

## **Death & Survivor Benefits – Active Employees** **(other than Deputy Sheriffs)**

### **Does ERS provide any benefits if I die while working for the County?**

Upon the death of an ERS member in active service, there may be:

- A lump sum benefit, or
- A continuing survivor benefit

### **How do I know what benefit I am eligible for?**

The type of benefit you may be eligible for depends on several factors, including:

- Retirement eligibility
- Years of County service
- Age
- Marital Status
- Union contract

### **For an active ERS member (not a Deputy Sheriff) with less than one year of service, is there a death benefit?**

For this category of employees, no benefit is payable.

### **For an active ERS member (not a Deputy Sheriff) with more than one year of service but not yet eligible to retire, is there a death benefit?**

There are several possible benefits for this category of employee:

- If the member has eligible children (under age 18 or unmarried full time students under age 22), the child receives a survivor benefit (usually 10% of the deceased parent's monthly salary) less any Social Security Survivor benefit.
- If the member has a dependent spouse (married to the employee for at least one year and either over age 60, or under age 60 with an eligible child), the spouse receives a survivor benefit (usually 40% of the deceased employee's monthly salary) less any Social Security Survivor benefit.
- Payments of the survivor benefit to a surviving dependent spouse under age 60 are suspended when there are no longer qualifying children.
- The payments resume for the spouse at age 60: the benefit is changed to 50% of the pension the member would have received had he worked to normal retirement, but based on the member's final average salary at death.
- If no survivor benefits are payable, a lump sum death benefit is to be paid.
- The amount of the lump sum death benefit is one-half of the deceased member's Final Average Salary up to a maximum of \$2,000.

### **For an active ERS member (not a Deputy Sheriff) who is eligible to retire, what death benefit(s) are available?**

- Members eligible to retire may file a written benefit election, known as the Protective Survivorship Option.
- This election becomes effective on the date of death as if the member had retired on that date.
- You should refer to the ERS brochure entitled "Protective Survivorship Option (PSO)" for additional details.
- **If no PSO is completed and the member dies without a spouse, then only a lump sum benefit of \$2,000 is paid.**

**If I leave Milwaukee County employment and am entitled to a future pension, am I eligible for any death benefits?**

- Unless you have a membership account (this is rare) no benefit is payable.

**Are retirees eligible for survivor and death benefits?**

- At retirement members may elect a form of pension benefit that upon their death pays a continuing benefit to a surviving beneficiary.
- If a survivor option was **not** elected at the time of retirement, no benefit is paid to anyone else upon the retiree's death.

**Additional information**

- Milwaukee County Ordinance, Chapter 201
- ERS Pension Board Rules & Regulations
- Deputy Sheriffs should refer to the ERS brochure entitled "Death & Survivor Benefits for Deputy Sheriffs in Active Service".
- With regard to the lump sum death benefit, members of the Nurses and Firefighters unions have different length of service requirements. Members of these unions should consult their contracts for details.

**How can I contact ERS?**

**Inside Milwaukee County:**

**Telephone: 414-278-4207**

**Outside Milwaukee County:**

**Toll free: 877-652-6377  
(877 ML CO ERS)**

**Website:**

Internet

[www.county.milwaukee.gov/retirement](http://www.county.milwaukee.gov/retirement)

Intranet

[www.county.milwaukee.gov/ContactUs](http://www.county.milwaukee.gov/ContactUs)

**Where is ERS located?**

Employment Retirement System  
Courthouse Room 210  
901 N. 9<sup>th</sup> Street  
Milwaukee, WI 53233

**Disclaimer**

**This brochure highlights certain aspects of your ERS benefits. In an effort to keep the brochure's language as clear and non-technical as possible, the information provided is only a brief overview of your benefits.**

**For a more detailed description of our benefits, including limitations on the exclusions, please consult Milwaukee County Ordinances and Pension Board Rules. (General Ordinances of County of Milwaukee/Ord. Section 201.24 and Appendix B).**

**You should also consult any Collective Bargaining Agreements (CBA) applicable to your position.**

**The information contained in this brochure is current through 3/1/2010.**

**Subsequent changes to Ordinances, Rules or CBA or later determined interpretations of Ordinances or Rules may affect the information in this brochure.**

**In case of any ambiguity or contradiction between the information in this brochure and the Ordinances and Rules, the Ordinances and Rules will govern.**

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