# Chapter 30. Retirements
# (Natures of Action 300, 301, 302, 303, and 304)

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# Chapter 30. Retirements

## Subchapter 1. General Instructions

### 1-1. Coverage.

**a.** This chapter covers retirements. These are separations that remove an employee from your agency under circumstances that entitle the employee to an immediate annuity. An immediate annuity is one that begins to accrue no later than 1 month after the employee is separated or on the day after pay ceases and the employee meets the service and age (or disability) requirements. These actions include:

(1) voluntary or employee-initiated retirements;

(2) mandatory retirements for age under 5 U.S.C. 8335 and 8425;

(3) disability retirements (both those where employee has elected to receive a retirement annuity and those where employee has elected to receive workers' compensation in lieu of a retirement annuity); and

(4) retirements under the early voluntary option that allows agencies undergoing a major reduction in force, transfer of function, or reorganization to offer early retirement to their employees.

More information on these retirements is found in **The CSRS and FERS Handbook for Personnel and Payroll Offices**.

**b.** This chapter *does not* cover involuntary separation *unless* the employee is eligible for retirement under one of the four situations listed in paragraph *a* of this section. See Chapter 31 for instructions on processing involuntary separations under which the employee may be eligible for discontinued service retirement.

**c**. This chapter *does not* cover employees eligible for MRA+10 retirement >who choose to postpone the annuity commencing date beyond 31 days after separation<. See Chapter 31 for processing instructions.

### 1-2. Instructions.

**a.** Compare data on the Standard Form 52, Request for Personnel Action, submitted by employee or requesting office with the last action in the employee's Official Personnel Folder to be sure it is correct.

**b.** If the employee is to be reemployed without a break in service after retirement with immediate civil service annuity, document the retirement and the new appointment on separate Standard Form 50s. *Do not process a conversion action.* Follow instructions in Chapter 3 of this **Guide** to select additional remarks for the appointment and to report the appointment to the Office of Personnel Management.

**c.** Use Table 30-A to select the nature of action and authority for the action and put them in blocks 5A-F of the Standard Form 52. If the action is being taken under an authority that is unique to your department or agency, cite that authority (along with the authority code approved by the Office of Personnel Management) instead of the authority and code shown in this chapter.

**d.** Use Tables 30-B and 30-C to select as many remarks codes and remarks for the action as are applicable and put them in Part F of the Standard Form 52. Also enter in Part F any remarks/remarks codes that are required by your agency's instructions or that are necessary to explain the action.

**e.** Fill in remaining blocks on Standard Form 52 as required by instructions in Chapter 4; follow your agency's instructions to obtain approval signature in Part C, block 2, of the Standard Form 52.

**f.** Prepare Standard Form 50, Notification of Personnel Action, from the information on the Standard Form 52. Refer to Chapter 4 to see how the Standard Form 50 should be completed. Follow your agency's instructions to have it signed or authenticated.

**g.** On or before the date of retirement, give the employee a completed Standard Form 8, Notice to Federal Employee About Unemployment Insurance, showing the full address of the Payroll Office where the individual's records are maintained.

Use the job aid, **Notice Requirements When an Employee Retires**, for additional notices required under specific circumstances.

**h.** Check **The Guide to Personnel Recordkeeping**, Chapter 3, to see which of the documents submitted with or created in connection with the action should be filed on the right side of the employee's Official Personnel Folder.

Note: The originals of the employee's health benefits and life insurance forms are submitted to the Office of Personnel Management with the retirement application. Make copies of these health benefits and life insurance forms and *file the copies on the right side of the employee's folder in chronological order*. Agencies are not authorized to keep the retirement application itself on the right side of the Official Personnel Folder. Therefore, if your agency keeps a copy of a retirement application until the retirement is approved, that copy may be filed temporarily on the *left* side of the employee's Official Personnel Folder and must be removed before the folder is sent to the National Personnel Records Center or to the next employing agency. Follow your agency's instructions to dispose of documents not filed in the folder.

**i.** Follow your agency’s instructions to distribute documentation of the personnel action.

**j.** Follow the instructions in **The Guide to Personnel Recordkeeping**, Chapter 7, for transferring the Official Personnel Folder, and the Employee Medical Folder.

# Job Aid

## Notice Requirements When an Employee Retires

**Instructions:** Issue as many of the following notices as are applicable to the retiring employee's circumstances; more than one may be necessary.

| *If the Employee* | *Then* |
|---|---|
| Is a law enforcement officer, firefighter, or air traffic controller, and has a combination of age and service at which separation is mandatory. | Follow procedures in **The CSRS and FERS Handbook for Personnel and Payroll Offices**, Chapter 46. |
| Has a combination of age and service at which separation is required under a different retirement system | Follow your agency's procedures for giving notice of pending retirement. |
| Is applying for disability retirement or the agency is initiating application for employee | Follow procedures in **The CSRS and FERS Handbook for Personnel and Payroll Offices**, Chapter 60. |
| If employee is enrolled in a health benefits plan, | Follow instructions in the **Federal Employees' Health Benefits Handbook for Personnel and Payroll Offices.** |
| If employee has Federal Employees Group Life Insurance (FEGLI) coverage, | Follow instructions in the **Federal Employees' Group Life Insurance Program - A Handbook for Employees, Annuitants, Compensationers and Employing Offices.** |
| *** | *** |
| *** | |
| Previously retired under the Foreign Service Retirement System | Send two copies of Standard Form 50 to Division of Retirement, Bureau of Personnel, Department of State, Washington, DC 20520. |
| Is a former Central Intelligence Agency employee who retired under the Central Intelligence Agency Retirement and Disability System (CIARDS) | Send copy of Standard Form 50 to Central Intelligence Agency Retirement and Disability System, Washington, DC 20505. |

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## Subchapter 2. Preparation of Remark Entries on the Standard Form 50

### 2-1. Use of Remarks.

Tables 30-B and 30-C list remarks that are required on the Standard Form 50, Notification of Personnel Action, for a retirement action. These remarks are used to determine retirement and other benefits to which the employee may be entitled. In addition, if a retiree applies for unemployment compensation, the State employment security agency will use the nature of action and those Standard Form 50 remarks to adjudicate the claim. Inadequate or incomplete information about the cause of separation or failure to show a job offer and the employee's reason, if any, for refusing it, may result in delay or denial of a benefit to which the employee is entitled. It may also result in an employee receiving a benefit to which the employee is not entitled.

### 2-2. General Content of Remarks.

The remarks should tell:

- why an employee retires, and
- whether the employee was offered other work before the separation and, if so, the reasons for refusing it.

Remarks should be brief and state the facts in enough detail to enable anyone who reviews the Standard Form 50 to determine whether the separation was work-connected and with or without just cause.

### 2-3. Employee's Reason(s).

**a. Disability Retirements.** No employee reason is required on a 301/Retirement-Disability.

**b. Other Retirements.** If the employee mentions ill health or disability as the reason, summarize the reason in such a way that the employee will not later find it to be embarrassing. (For example, instead of quoting “Doctor says pressure of daily personal and telephone contacts with the public is aggravating health problems and may cause a nervous breakdown,” just state on the Standard Form 50 “Doctor recommends a job with fewer personal and telephone contacts with the public.” The latter remark is brief, factual, and less likely to be a source of embarrassment in the future.) When the employee's reason does not mention ill health or disability, just quote the reason on the Standard Form 50. If the employee gives no reason for retiring, use Remark S69.

### 2-4. Agency's Finding.

Unemployment compensation and future employment decisions are made on the basis of both the employee's reason and the agency's findings, so agency findings should be factual and non-judgmental. No findings are required on a 301/Disability Retirement.

**a. Employee has no appeal rights.** When the employee is serving on a appointment that does not afford appeal rights, no agency finding or reasons for or explanation of the retirement may be placed on the Standard Form 52, Standard Form 50, in the Employee's Official Personnel Folder or Employee Performance Folder, or in the agency's service record system.

**b. Employee has appeal rights.**

**(1)** Except as noted in paragraph (3), when the agency knows of a different reason for employee’s retirement, both the employee’s reason and the one known to the agency (“agency finding”) must be shown on the Standard Form 50. The “agency finding” must be brief and factual and avoid personal comments and judgments about the employee, opinions, argumentative language, and unsupported conclusions.

**(2)** When the retirement application is submitted *after* the employee has received *written* notice of a proposed or pending disciplinary or adverse action, the agency must list that action as its finding. Use the remarks in Tables 30-B and 30-C.

**(3)** *Unless the employee was notified in writing BEFORE the retirement was submitted*, you may NOT place on the Standard Form 52/50, in the employee's Official Personnel Folder or Employee Performance Folder, or in the agency's service record system, any information:

- regarding a proposed or pending disciplinary or adverse action;
- regarding charges or allegations of misconduct by, or impropriety on the part of, the employee; or
- referring to such charges or allegations.

**(4)** When the agency believes the employee is retiring because of ill health or a medical problem, the “agency finding” should simply list or describe the duties the employee can no longer perform and *not* discuss the employee's health.