

CHAPTER 26

CORRECTIONAL OFFICERS

[Hired Prior to January 1, 2011]

(La. R.S. 11:441 (D-E) and 11:601-606)

This chapter pertains to Correctional Officers, Security Personnel, and Probation and Parole Officers employed by the Louisiana Department of Public Safety and Corrections hired prior to January 1, 2011 (Correctional Officers). There are two different plans for Correctional Officers: the Primary Component and the Secondary Component.

Correctional Officers hired on or before December 31, 2001, were members of the Primary Component. On January 1, 2002, the Secondary Component was created. Those hired on or after January 1, 2002, are members of the Secondary Component. Those in the Primary Component have the choice to remain in the Primary Component or transfer to the Secondary Component. The choice to transfer to the Secondary Component is irrevocable. Correctional Officers who remained in the Primary Component may elect to transfer to the Secondary Component at any time.

Please refer to the chapters on Regular Members if a topic is not addressed in this chapter.

Contribution Rate

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

Members employed in both the Primary and Secondary Components currently pay a contribution rate of 9 percent.

HISTORICAL NOTE: Correctional Officers in the Primary Component paid a contribution rate of 8.5 percent until June 30, 1989. Beginning July 1, 1989, Correctional Officers pay a contribution rate of 9 percent. This change accompanied changes in retirement eligibility, survivor benefits, and disability benefits.

Retirement Eligibility

If you are a member of the **Primary Component**, your retirement eligibility depends on your date of hire as a Correctional Officer.

If you were hired as a Correctional Officer **on or before August 15, 1986**, you become eligible for retirement upon reaching one of the following criteria:

- 10 years of service at age 60
- 20 years of service at any age. You must have at least 10 years of service credit as a Correctional Officer immediately prior to application for retirement.

If you were hired as a Correctional Officer **after August 15, 1986**, you become eligible for retirement upon reaching one of the following criteria:

- 10 years of service at age 60
- 20 years of service at age 50. You must have at least 10 years of service credit as a Correctional Officer immediately prior to application for retirement. If you have service credit other than as a Correctional Officer, only two-thirds of this service shall be counted to meet this criteria.
- 25 years of service at any age. You must have at least 10 years of service credit as a Correctional Officer immediately prior to application for retirement.
- 20 years of service at any age, with an actuarially reduced benefit. (Deferred Retirement Option Plan [DROP] participation and retirement with an Initial Benefit Option [IBO] are not available to members who choose this option.). The actuarial reduction is based on the number of months you are away from **eligibility for an unreduced retirement based on Regular Plan retirement eligibility, not Correctional Officer retirement eligibility**. This reduction can be affected depending on whether you are in state service or out of state service at the time of your retirement.

Regardless of your hire date, you also have the option to retire as a Regular Member (see the chapters on Regular Members for additional information).

If you are a member of the **Secondary Component*** you will become eligible for retirement upon reaching one of the following criteria:

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

*Per La. R.S. 11:601(B), “member” refers to wardens, correctional officers, probation and parole officers, and security personnel employed by the Department of Public Safety and Corrections hired prior to January 1, 2011.

Benefit Accrual

If you are a member of the **Primary Component**, you will accrue benefits at 2.5 percent of your average compensation per year. Your average compensation will be based on your highest successive 36 months of earnings. If you were employed before July 1, 1986, and did not terminate employment and receive a refund of their contributions, you will receive an additional \$300.00 per year added to your retirement benefit.

If you are a member of the **Secondary Component**, you will accrue benefits at 3.33 percent of your average compensation per year for each year in that plan. Your average compensation will be based on your highest successive 36 months of earnings.

If you have service in both the Primary and Secondary Component, your unused leave percentage will be pro-rated depending on the years of service.

EXAMPLE

Sue had prior employment under the Primary Component. She was hired in a position covered by the Secondary Component on October 1, 2006. She is retiring at age 51 with 30 years of service credit. She has an annual final average compensation of \$62,000.00, so her base retirement benefit would be calculated in the following manner:

$$\begin{array}{rcccl} \$62,000.00 & \times & .025 & \times & 27.20 & = & \$42,160.00 \text{ per year} \\ \text{average} & & \text{accrual rate} & & \text{years of service in} & & (\$3,513.33 \text{ per month}) \\ \text{compensation} & & & & \text{Primary Component} & & \end{array}$$

$$\begin{array}{rcccl} \$62,000.00 & \times & .0333 & \times & 2.80 & = & \$5,780.88 \text{ per year} \\ \text{average} & & \text{accrual rate} & & \text{years of service in} & & (\$481.74 \text{ per month}) \\ \text{compensation} & & & & \text{Secondary Component} & & \end{array}$$

Total benefit = \$47,940.88 per year (\$3,995.07 per month)

She has decided to convert 1.8 years of unused accumulated leave so her leave benefit would be calculated in the following manner:

$$\begin{array}{rcccl} 27.20 & / & 30.0 & = & .906 \text{ (rounded to 91\%)} \\ \text{years of service in} & & \text{total years} & & \\ \text{Primary Component} & & \text{of service} & & \end{array}$$

$$\begin{array}{rcccl} 2.80 & / & 30.0 & = & .093 \text{ (rounded to 9\%)} \\ \text{years of service in} & & \text{total years} & & \\ \text{Secondary Component} & & \text{of service} & & \end{array}$$

91% of her total leave credit of 1.8 years = 1.638 (rounded to 1.60)

9% of her total leave credit of 1.8 years = .162 (rounded to .20)

She will receive an accrual rate of 2.5% for 1.60 years and 3.33% for .20 years.

$$\begin{array}{rcccl} \$62,000.00 & \times & .025 & \times & 1.60 & = & \$2,480.00 \text{ per year} \\ \text{average} & & \text{accrual rate} & & \text{years of} & & (\$206.66 \text{ per month}) \\ \text{compensation} & & & & \text{unused leave} & & \end{array}$$

$$\begin{array}{rcccl} \$62,000.00 & \times & .0333 & \times & .20 & = & \$412.92 \text{ per year} \\ \text{average} & & \text{accrual rate} & & \text{years of} & & (\$34.41 \text{ per month}) \\ \text{compensation} & & & & \text{unused leave} & & \end{array}$$

Total benefit for unused leave = \$2,892.92 per year (\$241.07 per month)

Total retirement benefit	=	\$3,995.07	+	\$241.07	=	\$4,236.14 per month
		retirement		converted		
		benefit		leave benefit		

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

Hazardous Duty Services Plan

Correctional Officers 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.

Retirement Options

Members of the Primary and Secondary Components have the same retirement options as Regular Members.

Disability Benefits

Primary Component: If the disability was sustained in the performance of official duties of a hazardous nature, the disability benefit will be 60 percent of your average compensation, regardless of your years of service. If the disability was not sustained in the performance of official duties of a hazardous nature, please see chapter 16 on Disability Retirement which describes the disability benefits for Regular Members.

Secondary Component: If the disability was sustained in the performance of official duties of a hazardous nature the disability benefit will be 40 percent of your average compensation, regardless of

your years of service. If you have met the eligibility for Disability Retirement, the disability benefit will be the greater of 40 percent of average compensation or as provided under the Regular retirement formula. If the disability was not sustained in the performance of official duties of a hazardous nature, please see chapter 16 on Disability Retirement which describes the disability benefits for Regular Members.

Primary & Secondary Components: If the disability was sustained in the line of duty and as the result of an intentional act of violence, the disability benefit may be 100 percent of your average compensation, regardless of your years of service

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. If the disability was not sustained in the performance of official duties of a hazardous nature, please see chapter 16 on Disability Retirement which describes the disability benefits for Regular Members.

Survivor Benefits

Survivor benefits may be payable at your death to your beneficiary(ies). If you have at least five years of service credit, a survivor benefit will be payable to your qualified minor, physically handicapped, and/or mentally disabled child or children. If you have at least 10 years of service credit, with two years worked immediately prior to death, a survivor benefit will be payable to your spouse. If you are out of state service at the time of your death, you must have at least 20 years of service credit for your survivors to apply for benefits. If your death did not occur in the line of duty, you and your spouse must have been married for at least one year for your spouse to be eligible for survivor benefits.

Primary Component (killed in the line of duty):

If you have a minor or totally physically handicapped or mentally disabled child or children and less than five years of service, LASERS will pay your minor child or children a benefit equal to 60 percent of your average compensation.

If you have a minor or handicapped/disabled child or children and five or more years of service, LASERS will pay your minor child or children a benefit equal to 75 percent of your average compensation.

If you have a spouse but do not have a minor or handicapped/disabled child, and had less than 25 years of service, LASERS will pay your spouse a benefit equal to 60 percent of your average compensation.

If you have a spouse but do not have a minor or handicapped/disabled child, and had 25 years or more of service, LASERS will pay your spouse a benefit equal to 75 percent of your average compensation.

If you have a spouse and minor or handicapped/disabled child or children, and had less than five years of service, LASERS will pay your spouse and child or children a benefit equal to 60 percent of average compensation (one-third to spouse and two-thirds to child or children).

If you have a spouse and minor or handicapped/disabled child or children, and had five years or more of service, LASERS will pay your spouse and child or children a benefit equal to 75 percent of average compensation (one-third to spouse and two-thirds to child or children).

Secondary Component (killed in the line of duty):

If you have a minor or totally physically handicapped or mentally disabled child or children, and less than 25 years of service, LASERS will pay your minor child or children a benefit equal to 60 percent of your average compensation.

If you have a minor or handicapped/disabled child or children, and had 25 years or more of service, LASERS will pay your child or children a benefit equal to 75 percent of your average compensation.

If you have a spouse but do not have a minor or handicapped/disabled child, and had less than 25 years of service, LASERS will pay your spouse a benefit equal to 60 percent of your average compensation.

If you have a spouse but do not have a minor or handicapped/disabled child, and had 25 years or more of service, LASERS will pay your spouse a benefit equal to 75 percent of your average compensation.

If you have a spouse and minor or handicapped/disabled child or children, and had less than 25 years of service, LASERS will pay your spouse and child or children a benefit equal to 60 percent of average compensation (one-third to spouse and two-thirds to child or children).

If you have a spouse and minor or handicapped/disabled child or children, and had 25 years or more of service, LASERS will pay your spouse and child or children a benefit equal to 75 percent of average compensation (one-third to spouse and two-thirds to child or children).

Primary & Secondary Components Killed in Line of Duty by an Intentional Act of Violence

LASERS may pay a benefit equal to 100 percent of average compensation to your surviving spouse and/or minor or handicapped or mentally incapacitated child or children. The benefit will be shared equally by the surviving spouse and eligible children.

Department of Public Safety and Corrections Upgrade

(La. R.S. 11:605)

The employees of the Department of Public Safety and Corrections listed below are eligible to upgrade all service credit earned as a member of the Primary Component, upon their election to join the Secondary Component:

- Warden
- Correctional officer
- Probation and parole officer
- Security personnel

An upgrade of service credit requires you to pay the system an amount which, on an actuarial basis, totally offsets the increased liability to the system resulting from the service credit being purchased.

If you decide to pay the invoice, and upgrade your service credit, you will accrue benefits at 3.33 percent of your average compensation for each year of upgraded service. The service credit may be updated at any time prior to the member's retirement including while the member is participating in DROP and while the member is working after DROP. If a member upgrades service credit while participating in DROP or while working after DROP, then only the difference in the original accrual rate and the upgraded accrual rate shall count toward the supplemental benefit.

It is highly recommended that an invoice be requested several months prior to the date needed. ■

APPLICATION PROCESS

To request an invoice to upgrade this service credit, you must submit the following to LASERS:

- *Form 16-03: Department of Safety & Corrections Upgrade Invoice Request*
- A \$150.00 nonrefundable actuarial calculation fee made payable to LASERS



EMPLOYER FORMS

Available to HR reps only.

Form 16-03: Department of Safety & Corrections Upgrade Invoice Request