

Death & Survivor Benefits – Deputy Sheriffs

Does ERS provide any benefits for a Deputy Sheriff who dies while working for the County?

Upon the death of a Deputy Sheriff (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
- Circumstances of your death

A benefit may be paid when a Deputy Sheriff dies due to an accident while in the actual performance of duty.

50% of the Final Average Salary of the deceased Deputy Sheriff is payable to:

- Surviving spouse until death or remarriage, or
- If there is no surviving spouse, or the surviving spouse dies before all children reach age 18, then divided between each child until age 18 (requires Pension Board approval), or
- If there is no surviving spouse or children under age 18, then a benefit may be paid to the Deputy Sheriff's dependent mother or father (requires Pension Board approval).

For an active Deputy Sheriff with less than one year of service whose death is not due to a work accident, is there a death benefit?

For this situation, no benefit is payable.

For an active Deputy Sheriff with more than one year of service but not yet eligible to retire, whose death is not due to a work accident, is there a death benefit?

There are several possible benefits in this situation:

- If the Deputy Sheriff 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 Deputy Sheriff 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 Deputy Sheriff'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 based on the member's final average salary at death.
- If no survivor benefits are payable, a lump sum death benefit is paid of one-half of the deceased Deputy Sheriff's Final Average Salary up to a maximum of \$2000.

For an active Deputy Sheriff who is eligible to retire, what death benefit(s) are available?

- Deputy Sheriffs 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 Deputy Sheriff 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 Deputy Sheriff 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 Deputy Sheriffs 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

For a more detailed explanation of Death and Survivor Benefits for Deputy Sheriffs, please refer to:

- Milwaukee County Ordinance, Chapter 201
- ERS Pension Board Rules & Regulations

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

Intranet

www.county.milwaukee.gov/ContactUs

Where is ERS located?

Employment Retirement System
Courthouse Room 210
901 N. 9th 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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