave of absence rather than terminate your employment. You are “on leave” if you are still considered an employee by your employer. The length of time you are on leave is agreed upon by you and your employer, and could be one day, several months, or longer. Colorado PERA rules apply to leaves longer than one month.

- ▶ On January 1, 2010, the Denver Public Schools Retirement System (DPSRS) merged with PERA and as of January 1, 2010, DPSRS ceased to exist. If you had an account at DPSRS, your account is now a PERA account under the DPS benefit structure. Therefore, you may have two member contribution accounts with PERA; one under the PERA benefit structure and one under the DPS benefit structure. Many of the leaves and sabbaticals provisions are the same for both benefit structures; differences are noted.

## LEAVE OF ABSENCE

If you are on leave for one calendar month or longer, your employer needs to submit to PERA a completed *Certification of Leave of Absence* form so that your PERA membership rights continue, even though you are absent from work. This completed form should be sent to PERA within 90 days of the first day of your leave. Your member contribution account cannot be withdrawn while you are on any type of leave of absence because employment has not terminated.

### Under the PERA Benefit Structure

If you die while on a certified leave of absence and you have at least one year of PERA service credit, a monthly benefit may be paid to your qualified survivors. If you die with no qualified survivors, your named beneficiary or estate will receive a lump-sum payment of your member contributions plus interest and a 100% matching amount.

### Under the Denver Public Schools (DPS) Benefit Structure

If you die while on a certified leave of absence and you have at least five years of continuous service credit, a monthly benefit may be paid to your qualified survivors. The time you are on a leave of absence will only count toward the five years of continuous service credit if you are on a sabbatical leave or on leave for health reasons and receive half-salary. Leave without pay is not an interruption of service, but it is not included in the required five-year period. If you die with no qualified survivors, your named beneficiary or estate will receive a lump-sum payment of your member contributions plus interest.

There are three basic types of leaves of absence that could affect your PERA account:

- » Leave without pay
- » Paid sabbatical leave
- » Military leave

*(Continued on next page)*



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## LEAVE WITHOUT PAY

A leave without pay is any period of certified absence one calendar month or longer in which you do not receive a salary, but the employee/employer relationship continues. Since you are not contributing to PERA during this time, you will not receive any service credit. However, any benefits you earned before you went on leave will not change.

As long as your employer has certified your leave with PERA, you will keep any survivor benefit protection or eligibility to apply for disability benefits that you had earned before going on leave without pay.

If you take a leave for health or disability reasons and you have at least five years of earned service credit, you may be eligible for a PERA disability benefit.



See the *PERA Disability Program* booklet for more information.

## PAID SABBATICAL LEAVE

A paid sabbatical leave is a period of absence usually for educational or research purposes, during which you receive a partial or full salary. You and your employer must continue to make contributions on the salary you receive during a sabbatical leave. If the monthly salary you earn during your leave is at least 80 times the federal minimum wage hourly rate in effect at the time of service, then you will earn full service credit for that month.

If you receive partial salary during your sabbatical, you have the option of purchasing service credit to equal the amount you would have earned with your full salary. (If you are receiving full service credit, no purchase is allowed.) This purchase may be made concurrently during the leave (with no interest charged), or any time after the sabbatical leave, but must be made prior to ending employment (with interest charged).

Installment payments to purchase this service credit may be made over a period of time equal to the length of your sabbatical leave or the specified maximum period set by the PERA Board of Trustees, whichever is less.

While you are on a paid sabbatical leave, your survivor benefit protection and disability protection will continue as provided for in state law.

## MILITARY LEAVE

State and federal laws grant certain rights to PERA members whose employer places them on military leave to enter active uniformed service in any branch of the United States military. A military leave preserves the employee/employer relationship until the member returns to employment.

The following are the PERA benefits and programs affected by military leave:

### Contributions

If you are paid a salary by your employer during your military leave, you and your employer are required to make contributions to PERA while you are on military leave.

### Disability Benefits

If you become disabled while on active military duty, PERA disability benefits may be paid if you meet all other requirements.

### Life Insurance

Life insurance coverage through Unum (PERA's life insurance program administrator) will continue as long as premiums are paid. Once you stop receiving a check from your employer, you may make direct payments to Unum by check or through direct deposit.

### PERAPlus 401(k)/457 Plans

Upon re-employment with your employer, you may make up your PERAPlus 401(k) and/or 457 Plan contributions and take three times the period of military service to do so (not to exceed five years).

If you choose to make up PERAPlus 401(k) contributions and your employer also matches your contributions, your employer must pay the corresponding employer contributions.

If you have a PERAPlus 401(k) and/or 457 Plan loan when you go on military leave, your interest may be reduced, but will continue to accrue, and payments may be suspended. Your loan will become payable upon returning to work from military leave.

If you are a re-employed veteran making designated Roth contributions, they are treated as made in the taxable year of qualified military service that you designate as the year to which the contributions relate.

- ▶ For more information, call PERA's Customer Service Center at 1-800-759-7372 or call PERA's DC Team at 303-398-7665.

### Survivor Benefits

If you die while on active military duty, survivor benefits may be paid if you had earned one year of service credit under the PERA benefit structure or five years of continuous service credit under the DPS benefit structure at the time of your death and you meet all other requirements.

### MILITARY LEAVE PROVISIONS SPECIFIC TO MEMBERS UNDER THE PERA BENEFIT STRUCTURE

Members who temporarily leave PERA employment to serve in the military may be granted up to five years of PERA service credit for military service rendered.

No member or employer contributions are required in order for up to five years of PERA service credit to be granted for periods of active duty in the military.

During military leave, you are granted service credit only, and this time has no effect on your Highest Average Salary (HAS), unless you elect to make up your member contributions.

The following requirements must be met for service credit to be granted:

- » You must be covered by PERA at the time the military service began.
- » Your military leave must be certified by your employer when you begin your leave.
- » You must resume PERA-covered employment upon discharge from active military duty.
- » Your period of active military duty must be properly verified and must not represent a period for which PERA service is already credited.
- » You must purchase all service credit forfeited by a refund of member contributions.

### MILITARY LEAVE PROVISIONS SPECIFIC TO MEMBERS UNDER THE DPS BENEFIT STRUCTURE

Members who temporarily leave PERA employment to serve in the military may "make up" member contributions that would have been made if they had not been on military leave. Service credit may be granted in proportion to the amount of contributions that are made up after the member returns to PERA employment. For more information, see "Make-Up Contributions" on page 4.

### FEDERAL LAW CONCERNING MILITARY LEAVE

The Uniformed Services Employment and Reemployment Rights Act (USERRA) contains specific provisions relating to retirement benefits for re-employed veterans returning from active duty in the military. The general pension-related provisions of USERRA and how they apply to PERA members under all benefit structures are described on page 4.

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## Make-Up Contributions

- » Upon re-employment with your employer, you may elect to “make up” member contributions that you would have made if you had not been on military leave.
- » Starting with the date of your re-employment, you may take three times the immediate past period of military service, not to exceed five years, to make up your member contributions.
- » If you choose to make up member contributions, your employer must make up the following:
  - Employer contributions
  - Amortization Equalization Disbursement (AED)
  - Supplemental AED (SAED)
  - Accrued interest on the member and employer contributions
- » The make-up period begins as soon as you are re-employed and make-up contributions must be completed while you are still employed with the post-service employer.
- » No interest will be charged to you on any make-up contributions.

## Purchasing Service Credit

If you are purchasing service credit in installment payments when you go on military leave, the interest rate may be lowered as allowed by law, however, payments are still required.

## PERA Service Credit

- » If you are under the PERA benefit structure, you may be granted up to five years of service credit as described on page 3. The salary that would have been paid had you not been on leave is applied to periods of service credit for which contributions are made up. This salary can count toward your HAS.
- » If you are under the DPS benefit structure, you will receive service credit (up to five years) proportionate to the amount of contributions which are made up.

## The HEART Act

The Heroes Earnings Assistance and Relief Tax (HEART) Act provides tax breaks and benefits for active military reservists and applies as soon as the employee is called to active military duty.

The HEART Act mandates that survivors of employees who die while performing military service, as defined under USERRA, are entitled to survivor benefits as if the employee had resumed and then terminated employment because of the death. The HEART Act also features various changes and tax benefits regarding in-service distributions from an employee’s PERAPlus 401(k)/457 Plan account while that employee is on active military leave.

## ▶ ACCESSING YOUR PERA ACCOUNT

Accessing your PERA account online puts all your PERA information right at your fingertips.

You can see how much money you’ve contributed so far, estimate your future retirement check, update your contact information, and more.

- » To create an online user profile, click the “Member Login/Registration” button on [copera.org](http://copera.org). Then click “Register as a new user.” You will enter your personal information, verify your identity, and set up your User ID and password.
- » You will also be required to enroll in multifactor authentication. With multifactor authentication, you access your information online using not only your User ID and password but also a secure code or push notification sent to your home or mobile phone.
- » If you have any questions about accessing your account, please call PERA’s Customer Service Center at 1-800-759-7372.