

The Survivor's Benefit Program

for New York State Employees



Office of the New York State Comptroller
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NYSLRS

New York State and Local Retirement System

The Survivor's Benefit Program

The Survivor's Benefit Program provides 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).

What are the eligibility requirements?

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 the 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?

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

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

- 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 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 an additional benefit.
- The minimum total benefit payable to your beneficiary will be \$2,000. This includes the ordinary death benefit 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.

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

- 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.

Who is my beneficiary for this benefit?

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

- Your beneficiary is the same beneficiary you designated to receive your ordinary death benefit.
- You may change your beneficiary designation with your retirement system. NYSLRS members can sign in to *Retirement Online* (web.osc.state.ny.us/retire/sign-in.php) to view or change your beneficiaries, or complete a Designation of Beneficiary form (RS5127) (www.osc.state.ny.us/files/retirement/forms/pdf/rs5127.pdf), and mail it to NYSLRS.

If you **are not** a member of a State retirement system or TIAA, 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.

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

Divorce

If you are divorced, it is especially important to review the beneficiary designation for your survivor benefit. As of July 7, 2008, the beneficiary designation for certain benefits, including the survivor's benefit, are revoked when a divorce, annulment or judicial separation becomes final, unless the terms of a Domestic Relations Order (DRO) specify otherwise.

For information about how divorce may affect retirement benefits, visit our Divorce and Your Benefits webpage at www.osc.state.ny.us/retirement/members/divorce/overview.

Where can I get more information?

Your employer's benefits administrator should be able to answer questions you or your beneficiary may have about this benefit.

If you have questions or need more information, we're glad to help.

- **Email:** www.emailNYSLRS.com
- **Call:** 866-805-0990; or
- **Write:** NYSLRS
110 State Street
Albany, NY 12244-0001

The last four digits of your Social Security number (or NYSLRS ID if you are a New York State and Local Retirement System member) and your current State employer should be included on any correspondence.

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