

# WILDLIFE AGENTS

[Hired Prior to January 1, 2011]

(La. R.S. 11:581 – 592)

This chapter pertains to Wildlife Agents employed by the Enforcement Division of the Louisiana Wildlife and Fisheries Commission hired prior January 1, 2011 (Wildlife Agents).

## Contribution Rate

(La. R.S. 11:62(5)(d))

Wildlife Agents pay a contribution rate of 9.5 percent.

**HISTORICAL NOTE:** Prior to **July 1, 2003**, Wildlife Agents paid a contribution rate of 8.5 percent. The contribution rate change accompanied a change in retirement eligibility and an increase in the benefit accrual rate from 3.0 percent to 3.33 percent.

## Retirement Eligibility (Regular Retirement and IBO)

If you are a Wildlife Agent, your eligibility for Regular retirement depends on your date of hire.

If you were hired as a Wildlife Agent **on or before June 30, 2003**, you become eligible for retirement upon reaching one of the following criteria:

- 10 years of service credit at age 55
- 20 years of service credit at any age

If you were hired as a Wildlife Agent **on or after July 1, 2003**, you become eligible for retirement upon reaching one of the following criteria:

- 10 years of service credit at age 60
- 25 years of service credit at any age

With less than 10 years service as a Wildlife Agent, combined with the other service credit that you obtained, you are eligible to retire when you meet the above requirements, but your benefit will be calculated at a lower rate.

## DROP Eligibility

If you are a Wildlife Agent, you become eligible for DROP upon reaching one of the following criteria, providing that you had at least 10 years as a Wildlife Agent immediately before your application:

- 10 years of service credit at age 60
- 25 years of service credit at any age

## Benefit Accrual

Your average compensation will be based on your highest successive 36 months of earnings.

If you have at least 10 years of service credit earned as a Wildlife Agent immediately prior to application for retirement, you will accrue benefits as follows:

- 3 percent of your average compensation per year for all years prior to July 1, 2003
- 3.33 percent of your average compensation per year for all years after July 1, 2003

If you have unused accumulated leave, it will be calculated at 3.33 percent of your average compensation.

If you do not have at least 10 years of service credit earned as a Wildlife Agent immediately prior to your application for retirement, you accrue benefits at 2.5 percent of your average compensation per year. Your unused accumulated leave will also be calculated at 2.5 percent.

### EXAMPLE

James is retiring at age 52 with 20 years of service credit as a Wildlife Agent. He has an annual final average compensation of \$54,000.00, so his base retirement benefit would be calculated in the following manner:

$$\begin{array}{r}
 \$54,000.00 \\
 \text{average} \\
 \text{compensation}
 \end{array}
 \times
 \begin{array}{r}
 .0333 \\
 \text{accrual rate}
 \end{array}
 \times
 \begin{array}{r}
 14.0 \\
 \text{years of service} \\
 \text{prior to July 1, 2003}
 \end{array}
 =
 \begin{array}{r}
 \$22,680.00 \text{ per year} \\
 (\$1,890.00 \text{ per month})
 \end{array}$$

$$\begin{array}{r}
 \$54,000.00 \\
 \text{average} \\
 \text{compensation}
 \end{array}
 \times
 \begin{array}{r}
 .0333 \\
 \text{accrual rate}
 \end{array}
 \times
 \begin{array}{r}
 6.0 \\
 \text{years of service} \\
 \text{after to July 1, 2003}
 \end{array}
 =
 \begin{array}{r}
 \$10,789.20 \text{ per year} \\
 (\$899.10 \text{ per month})
 \end{array}$$

**Total benefit = \$33,469.20 per year (\$2,789.10 per month)**

If James had not worked his last 10 years as a Wildlife Agent he would still be eligible to retire with 20 years of service credit, but he would accrue benefits at only 2.5 percent. His retirement benefit would be calculated in the following manner:

$$\begin{array}{r}
 \$54,000.00 \\
 \text{average} \\
 \text{compensation}
 \end{array}
 \times
 \begin{array}{r}
 .025 \\
 \text{accrual rate}
 \end{array}
 \times
 \begin{array}{r}
 20.0 \\
 \text{years of service}
 \end{array}
 =
 \begin{array}{r}
 \$27,000.00 \text{ per year} \\
 (\$2,250.00 \text{ per month})
 \end{array}$$

## Limits on Final Average Compensation (La. R.S. 11:403(5))

When calculating your retirement benefit, the earnings used for your average compensation may be capped in order to avoid excessive spikes in compensation.

The earnings to be considered for the 13<sup>th</sup> through the 24<sup>th</sup> month shall not exceed 125 percent of the earnings of the 1<sup>st</sup> through the 12<sup>th</sup> month. The earnings to be considered for the final 12 months shall not exceed 125 percent of the earnings of the 13<sup>th</sup> through the 24<sup>th</sup> month.

## Hazardous Duty Services Plan

Wildlife Agents hired prior to January 1, 2011, are eligible to join the Hazardous Duty Services Plan. Please refer to chapter 23 which describes that plan's benefits and the options available for past service.

## Disability Benefits (disability not incurred in the line of duty)

If you become partially disabled or incapacitated because of illness or injury, even though not incurred in the line of duty, and you have at least 10 years of service credit, you may retire with 75 percent of the retirement benefit you would receive if you had reached eligibility for Wildlife retirement.

### Important Note About Insurance

If you receive Disability retirement, your agency may be responsible for paying 75 percent of your Office of Group Benefits (OGB) health insurance premium. In order to qualify, you must have participated in OGB for 10 years. Please contact your Human Resources Office for any insurance questions.

## Disability Benefits (disability incurred in the line of duty)

If you become totally disabled as result of an injury received in the line of duty, you will receive a monthly benefit of 60 percent of your final

average compensation. If the injury is the result of an intentional act of violence, you may receive a monthly benefit of 100 percent of your final average compensation.

### Important Note About Insurance

If you are approved for disability retirement, your agency may be required to pay the 75 percent participation rate for your Office of Group Benefits health insurance premium, if you were enrolled in the OGB program. Please contact your Human Resources Office for any insurance questions.

For the details on Disability Retirement application, certification, and continuing benefits, see chapter 16 on Disability Retirement for Regular Members.

## Forced Retirement

If the Secretary of the Department of Wildlife and Fisheries believes that a Wildlife Agent is unable to satisfactorily perform his duties because of illness or injury, the Secretary can request that the Agent voluntarily retire. If the Agent refuses, the Secretary may request that the employee be retired, and receive the benefit to which he would be entitled.

## Survivor Benefits (not killed in the line of duty)

If you die prior to retiring for reasons unrelated to the performance of your duties, your surviving spouse or heirs will receive the same pension benefits you would have received if you had retired on the date of your death. If you die prior to age 55, and had at least 15 years of service credit, benefits for your survivors will be computed solely on the number of years of service without regard to your age at the time of death.

Those entitled to receive a survivor benefit include your surviving spouse (until remarried) and your minor children. If you have no surviving spouse and no minor children, a monthly pension will be paid to your parent or parents, if one or both of them derived their main support from you.

## Survivor Benefits (killed in the line of duty)

If you die as the result of an injury received in the line of duty, the following survivor benefits are payable:

### Surviving Spouse (until remarriage)

- If you had 25 years of service, your spouse will receive a benefit of 75 percent of your average compensation.
- If you had less than 25 years of service, your spouse will receive a benefit of 60 percent of your average compensation.
- If your death is the result of an intentional act of violence, your spouse may receive a benefit of 100 percent of your average compensation, regardless of your years of service.

### Minor Children (if no eligible surviving spouse)

- Four or more children — a benefit of 60 percent of your average compensation divided equally among them.
- Three children — a benefit of 50 percent of your average compensation divided equally among them.
- Two children — a benefit of 40 percent of your average compensation divided equally among them.
- One child — a benefit of 30 percent of your average compensation.
- If your death is the result of an intentional act of violence, your eligible children may receive a benefit of 100 percent of your average compensation, shared equally among them.

A minor child is an unmarried child under the age of 18 or an unmarried student under the age of 23. When a child is no longer a minor, he shall receive no further benefit. The monthly pension for the ineligible survivor will not be redistributed to remaining survivors.

## Dependent Parents

- If you have no surviving spouse and no minor children, a monthly pension of 25 percent of your average compensation will be paid to your parent or parents, if one or both of them derived their main support from you. The benefit may be 100 percent of your average compensation if your death is the result of an intentional act of violence.

## Survivor Benefits for Retired Wildlife Agents

If you die after your retirement, 75 percent of your monthly retirement benefit will be paid to your survivors in the following order of priority:

1. Surviving spouse (until remarriage)
2. Minor children
3. Parent(s) who derived their main support from you

Because your benefits are directed to survivors by statute, it is not necessary for you to choose a retirement option as a Regular Member would. ■