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Overview

This chapter pertains to wildlife agents employed by the Enforcement Division of the Louisiana Wildlife and Fisheries Commission hired prior to January 1, 2011. This chapter will cover retirement eligibility, disability retirement, and survivor benefits for the Wildlife Agents plan.

Membership into the Wildlife Agents plan is closed to new employees. Wildlife agents first hired on or after January 1, 2011, must be enrolled in the Hazardous Duty Services Plan (HAZ Plan). Wildlife agents hired prior to January 1, 2011, may elect to irrevocably join the HAZ Plan. For more information on the HAZ Plan, refer to [Chapter 17: Hazardous Duty Services Plan \(HAZ Plan\)](#).

Contribution Rates for Wildlife Agents Plan

The Wildlife Agents plan has an employee contribution rate of 9.5%. Employer contribution rates change every fiscal year. These rates are determined each year based on an actuarial calculation and are approved by the Public Retirement Systems' Actuarial Committee (PRSAC). Once approved, these rates must be used to calculate employer contributions submitted to LASERS beginning in the July reporting period. This includes payrolls with a check date of July, regardless of when earned. Each year LASERS issues a Liaison Memorandum that includes a chart listing the updated employer contribution rates by retirement plan. For more information on remitting contributions and historical contribution rates, refer to [Chapter 3: Contribution Reporting](#).

Retirement Benefits for Wildlife Agents Plan

The Wildlife Agents plan is considered a specialty plan, meaning that it has its own set of characteristics that are different from those of rank-and-file plans. At the time of retirement, members of the Wildlife Agents plan cannot select a typical retirement option because their benefits are directed by survivor statute. Members of this plan receive the maximum retirement option, which pays the highest benefit to the member until his or her death. Retirement eligibility and benefit accrual rates are determined by the date the member was hired as a wildlife agent. However, eligibility for DROP does not depend on the hire date. For more information on benefit calculation and retirement eligibility for the Wildlife Agents plan, refer to [Chapter 8: Retirement Benefit Calculation & Eligibility](#).

FORCED RETIREMENT

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

Wildlife Agents Plan Characteristics	
Retirement Eligibility* <i>*Members of this plan are eligible to join the HAZ Plan at any time prior to retiring or participating in DROP.</i>	→ Members who were hired prior to July 1, 2003 have the following eligibility requirements: Eligibilities for Regular Retirement and IBO: ❖ 10 years of service credit at age 55 ❖ 20 years of service credit at any age → Members who were hired on or after July 1, 2003 have the following eligibility requirements: Eligibilities for Regular Retirement and IBO: ❖ 10 years of service credit at age 60 ❖ 25 years of service credit at any age <i>Eligibility for DROP is not dependent upon the member's hire date.</i> Eligibilities for DROP: ❖ 10 years of service credit at age 60 – <i>the last 10 years of service credit must be earned as a Wildlife Agent</i> ❖ 25 years of service credit at any age – <i>the last 10 years of service credit must be earned as a Wildlife Agent</i>
Benefit Accrual	If the last 10 years of service were earned as a Wildlife Agent, immediately prior to retirement: ❖ 3% accrual rate for service credit earned prior to July 1, 2003. <i>This accrual rate also applies to service earned in a plan other than Wildlife.</i> ❖ 3½% accrual rate for service credit earned on or after July 1, 2003. <i>This accrual rate also applies to service earned in a plan other than Wildlife.</i> If the last 10 years of service were <u>not</u> earned as a Wildlife Agent, then the member will receive a 2.5% accrual rate for <u>all</u> years served with the said enforcement division. Any service in a non-Wildlife plan will be calculated at the accrual rate at which it was earned.
FAC Period	36 months
Leave Conversion	❖ 3½% if last 10 years were earned as a Wildlife Agent. ❖ 2.5% if last 10 years were <u>not</u> earned as a Wildlife Agent.

NOTE: LASERS highly recommends that members of the Wildlife Agents plan request estimates and schedule individual counseling sessions 18 months prior to retiring or entering DROP, in order to fully understand all of the retirement options and eligibilities that are applicable to this plan.

Disability Benefits for Wildlife Agents Plan

This section includes information on members of the Wildlife Agents plan who become disabled while actively employed in state service. Members who are eligible for Regular retirement, whether active or inactive, are not eligible to apply for Disability retirement.

NON-LINE OF DUTY

A Wildlife Agents plan member who becomes partially disabled or incapacitated because of illness or injury, while not incurred in the line of duty, must have 10 years of service credit to be eligible for a disability benefit. The member will receive 75% of the retirement benefit that he or she would have received if the member had reached eligibility for Wildlife Agents plan retirement. For more information on benefit calculations and eligibility, refer to [Chapter 8: Retirement Benefit Calculation & Eligibility](#).

LINE OF DUTY

Any Wildlife Agents plan member who becomes totally disabled resulting solely from injuries sustained in the performance of his or her official job duties may apply for Disability retirement regardless of his or her years of service in the Wildlife Agents plan. The member will receive a monthly benefit of 60 percent of his or her final average compensation (FAC). For more information on how FAC is calculated, refer to [Chapter 8: Retirement Benefit Calculation & Eligibility](#).

NOTE: *The HAZ Plan offers a line of duty disability benefit of 75% of FAC. Eligible wildlife agents should consider joining the HAZ Plan before applying for disability retirement.*

Intentional Act of Violence

If a member becomes totally and permanently disabled resulting from injuries received while in the line of duty as the result of an intentional act of violence, then the member will receive a disability benefit equal to 100%

of his or her average compensation, regardless of the member's years of service. This must be certified by the agency and is subject to approval by the LASERS Board of Trustees.

Certifying Line of Duty

If a member's injury is sustained in the line of duty, the agency must answer the following three questions on the [Form 04-01A: Disability Report](#) within the Disability Application:

1. Was the disability a result of an injury or accident on the job?
2. If yes, was the injury sustained in the official performance of official duties?
3. If yes, is the member in the Hazardous Duty, Corrections Primary, Corrections Secondary, Wildlife, or Harbor Police Plan and was the injury due to an intentional act of violence? (If yes, [Form 04-01C: Certification of Disability Sustained from an Intentional Act of Violence](#) must be submitted)

[Form 04-01A: Disability Report](#) must be certified by the Human Resources Personnel Officer and submitted along with [Form 04-01: Disability Retirement Application](#).

If the injury was due to an intentional act of violence, [Form 04-01C: Certification of Disability Sustained from an Intentional Act of Violence](#) must be certified by the agency's Appointing Authority and Human Resources Personnel Officer, then submitted to LASERS. Documentation to support the assertion that the injury was sustained as a result of an intentional act of violence should be attached to this certification form. Documentation may include internal investigation reports, reports from outside agencies, and news reports.

THE APPLICATION PROCESS

To apply for Disability retirement, Wildlife Agents plan members must submit the three-part Disability application. For information on the Disability application process and a complete listing of forms and required documents, refer to the sections *The Disability Process* and *Required Documents* in [Chapter 13: Disability Retirement](#).

Survivor Benefits for Wildlife Agents Plan

This section outlines the steps to be taken when a member of the Wildlife Agents plan dies. Survivor benefits for non-line of duty members, active line of duty members, and retired members are paid in the following order of priority:

1. **Surviving spouse** – had to be married to the member on the date of death. Benefit will cease upon remarriage.
2. **Minor child(ren)** – only eligible if there is no eligible surviving spouse. Benefit is divided evenly among all eligible children. Benefit will cease once minor child is no longer eligible to receive a benefit (for more information on eligibility of a minor child, refer to [Chapter 6: Survivor Benefits](#)).
3. **Parent(s) who derived his or her main support from the member** – only eligible if there is no eligible surviving spouse or minor child(ren). If more than one parent derives his or her main support from the member, then the benefit will be equally split between both dependent parents.

If it is determined that no survivor benefits are due, then a refund of contributions will be paid to the last named beneficiary(ies) or the estate of the deceased member. For information on survivor terminology and reporting the death of a member, refer to [Chapter 6: Survivor Benefits](#).

NON-LINE OF DUTY

If an active or inactive member of the Wildlife Agents plan (who was eligible for retirement) dies prior to retiring but not in the line of duty, then the surviving spouse, minor child(ren), or parent(s) will receive the same benefit the member would have received had the member retired on his or her date of death.

If the member dies prior to age 55 and had at least 15 years of service credit, then benefits will be calculated solely on the number of years of service, regardless of the age of the member at the time of death, and will be payable to the surviving spouse, minor child(ren), or dependent parent(s).

LINE OF DUTY

If an active member dies in the line of duty or as a direct result of an injury sustained while in the line of duty, the following survivor benefits are payable:

Surviving spouse

- If the member had 25 or more years of service, then his or her surviving spouse will receive a benefit of 75% of the member's FAC.
- If the member had less than 25 years of service, then his or her surviving spouse will receive a benefit of 60% of the member's FAC.

Minor child(ren)

- Four or more children – will receive a benefit of 60% of the member's FAC divided equally among them.
- Three children – will receive a benefit of 50% of the member's FAC divided equally among them.
- Two children – will receive a benefit of 40% of the member's FAC divided equally among them.
- One child – will receive a benefit of 30% of the member's FAC.

Parent(s) who derived his or her main support from the member

- A monthly benefit of 25% of the member's FAC will be paid to the member's surviving parent or parents.

Intentional Act of Violence

If a member's death resulted from an intentional act of violence, the surviving spouse will receive a survivor benefit calculated at 100% of the member's final average compensation (FAC) regardless of the amount of service credit the member had at the time of death. A surviving spouse is eligible for a benefit regardless of the length of the marriage.

If there is no surviving spouse, or the spouse has remarried, all minor children will equally split the benefit and it will be redistributed when a minor child is no longer eligible to receive the benefit. If there is no eligible spouse or minor child(ren), then the parent(s) who derive his or her main support from the member will receive the survivor benefit.

NOTE: *If a survivor benefit is being split between multiple minor children, the benefit is not redistributed once a minor child is no longer eligible, unless the member's death was the result of an intentional act of violence.*

Certifying Line of Duty

If the member's death is sustained in the line of duty, then the agency must answer the following questions on [Form 03-01: Application for Survivor Benefits](#):

1. Was the member killed as a result of an injury or accident on the job in the official performance of official duties?
2. If yes, was the member in or eligible to enroll in the Hazardous Duty, Corrections Primary, Corrections Secondary, Wildlife, or Harbor Police Plan and was the death due to an intentional act of violence? (If yes, [Form 03-01A: Certification of Death of Intentional Act of Violence](#) must be submitted to LASERS)

[Form 03-01A: Certification of Death from an Intentional Act of Violence](#) must be submitted when a member of the Hazardous Duty, Corrections Primary, Corrections Secondary, Wildlife, or Harbor Police plan, or a member eligible for one of those plans, dies due to an injury sustained while in the line of duty as a result of an intentional act of violence. Form 03-01A must be certified by the Human Resources Personnel Director. Documentation to support the assertion that the death was sustained as a result of an intentional act of violence should be attached to this certification form. Documentation may include internal investigation reports, reports from outside agencies, and news reports.

MEMBERS CURRENTLY IN DROP, WORKING AFTER DROP, OR WORKING AS A RE-EMPLOYED RETIREE

If a wildlife agent dies in the line of duty while participating in DROP, working after DROP, or working as a re-employed retiree, then he or she is eligible for the following survivor benefits:

Surviving spouse will receive the greater of:

- If the member had 25 years of service or more, then his or her surviving spouse will receive a benefit of 75% of the member's FAC.
 - If the member had less than 25 years of service, then his or her surviving spouse will receive a benefit of 60% of the member's FAC
- OR**
- 75% of the member's monthly retirement benefit.

Minor child(ren) will receive the greater of:

- Four or more children – will receive a benefit of 60% of the member's FAC divided equally among them.
 - Three children - will receive a benefit of 50% of the member's FAC divided equally among them.
 - Two children - will receive a benefit of 40% of the member's FAC divided equally among them.
 - One child - will receive a benefit of 30% of the member's FAC
- OR**
- 75% of the member's monthly retirement benefit split equally between all children.

Parent(s) who derived his or her main support from the member will receive the greater of:

- A monthly benefit of 25% of the member's FAC will be paid to the member's surviving parent or parents
- OR**
- 75% of the member's monthly retirement benefit split equally between both parents.

RETIRED MEMBERS

At the time of a retired wildlife agent's death, 75% of the member's monthly retirement benefit will be paid to his or her survivors in the following order of priority:

- Surviving spouse
- Minor child(ren)
- Parent(s) who derived his or her main support from the member

NOTE: *At the time of retirement, members of the Wildlife Agents plan do not choose a retirement option because benefits are directed to survivors by statute.*

THE APPLICATION PROCESS

The application process for non-line of duty members, active line of duty members, and retired Wildlife members is the same as the process for Regular plan members. For information and checklists pertaining to the survivor application process, refer to [Chapter 6: Survivor Benefits](#).

NOTE: *The surviving spouse must submit a copy of his or her marriage license along with all other necessary documents in order to be eligible for survivor benefits.*

Frequently Asked Questions

- 1. If a member retires in a rank-and-file position with previous service as a Wildlife Agent, will the member still receive a 3% accrual rate for service credit earned prior to July 1, 2003 and a 3.33% accrual rate for service credit earned on or after July 1, 2003?**

If the member does not work the last 10 years (immediately prior to retirement) as a Wildlife Agent, then his or her years of service in the Wildlife Agents plan will be calculated at a 2.5% accrual rate.

- 2. If a member of the Wildlife Agents plan dies while active, inactive, or retired, will the surviving spouse and minor child(ren) both be eligible to receive monthly benefits?**

No, benefits are paid in order of priority. If the deceased member was married at the time of death, then the member's surviving spouse is eligible to receive the survivor benefit. If there is no eligible surviving spouse, then the minor child(ren) will be eligible to receive a survivor benefit.

- 3. Can a member of the Wildlife Agents plan who was hired prior to July 1, 2003, enter DROP with 20 years of service at any age?**

No, members of the Wildlife Agents plan can only enter DROP at 10 years of service at age 60 or 25 years of service at any age, regardless of the member's hire date.

- 4. Does the original Wildlife Agents plan still exist?**

Due to a change in the law effective July 1, 2003, members of the original Wildlife Agents plan became members of Wildlife Agents 2 plan. This included an increase to contributions and accrual rate for all the time served in the new Wildlife Agents plan. Eligibility for retirement and accrual rate at retirement are now determined by the member's hire date.

Reference Material

APPLICABLE FORMS

- [04-01: Disability Retirement Application](#)
- [04-01C: Certification of Disability Sustained from an Intentional Act of Violence](#)
- [03-01: Application for Survivor Benefits](#)
- [03-01A: Certification of Death from an Intentional Act of Violence](#)

APPLICABLE LAWS & RULES

(Note: this list is not exhaustive)

- [La R.S. 11:214](#) [Employees of the Enforcement Division in the Department of Wildlife and Fisheries](#)
- [La R.S. 11:581](#) [Application; Definitions](#)
- [La R.S. 11:582](#) [Eligibility; Benefits](#)
- [La R.S. 11:583](#) [Disability Retirement](#)
- [La R.S. 11:583.1](#) [Continuation of Benefit](#)
- [La R.S. 11:584](#) [Forced Retirement](#)
- [La R.S. 11:585](#) [Death Benefits of Surviving Spouse](#)
- [La R.S. 11:586](#) [Death Benefits of Minor Children](#)
- [La R.S. 11:587](#) [Death Benefits of Parents](#)
- [La R.S. 11:588](#) [Death Not in Performance of Duty](#)
- [La R.S. 11:589](#) [Death Before Age Fifty-Five](#)
- [La R.S. 11:590](#) [Forfeiture for Remarriage](#)
- [La R.S. 11:591](#) [Death of Retired Member](#)
- [La R.S. 11:592](#) [Retirement; Purchase of Firearm](#)

APPLICABLE CHAPTERS IN MEMBER'S GUIDE TO RETIREMENT

- [Chapter 29: Wildlife Agents Hired Prior to January 1, 2011](#)

APPLICABLE LASERS VIDEOS

- [What is your Retirement Plan and Retirement Eligibility?](#)