

Table of Contents

SUBCHAPTER 102A CSRS AND FERS	1
Part 102A1 General Information	1
Section 100A1.1-1 Overview	1
A. Introduction	1
B. Topics Covered	1
C. Organization of Subchapter	2
D. Statement of Authority	2
Section 102A1.1-2 Workers' Compensation Benefits--General	3
A. General Rule	3
B. Benefits Payable	3
Section 102A1.1-3 Rule Against Dual Compensation	5
A. General Rule	5
B. Exceptions	5
Part 102A2 Electing Between Workers' Compensation Benefits and Annuity	6
Section 102A2.1-1 Electing Between Workers' Compensation Benefits and Annuity	6
A. General Rule	6
B. Employees	6
C. Disadvantage of Applying for Annuity	7
D. Time Limit for Applying for Disability Retirement	7
E. Payment of a Refund	7
F. Agency Responsibility	8
Section 102A2.1-2 When Workers' Compensation Benefits Stop	9
A. General Rules	9
B. Reverting to Annuity	9
Section 102A2.1-3 Survivor Benefits	10
A. General Rule	10
Part 102A3 Credit for Service for Time Spent in Receipt of Workers' Compensation	11
Section 102A3.1-1 General Rules	11
A. When Employee is in a LWOP Status	11
B. When a Separated Employee Returns to Federal Service	11
C. Allowing Full-Time Credit for Employees on Workers' Compensation Who Work Part-Time but Have a Full-Time Appointment	14
Section 102A3.1-2 Reemployed Annuitants	15
A. General Rules	15
B. Non-Disability Annuitant	15
C. Disability Annuity	17
Section 102A3.1-3 Miscellaneous	20

A. Alternative Annuity and Workers' Compensation	20
B. Salary Supplemented by Workers' Compensation	20
C. Miscellaneous Rules	21
Part 102A4 Job Aids	24
Section 102A4.1-1 Job Aids	24
A. Reemployment Status OWCP Chart	24
B. FAQs on Retirement Credit for time spent in OWCP	26
C. Sample Documentation of Service	32

Subchapter 102A CSRS and FERS

Part 102A1 General Information

Section 100A1.1-1 Overview

A. Introduction

An employee who is disabled or injured in the line of duty may be eligible for workers' compensation benefits from the Department of Labor (DOL), Office of Workers' Compensation Programs (OWCP). This subchapter explains how the employee's entitlement to workers' compensation benefits affects present and future retirement and survivor annuity rights under CSRS, CSRS Offset, and FERS.

B. Topics Covered

This subchapter covers:

- General information about workers' compensation benefits;
 - The rules about dual compensation;
 - Making an election between an annuity and workers' compensation benefits;
 - The termination of workers' compensation benefits;
 - A surviving spouse's election between a survivor annuity and workers' compensation death benefits;
 - Credit for time in receipt of workers' compensation benefits for retirement purposes; and
 - The effect an election to receive workers' compensation benefits has on the alternative annuity and other retirement considerations.
-

C. Organization of Subchapter

This subchapter has four parts.

PART	NAME OF PART	PAGE
102A1	General Information	1
102A2	Electing Between Workers' Compensation and Disability Annuity	6
102A3	Credit for Service for Time Spent in Receipt of Workers' Compensation Benefits	11
102A4	Job Aids	24

D. Statement of Authority

This subchapter is based on the laws and regulations cited below.

- United States Code: 5 U.S.C. 8116, 8332, 8337, 8344, 8411, 8415, 8464a, and 8468
- Code of Federal Regulations: 5 CFR Parts 831 and 842

This subchapter supersedes the following Benefits Administration Letters (BAL):

- [BAL 04-105](#), 12/7/2004, Enhanced Annuity for Certain FERS Employees Receiving Compensation from the Office of Workers' Compensation Programs
 - [BAL 07-103](#), 7/2/2007, *Hatch v. OPM*: Allowing Full-Time Credit for Employees on Workers' Compensation Who Work Part-Time but Have a Full-Time Appointment
-

Section 102A1.1-2 Workers' Compensation Benefits--General**A. General Rule**

The Federal Employees' Compensation Act (FECA) authorizes payment of workers' compensation benefits to employees of the United States who are disabled due to an employment-related disease or injury sustained in the performance of duty. Compensation means the money allowance or other benefits payable to an employee's dependents. Therefore compensation includes not only money paid for work related disability, but also includes payments for medical expenses. The FECA is administered by the Department of Labor (DOL, Office of Workers' Compensation Programs (OWCP). If the employee dies as a result of the employment-related disease or injury, OWCP pays compensation benefits to his or her eligible dependents.

The primary purpose of workers' compensation is to provide an adequate substitute for an employee's work-related loss of wage earning capacity. When an employee returns to work and resumes earning wages at the same or greater than earned before the work injury, then compensation is no longer payable.

B. Benefits Payable

Benefits provided under the FECA are broken down into six basic areas:

- (1) Continuation of Pay (COP)
- (2) Compensation for wage loss or wage earning capacity;
- (3) Compensation for permanent disfigurement or loss (scheduled award) of use of a body member;
- (4) Payments of medical and related expenses;
- (5) Payment for vocational rehabilitation services; and
- (6) Death benefits.

FECA does provide other benefits as well. Each of the five areas of benefits is summarized below:

- (1) *Continuation of Pay (COP)* - An employee who is injured on-the-job is entitled to up to 45 calendar days of Continuation of Pay (COP) when medical evidence documents that he or she is unable to work. The employing agency pays COP rather than the OWCP. The period of COP is like any other period of creditable civilian service for the purposes of CSRS or FERS benefits.
 - (2) *Loss of Wages*- An employee who suffers a work-related disability may be entitled to one or more types of wage loss compensation according to the nature or type of disability incurred. Compensation based on loss of wages due to temporary total disability is paid at 66 2/3 percent without dependents. With dependents the injured workers is entitled to
-

compensation at the rate of 75% of the salary.

Compensation for wage loss is payable after continuation of pay (see Note) ends or from the beginning of pay loss.

- (3) *Disfigurement or Loss of Use (Scheduled Award)* - Under the FECA, compensation in the form of scheduled award is provided for a specified period for the permanent loss of use of certain members and functions of the body. Partial loss or loss of use of these members and functions is compensated on a proportional basis. FECA recipients can receive schedule award payments currently with OPM annuity payments.
 - (4) *Medical Benefits*- The FECA at 5 U.S.C. 8103 authorizes medical services for treatment of any condition which is related to factors of Federal employment. No limit is imposed on the amount of medical expenses or the length of time for which they are paid as long as the charges represent the reasonable and customary fees for the services being provided and the need for treatment has been demonstrated
 - (5) *Vocational Rehabilitation Services*- The FECA at 5 U.S.C. provides for vocational rehabilitation services to assist disabled employees in returning to gainful employment consistent with their physical, emotional, and educational abilities.
 - (6) *Death/Survivor Benefits*-The survivors of a Federal employee whose death is work-related are entitled to benefits in the form of compensation payments, funeral expenses, transportation expenses, for the remains, if necessary, and payment for termination of deceased's status as a Federal employee.
-

Section 102A1.1-3 Rule Against Dual Compensation

A. General Rule

The law provides that compensation may not be paid concurrently with certain benefits paid by other federal agencies. A federal employee who suffers an on-the job injury may be entitled to benefits under the FECA and various other sources for the same injury at the same time. Some of these sources are CSRS/FERS disability retirement and /or spouse benefits, veteran's disability, or death benefits and Social Security. Some of these benefits can be collected by an injured worker at the same time that he/she is collecting OWCP benefits, while others are prohibited and considered to be dual benefits. Exceptions barring the receipt of dual benefits are listed in paragraph B.

CSRS and FERS- CSRS/FERS annuity benefits provided by the Office of personnel Management (OPM), either by regular retirement or disability retirement cannot be collected by an injured worker who is currently receiving workers' compensation benefits. The employee must make an election between workers' compensation and retirement benefits. Once an election is made, it can be revoked at any time. If OPM benefits are elected, the employee is still entitled to have medical expenses for treatment of the accepted condition(s) paid by OWCP.

B. Exceptions

There is once exception to the general rule that an employee may not receive OWCP and civil service retirement benefits, simultaneously. Scheduled benefits (scheduled award payments for permanent impairment of certain functions of the body or certain internal or external organs) may be paid in addition to CSRS/FERS disability or regular retirement annuities.

Part 102A2 Electing Between Workers' Compensation Benefits and Annuity

Section 102A2.1-1 Electing Between Workers' Compensation Benefits and Annuity

A. General Rule

Separated employees who have applied for workers' compensation must also apply for retirement benefits to preserve their rights under CSRS or FERS. If the employee is eligible for both benefits, he or she must then choose between them. The election between workers' compensation benefits and annuity is made by the employee with the OWCP. The OWCP then notifies OPM of the election. Applying for retirement benefits is the only way the employee's (and his or her survivors') future annuity rights will be protected.

If an employee applies for both benefits, OPM will begin annuity payments if OWCP has not awarded benefits by the time we finalize the retirement claim. If OWCP subsequently awards benefits, the annuitant must reimburse OPM for annuity that has been paid. Normally, OWCP withholds the amount of annuity to be repaid from workers' compensation benefits to reimburse OPM

NOTE: It is not necessary for a separated employee who is eligible for an annuity based on age and service to file an application for annuity to protect his or her right to an annuity. However, it is necessary for him or her to file an application for annuity to preserve survivors' rights to CSRS or FERS survivor annuity benefits and continued health insurance coverage in the event the employee dies and the survivor(s) do not qualify for workers' compensation on a continuing basis. Survivors are eligible for FECA death benefits only if the employee dies as a result of the work-related injury or disease. The OWCP is responsible for making this determination.

B. Employees

If an annuitant elects to receive workers' compensation benefits, OPM suspends payment of his or her annuity during the period that the OWCP pays compensation benefits. However, if the compensation benefits end for any reason, OPM will reinstate the annuity if the individual remains entitled.

NOTE: An election between workers' compensation benefits and a CSRS or FERS annuity is not irrevocable. The individual may switch between the two benefits whenever it is to his or her advantage to do so.

for Work-Related Injuries and Disease
Chapter 102

NOTE 2: The annuitant is responsible for promptly notifying OPM of any change in the compensation award (for example, if the scheduled award ends and a nonscheduled award begins). In addition, the annuitant is responsible for notifying OPM if a claim for workers' compensation is approved after the annuity has begun. The annuitant is liable for any overpayment of annuity that occurs due to dual payment of benefits while he or she is receiving a nonscheduled award.

C. Disadvantage of Applying for Annuity

An individual who files an application for retirement with OPM and is entitled to an annuity, but who elects to receive workers' compensation benefits for loss of wage-earning capacity in lieu of the annuity, is considered an annuitant. Unless the person's entitlement to an annuity ends (for example, because of recovery from the disabling condition), he or she is subject to the rules governing reemployed annuitants upon reemployment. This may be a disadvantage if the individual is reemployed at a lower grade, on a part-time basis, or does not work long enough to be eligible for a supplemental annuity. For further information, see section 102A3.1-2, Reemployed Annuitants.

D. Time Limit for Applying for Disability Retirement

OPM or the last employing agency must receive a separated employee's disability retirement application within 1 year of the date of separation from Federal service unless the person is mentally incompetent.

A former employee will not be eligible for disability retirement benefits if he or she did not file a retirement application within the 1-year time limit even if workers' compensation stops. In addition, his or her survivors will not be eligible for survivor death benefits because their survivor rights would not be established. (The former employee also will not be eligible to temporarily continue health benefits coverage under 5 U.S.C. 8905a.)

- (1) The 1-year limit does not apply to applications for non-disability benefits.
- (2) An incomplete disability retirement application, or an application on a form not prescribed by OPM, is sufficient for meeting this 1-year limit. However, to award an annuity, OPM must receive an application that is suitable for processing.

E. Payment of a Refund

A separated employee, who is not entitled to receive an annuity, including an individual who elected to receive workers' compensation benefits in lieu of a disability annuity, may receive a refund of his or her retirement contributions. However, before applying for the refund, the employee

should be aware of the following:

If a separated employee receives a refund, he or she forfeits all annuity rights based on the service covered by the refund (including survivor benefits) unless the individual is later reemployed in a position subject to CSRS or CSRS Offset.

- (1) An employee may believe that his or her compensable injury is permanent and that workers' compensation benefits will continue for life. However, workers' compensation benefits are frequently interrupted or end because of :
- (2) (1) a change in the employee's medical condition, (2) the availability of work or (3) rehabilitation.

**F. Agency
Responsibility**

The decision to apply or not apply for an annuity and whether to apply for a refund of retirement contributions impacts the separating employee's future benefits as well as those of his or her survivors. The employing agency should inform separating employees of the rules governing receipt of workers' compensation benefits and annuity so they can make decisions based on what they expect their future employability to be.

Section 102A2.1-2 When Workers' Compensation Benefits Stop**A. General Rules**

Many former employees who are eligible for both workers' compensation and retirement benefits initially elect to receive workers' compensation because it generally is the higher benefit. If workers' compensation benefits later end or are reduced, the former employee may elect to receive the annuity (unless entitlement to the annuity has ended).

B. Reverting to Annuity

In computing the disability annuity (or annuity based on age and service, if applicable), OPM cannot allow credit for any period of workers' compensation or Federal service that occurred after the individual separated from employment for retirement, even if he or she was receiving workers' compensation benefits. Therefore, if an individual chooses to receive an annuity, OPM will compute the annuity based on his or her service and high-3 average salary as of the date of separation from employment, plus all applicable cost-of-living adjustments.

If OPM finds the former employee medically or administratively recovered or restored to earning capacity, his or her disability annuity may stop. (See [Chapter 60](#))

If the employee performed service subsequent to their retirement, OPM will determine if the annuity should terminate based on that reemployment and if there are additional annuity benefits due based on that reemployment. Any supplemental annuity benefits due or benefits due based on a new retirement right would have to be applied for. See [Chapter 100](#) for additional information on reemployment and the effect on an annuitant's retirement benefit.

Section 102A2.1-3 Survivor Benefits**A. General Rule**

The surviving spouse and/or children of an individual who dies as a result of a job-related injury or occupational may be eligible for both death compensation benefits from OWCP and CSRS and FERS survivor benefits. However, the law prohibits concurrent payment of workers' compensation death benefits and a survivor annuity. Like the employee, the survivor must elect which of the two benefits he or she wishes to receive. The election is made with OWCP.

If the surviving spouse elects workers' compensation death benefits, he or she is not eligible for the FERS basic employee death benefit. (See [Chapter 70](#).)

Generally, once the OWCP determines that a surviving spouse is eligible for workers' compensation death benefits, they remain eligible for life. The surviving spouse may elect to take a refund of the deceased's retirement contributions. However, if workers' compensation death benefits terminate, receipt of the lump sum payment of the deceased's retirement contributions terminate any further survivor annuity entitlement? The spouse will be required to sign a statement that he/she understands that receipt of the lump sum payment will irrevocably waive future survivor rights. In some instances, either when OWCP terminates payments retroactive to the date of death or if the survivor elects a settlement from a third party deemed responsible for the death, the waiver will be void and the survivor allowed repaying the lump sum (or having it withheld from the retroactive payments).

Part 102A3 Credit for Service for Time Spent in Receipt of Workers' Compensation

Section 102A3.1-1 General Rules

A. When Employee is in a LWOP Status

Separated employees who have applied for workers' compensation must also apply for retirement benefits to preserve their rights under CSRS or FERS. If the employee is eligible for both benefits, he or she must then choose between them. The election between workers' compensation benefits and annuity is made by the employee with the OWCP. The OWCP then notifies OPM of the election. Applying for retirement benefits is the only way the employee's (and his or her survivors') future annuity rights will be protected.

If an employee applies for both benefits, OPM will begin annuity payments if OWCP has not awarded, benefits by the time we finalize the retirement claim. If OWCP subsequently awards benefits, the annuitant must reimburse OPM for annuity that has been paid. Normally, OWCP withholds the amount of annuity to be repaid from workers' compensation benefits to reimburse OPM

NOTE: It is not necessary for a separated employee who is eligible for an annuity based on age and service to file an application for annuity to protect his or her right to an annuity. However, it is necessary for him or her to file an application for annuity to preserve survivors' rights to CSRS or FERS survivor annuity benefits and continued health insurance coverage in the event the employee dies and the survivor(s) do not qualify for workers' compensation on a continuing basis. Survivors are eligible for FECA death benefits only if the employee dies as a result of the work-related injury or disease. The OWCP is responsible for making this determination.

B. When a Separated Employee Returns to Federal Service

A former employee is an annuitant if he or she filed an application for retirement and, in the case of a disability application, OPM approved it and meets the eligibility requirements for an annuity. This is true even if the individual elected to receive workers' compensation benefits in lieu of the annuity. See section 102A3.1-2 for information about annuitants who return to Federal service.

A former employee (but not one who is an annuitant) who returns to Federal service after a period of separation is deemed to have been in a LWOP status **during that part of the separation period in which he or**

she received workers' compensation benefits. The period of deemed LWOP is:

- creditable for years of service counted towards eligibility and computation of benefits, and in the computation of the high-3 average salary.
- creditable as service under the special retirement provisions for air traffic controllers, firefighters, or law enforcement officers if the individual's position of record on the date of separation was covered by the special provisions. However, service credit under the special provisions for the period in receipt of workers' compensation benefits ends on the date that mandatory separation would have occurred if the individual had remained on the agency's rolls.
- not considered a break in service or CSRS coverage for determining the employee's retirement coverage upon reemployment. Thus, an individual covered by CSRS before separation would be subject to mandatory Social Security only if at least 366 days had elapsed since workers' compensation benefits stopped before reemployment. See Chapter 10 for further information on retirement coverage determinations.
- treated as a "break in service" for eligibility to elect FERS. Thus, an individual who separated from a CSRS or CSRS Offset position may elect to transfer to FERS upon reemployment unless the appointment is excluded from FERS coverage by law or regulation.
- "continuity of service" for an individual who separated from a retirement-covered position and who is rehired in a non-covered position may be able to continue retirement coverage based on the continuity of service rule. No more than 3 days may have elapsed between the ending date of workers' compensation and appointment to the non-covered position.
- not creditable for meeting the 1-out-of-2 year requirement under CSRS/CSRS Offset.

No period of separation, even one in which the employee received workers' compensation benefits, may be credited in meeting the requirement that a CSRS or CSRS Offset employee complete 1 year of covered service in the 2-year period immediately preceding a non-disability retirement.

Agencies should credit the service of a part-time employee based on the work schedule the employee had immediately preceding the separation (or

LWOP). For individuals who worked on an intermittent work basis before separation, the agency should determine the number of days worked in the week period before separation (or total employment period if less than 52 weeks). Using the 260-Day Work Year Chart in [Chapter 50](#); determine the ratio of the number of days the employee actually worked to the days available to work on a full-time basis. Apply that factor to the period of separation during which the individual received workers' compensation benefits.

EXAMPLE: John was hired as an intermittent employee July 13, 1996. He was injured on the job and OWCP approved nonscheduled compensation. John's agency separated him on November 28, 1997. During the 52 weeks immediately before his separation, John had worked 118 days. The OWCP determined John was recovered from his injury and stopped his compensation March 18, 1999. His agency rehired him March 21, 1999. John received workers' compensation benefits 1 year, 3 months, and 20 days (from November 28, 1997 through March 18, 1999). Using the 260-Day Work Year Chart, that converts to 339 days [(1 year = 260 days) + (3 months, 20 days = 79 days) = total of 339 days]

118 (days worked in 52 week period before separation) divided by
260 days (days in 52 weeks) = .453846

339 days (in receipt of workers' compensation) multiplied by
.453846 = 153.8 or 154 days credit

154 days = 7 months, 3 days credit on 260-Day Work Year Chart

**for Work-Related Injuries and Disease
Chapter 102**

C. Allowing Full-Time Credit for Employees on Workers' Compensation Who Work Part-Time but Have a Full-Time Appointment

Employees with a full-time appointment and in receipt of workers' compensation from OWCP who work only part of the day and on approved leave without pay (LWOP) for part of the day, will be credited as full-time. However, if an employee is not under a full-time appointment (e.g., part-time flexible or limited tour), the usual part-time rules apply.

This crediting of full-time is as a result of *Hatch v. OPM* (Merit Systems Protection Board (MSPB) decision September 2005). Prior to this decision, OPM's interpretation of 5 USC 8332(f) and 5 CFR 831.703(b) had been that these employees were not entitled to full-time credit for time worked when they work part of the day and received workers' compensation benefit part of the day. Their service was treated using part-time rules. The Hatch decision extends to CSRS, CSRS Offset, and FERS cases. This decision does not apply to reemployed annuitants.

NOTE: It is not possible for OPM to identify every annuitant who fits Hatch profile with part-time service in their annuity computation that was processed prior to Hatch litigation began. Therefore, upon review of your payroll and records files, if you know of former employees who may fall into the Hatch category, provide identifying information to OPM at this address: US Office of Personnel Management, Benefits Officers Training and Development Group, 1900 E Street, NW, Room 4351, Washington, DC 20415 or email: benefits@opm.gov .

Section 102A3.1-2 Reemployed Annuitants**A. General Rules**

An individual who files an application for and is entitled to an annuity, but elects to receive workers' compensation benefits for loss of wage-earning capacity in lieu of the annuity, is considered an annuitant. This is because he or she may reverse his or her election and choose to receive an annuity in lieu of workers' compensation benefits at any time. Thus, in the case of reemployment, the individual's future benefits must be computed on the basis of the laws governing reemployed annuitants.

B. Non-Disability Annuitant

The provisions of 5 U.S.C. 8344 or 8468 determine the reemployment status of a non-disability annuitant. (See [Chapter 100](#).)

- (1) If the individual's right to annuity continues during reemployment, he or she will receive credit for the period of separation during which he or she received workers' compensation only if he or she is reemployed for 5 years of actual, continuous full-time employment (or the part-time equivalent), and is otherwise eligible for and elects a redetermined annuity. An individual is "otherwise eligible" if he or she meets all the requirements, such as age and service, to qualify for a particular type of retirement benefit. For example, an individual may have retired at age 45 with 25 years of service when the employing agency had the authority to offer voluntary early retirement. If the individual was rehired 1 year after retirement and worked 5 years, he or she would be 51 years old with 30 years of service. The individual would not meet the age and service requirements for optional retirement, so he or she would not be "otherwise eligible" unless the employing agency had the authority and offered voluntary early retirement or the individual qualified for discontinued service retirement based on involuntary separation.

When an individual is eligible for and elects a redetermined annuity, the position of record on the date the individual separated to receive workers' compensation benefits determines service credit under the special retirement provisions for air traffic controllers, firefighters, or law enforcement officers. If the individual separated from a covered position, the period in receipt of workers' compensation benefits is creditable under the special provisions not-to-exceed the date the individual would have been subject to mandatory separation.

- (2) If the individual's right to annuity stops upon reemployment in an appointment that provides retirement coverage, he or she will
-

receive credit for the period of separation during which he or she received workers' compensation only if he or she establishes a new annuity right based on the reemployment service. (Under CSRS or CSRS Offset, this would require that the employee meet the "1-out-of-2 requirement.") OPM will credit the period in receipt of workers' compensation under the special retirement provisions for air traffic controllers, firefighters, or law enforcement officers as described in paragraph 1 above for an individual who establishes a new annuity right.

EXAMPLE: A voluntary non-disability retiree who elected to receive compensation in lieu of annuity is reemployed several years later in a part-time position (20 hours per week) at the same grade. After working in that position for 5 years and 6 months, the employee separates.

Is the reemployed annuitant entitled to a redetermined annuity?

No. The right to receive the annuity continues during the period of reemployment because the previous retirement was voluntary and non-disability. Thus, the individual is a reemployed annuitant. The part-time reemployment service of 5 years and 6 months at 20 hours per week is not equivalent to 5 years of full-time reemployment service (it is equivalent to 2 years and 9 months of full-time service), so the employee is not eligible for a redetermined annuity. Consequently, the reemployed annuitant cannot receive credit for the period of separation during which he or she received workers' compensation benefits.

What annuity benefit is the reemployed annuitant entitled to?

The reemployed annuitant is entitled only to a supplemental annuity added to the previous annuity. OPM will base the supplemental annuity on the period of reemployment only with no credit for the period of separation during which the annuitant received workers' compensation benefits. The supplemental annuity will be computed under a part-time formula. The entire 5 years, 6 months of service will be credited, but the employee's average annual salary will be adjusted to reflect his or her earnings on a part-time work schedule.

See [Chapter 100](#), Reemployed Annuitants, for additional information.

C. Disability Annuity

The reemployment status of a disability annuitant is determined by the continuing nature of his or her disability annuity. A reemployed disability annuitant can receive service credit for the period he or she was receiving workers' compensation benefits if:

- (1) He or she returns to work in an appointment with retirement coverage;
- (2) OPM determines that he or she is:
 - a. Recovered from disability; or
 - b. Restored to earning capacity; and
 - c. He or she establishes new title to annuity.

EXAMPLE 1: A disability annuitant who retired from a GS-9 full-time position is awarded workers' compensation benefits. Later, the annuitant is reemployed in a permanent, full-time GS-9 position, and the workers' compensation benefits stop. OPM finds the reemployed annuitant recovered from his or her disability 3 months after reemployment. Ten months later (sufficient time for a CSRS employee to meet the 1-year-out-of-2 requirement) the employee resigns.

What annuity benefits is the employee entitled to?

Immediate Annuity - If the employee meets the age and service requirements for an immediate voluntary annuity, he or she is entitled to that benefit. The requirements for immediate retirement are at age 55 (or minimum retirement age (MRA) for FERS) with 30 years' service, age 60 with 20 years, or age 62 with 5 years and for FERS at MRA with 10 years.

Deferred Annuity - If the employee is not eligible for an immediate voluntary annuity, he or she would be entitled to a deferred annuity at age 62, or, at the MRA, with 10 years of service under FERS.

Disability Annuity - Because the employee is eligible for an annuity (either immediate or deferred) based on the new separation, he or she would not be entitled to have the prior disability retirement reinstated. However, if OPM finds the employee disabled once again at the time of separation, a new disability retirement may be awarded.

Service Credit - In all three situations, the period of separation spent in receipt of workers' compensation benefits is creditable to determine years of service and to compute an annuity.

If OPM has not found the disability annuitant/OWCP recipient to be recovered or restored, the provisions of law covering reemployed annuitants govern the reemployment service. Thus, the period of separation during which the individual received workers' compensation benefits (in lieu of a disability annuity) is not creditable unless he or she is reemployed for 5 continuous full-time years (or the part-time equivalent), is otherwise eligible for, and elects a redetermined annuity.

When OPM receives notification of an annuitant's reemployment, we review the records to determine any effect the reemployment will have on the individual's continuing eligibility for benefits based on disability.

However, continued payment from OWCP for loss of wage-earning capacity is prima facie evidence that the person is not recovered. In such cases, OPM will not make a finding of recovery unless there is contravening medical evidence.

EXAMPLE 2: A disability annuitant who retired from a GS-9 full-time position is awarded workers' compensation benefits. Later, the annuitant is reemployed in a GS-9 position on a part-time basis, with a tour of duty of 20 hours per week. The annuitant continues to receive partial OWCP payments for loss of wage-earning capacity. The reemployed annuitant resigns after 13 months and elects to receive retirement benefits in lieu of workers' compensation benefits.

May the disability annuitant be found recovered from his or her disability?

Generally not. Reemployment in a position of the same grade, but with a lesser tour of duty, is not considered equivalent employment for recovery purposes. Also, continued receipt of OWCP benefits for loss of wage-earning capacity is prima facie evidence of nonrecovery. Either of these two factors would generally prevent OPM from making a recovery finding. Although OPM would only make a finding of recovery in this case if recovery were demonstrated by medical evidence, the annuitant could voluntarily request to be found recovered. OPM will honor a written and signed statement of medical recovery voluntarily filed by a disability annuitant when the medical documentation on file does not demonstrate that the annuitant is mentally incompetent."

What annuity benefit is the annuitant entitled to?

The annuitant is only entitled to have the original disability annuity reinstated, with the cost-of-living adjustments that had accrued since the original separation. OPM cannot pay a supplemental annuity because the 13 months of part-time reemployment service is not equivalent to 1 year of actual, continuous, full-time service, and the period of separation spent in receipt of OWCP benefits cannot be credited in computing a supplemental annuity.

for Work-Related Injuries and Disease

Chapter 102

Section 102A3.1-3 Miscellaneous**A. Alternative Annuity and Workers' Compensation**

- (1) The Department of Labor has ruled that an employee who elects to receive nonscheduled workers' compensation is not entitled to the lump-sum payment under the alternative annuity provisions (see [Chapter 53](#)). Receipt of both benefits is considered prohibited dual compensation under the Federal Employees' Compensation Act.
- (2) If an eligible employee retires, elects the alternative annuity and later becomes eligible for and elects workers' compensation benefits, the Department of Labor will require that the person return all retirement payments, including the alternative annuity lump-sum, to OPM, either by direct repayment, or withholding from compensation.

EXAMPLE: William retires and elects the alternative annuity. He receives a reduced annuity of \$1,500 per month and a lump-sum payment of \$30,000. One year later, William is awarded and elects workers' compensation benefits that total \$2,000 per month.

During a 1-year period of retirement, William would have received \$48,000 ($\$1,500 \times 12$ months +

$\$30,000$ lump sum) in retirement benefits. Workers' compensation benefits for the same period of time would be \$24,000 ($\$2,000 \times 12$ months). Consequently, William has been overpaid \$24,000 ($\$48,000 - \$24,000$).

B. Salary Supplemented by Workers' Compensation

When computing the high-3 average salary for an employee whose salary is being supplemented by workers' compensation benefits, use only the basic salary rate of the position. Do not include any payments from OWCP. See [Chapter 50](#), Computation of Annuity, for guidance in computing basic rates; see [Chapter 55](#), Computation for Part-Time Employees, for guidance in computing the average salary for part-time employees; and, see [Chapter 100](#), Reemployed Annuitants, section 100A4.1-1, for computing the basic rate when an offset is involved.

EXAMPLE: Dick retires on disability from a GS-13 position. His high-3 average salary was \$87,000.00. He receives workers' compensation benefits for 3 years. He is then reemployed in a GS-5 position.

OWCP pays benefits equal to the difference between the GS-5 pay and 75 percent of the GS-13 pay. Because the GS-5 position is not equivalent to the GS-13 position, OPM does not find Dick recovered from his disability. Therefore, his reemployment falls under reemployed annuitant rules. Also, because the GS-5 pay does not equal or exceed 80 percent of the GS-13 pay, Dick is not found restored to earning capacity during the period of reemployment.

Dick works full-time for 5 continuous years and then separates. He is entitled to either a supplemental annuity or a redetermined annuity. OPM would base the supplemental annuity on Dick's 5

years of reemployment service and his average salary (excluding the workers' compensation benefits that supplemented his salary) for those 5 years. OPM would add the supplemental annuity to the disability annuity Dick was previously awarded. OPM would base the redetermined annuity on all of Dick's service, including the period of separation during which he received workers' compensation benefits. The redetermined annuity would replace the disability annuity Dick was previously awarded.

However, Dick's GS-5 salary for the last 5 years was significantly below the GS-13 salary he was previously paid. (The workers' compensation payments that supplemented Dick's GS-5 salary cannot be counted for high-3 average salary purposes.) Thus, Dick's high-3 period would likely be from a period before the date of reemployment. The disability annuity plus supplemental annuity may provide the greater benefit. In situations like this, an agency needs to compute both the supplemental annuity and redetermined annuity to counsel an employee his or her options. When processing the retirement application, OPM would allow Dick to elect between the supplemental and re-determined annuity benefits.

See [Chapter 50](#), Computation of Annuity, for examples of how this enhanced formula is computed.

C. Miscellaneous Rules

Enhanced Annuity for certain FERS Employees Receiving Compensation from the Office of Workers' Compensation Programs (OWCP)

[Public Law 108-92](#), effective October 3, 2003, amended title 5, United States Code, Section 8415. The new subsection 5 U.S.C. 8415(l) provides a one percent (1%) annuity enhancement for certain FERS employees who received disability compensation from OWCP whose final separation occurred on or after October 3, 2003. This provision was designed to make up for FERS beneficiaries' inability to participate in Social Security or the Thrift Savings Plan during a period of absence from the workplace while receiving workers' compensation benefits.

Eligibility for an Enhanced Annuity under 5 U.S.C. 8415(l)

A FERS employee who receives OWCP benefits during qualifying periods of absence is eligible for the enhanced 1% annuity computation if the sum of all qualifying periods of absence totals two (2) months or more. An employee's qualifying periods of absence include:

- a period of leave without pay (LWOP) while the employee is performing no work and is receiving OWCP benefits
 - a period of separation from service while receiving OWCP benefits, if the former employee is later reinstated in Federal service and earns title to a FERS annuity, and
 - a period of retirement while receiving OWCP benefits in lieu of annuity payments, if the annuitant is later reemployed in the
-

Federal service and earns title to a new FERS annuity.

If an employee transferred from the Civil Service Retirement System (CSRS) to FERS, the enhanced formula will apply to any qualifying periods that are creditable under FERS rules (i.e., periods that are not part of the employee's CSRS component). For purposes of [PL 108-92](#), disability compensation from OWCP includes the following types of benefits: total disability, temporary total disability, scheduled awards and wage loss.

OWCP Benefit and Disability Retirement

Employees are encouraged to apply for OWCP and disability retirement simultaneously. This process provides a safety net because an annuitant may have his or her disability annuity reinstated if OWCP benefits are terminated for any reason, and it protects survivor benefits in the event that the annuitant dies from an injury or illness not related to his or her job injury. The annuitant must choose between OWCP and disability retirement when both benefits are approved. In FERS disability cases the OWCP enhanced formula will be added to the "earned annuity" computation, and does not apply to the FERS disability annuity computed using the 60 percent or 40 percent of the high-3 average salary.

Annuitant who Returns to Work

An annuitant may qualify for the enhanced formula for the periods when he or she received OWCP benefits in lieu of annuity, if he or she returns to work and retires with a new FERS annuity on or after October 3, 2003.

If the original annuity terminates on reemployment, and the employee separates meeting the age and service requirements for a new FERS annuity, the employee may receive credit under the enhanced formula for qualifying periods of absence when he or she received OWCP benefits, including periods when he or she received OWCP benefits in lieu of annuity.

If the original annuity does not terminate upon reemployment, and the reemployed annuitant works long enough to meet the eligibility criteria for a redetermined annuity under FERS (five years of actual, continuous, full-time reemployed service, or part-time reemployed service equivalent to 5 years of full-time service), the employee may receive credit under the enhanced formula for qualifying periods of absence when he or she received OWCP benefits, including periods when he or she received OWCP benefits in lieu of annuity.

Disability Annuitant Who's Annuity Terminates Without Reemployment

If a disability annuity terminates due to restoration or medical recovery, and the annuitant is not reemployed, he or she has a "deemed involuntary separation" and may be eligible for a new non disability

retirement benefit. See [Chapter 60](#). If a disability annuity that began before October 3, 2003, terminates on or after October 3, 2003, and the annuitant is not reemployed, OPM will apply the enhanced formula in the computation of the non-disability benefit that results from the deemed involuntary separation. OPM will apply the enhanced formula to qualifying periods of absence when the annuitant received OWCP benefits before he or she initially retired on disability. However, unless the annuitant earns title to a new annuity based on reemployment, OPM will not credit periods after the annuitant's original separation for disability retirement.

Disability Annuitant Whose Annuity is Recomputed at Age 62

When a FERS disability is recomputed at age 62, the amount of service used in that computation includes the amount of actual creditable service the individual performed before retirement plus the amount of time during which the individual received disability annuity or received OWCP benefits in lieu of disability annuity. The time during which the individual received disability annuity or OWCP benefits in lieu of disability annuity is not a qualifying period of absence under [Public Law 108-92](#) and the individual is not entitled to the enhanced formula for that time. The individual also is not entitled to the enhanced formula for any time before the original disability retirement during which he or she may have received OWCP benefits if the original disability retirement was based on a separation before October 3, 2003.

Documentation of Service

To ensure accurate processing of claims, on the FERS retirement application ([Standard Form 3107-1](#))¹, the human resource office must document OWCP time under the Certified Summary of Federal Service, Section B of the retirement application. Make a separate entry for each qualifying period of absence when the employee received OWCP benefits that is documented in the employee's Official Personnel Folder (OPF) and reference [P.L. 108-92](#). Please also note any additional OWCP time the employee may claim that is not verified in the OPF. OPM will verify the OWCP time when it receives the retirement package.

¹ See Section 102A4.1-1 for Sample SF 3107-1.

Part 102A4 Job Aids

Section 102A4.1-1 Job Aids

**A. Reemployment Status
OWCP Chart**

The below chart assists in determining Reemployment Status and Future Annuity Rights of Annuitants Reemployed After Receiving Workers' Compensation Benefits

Reemployment Status and Future Annuity Rights of Annuitants Reemployed After Receiving Workers' Compensation Benefits

TYPE OF ANNUITY	ANNUITY STATUS	BENEFITS ON SEPARATION	SERVICE CREDITED FOR COMPUTATION PURPOSES
Voluntary Non-Disability (including Voluntary Early Retirement)	Right to annuity continues; and During the period of reemployment, the agency must deduct an amount equal to the annuity from the employee's salary.	Original annuity	No additional service credit
Disability not recovered or restored to earning capacity		Plus a supplemental annuity if reemployment equals or exceeds the equivalent of 1 year of actual full-time, continuous service.	OPM credits the entire period of reemployment service for the purpose of the supplemental annuity. The average annual salary will be adjusted if the individual worked part-time.
CSRS Discontinued Service Annuity – rehired in noncovered appointment			
FERS Discontinued Service Retirement			
FERS MRA+10 or Early Deferred ¹		If reemployment equals or exceeds the equivalent of 5 years of actual full-time, continuous service, and the person otherwise meets the age and service requirements for retirement ² , he or she may elect a redetermined annuity instead of the original annuity plus the supplemental annuity.	OPM credits all prior creditable periods of service, periods of separation during which the person was in receipt of workers' compensation benefits, and the period of reemployment service in the computation of the redetermined (new) annuity.
Mandatory			
CSRS Discontinued Service Retirement – rehired in a covered position	Annuity stops on reemployment	If the person is eligible for an immediate or deferred annuity based on the period of reemployment (CSRS and CSRS Offset employees must meet the 1 - year-out-of-2 rule to qualify for a non-disability annuity), the original annuity is not reinstated.	The computation is based on the general formula, with the appropriate part-time proration factor(s) applied if the individual worked part-time.
Disability found recovered or restored to earning capacity		If the person is not eligible for an immediate or deferred annuity based on the period of reemployment, the original annuity is reinstated.	OPM credits only the service that they credited in the original annuity.

¹ If the person is rehired before the starting date of the annuity, the right to an annuity stops.

² Individuals who retired on Discontinued Service Retirement (DSR), Voluntary Early Retirement or Disability may not meet the age and service requirements to have their annuity redetermined even if they have 5 years of reemployment service. For example, a person who retired under either DSR or Voluntary Early Retirement at age 45 with 25 years of service would be 50 years old with 30 years of service after 5 years of reemployment. After 5 years of reemployment, this person would not be eligible for a redetermined annuity unless he or she was being involuntarily separated and qualified for DSR or the agency had the authority to offer Voluntary Early Retirement because the age requirement for voluntary retirement is not met.

**B. FAQs on Retirement
Credit for time spent in
OWCP**

The below FAQ addresses Commonly Asked Questions and Answers on Retirement Credit for Time Spent in Receipt of Workers' Compensation Benefits

I. Service Credit Generally

Q-1. Do retiring employees receive full credit in their retirement computation for periods of LWOP and separation during which they received workers' compensation benefits?

A-1. Yes. So long as the period(s) involved occurred before the separation from employment that makes the individual eligible for an annuity, this service is available as service credit for length of service, high- 3 average salary, and computation purposes. However, the service may be credited under part-time rules if the employee was working a part-time schedule. If the employee was on a full-time schedule, working part-time, and receiving workers' compensation benefits for part of the day, full-time credit is given. This provision does not apply to reemployed annuitants.

Q-2. Is there any purpose for which a period of separation during which the employee received workers' compensation benefits cannot be credited?

A-2. Yes. A period of separation cannot be credited in meeting the 1-year-out-of-2 provision of 5 U.S.C. 8333(b) applicable to CSRS employees, even though the individual was receiving workers' compensation benefits.

Q-3. What is the 1-year-out-of-2 provision?

A-3. A CSRS or CSRS Offset employee must complete 1 year of creditable service subject to retirement deductions in the 2 years immediately preceding his or her separation to qualify for a non-disability retirement based on that separation. FERS does not have the same requirement.

II. Employees and Annuitants

Q-4. What is the difference between a separated employee and an annuitant?

A-4. A separated employee is a former Federal employee who was covered by CSRS, CSRS Offset, or FERS. An annuitant is a separated employee whose application for either a CSRS, >CSRS Offset< or FERS annuity has been received by OPM (or, when appropriate, the employing agency) and who meets the requirements for that benefit. For individuals who are applying for a regular benefit based on age and service, "meeting all the requirements" means the person 1) has separated from his or her employing agency; 2) meets the appropriate age and service requirements; and 3) has filed an application for annuity with OPM (or, when appropriate, the employing agency). However, OPM must make a finding of disability before annuitant status can be established for an applicant for disability annuity.

Q-5. Is an annuitant who elects to receive workers' compensation benefits for loss of wage-earning capacity in lieu of annuity still considered an annuitant?

A-5. Yes. This is because he or she may reverse his or her election and choose to receive annuity in lieu of workers' compensation benefits at any time.

for Work-Related Injuries and Disease
Chapter 102

Q-6. How can annuitants receive retirement credit for periods of separation after retirement during which they received workers' compensation benefits in lieu of civil service annuity?

A-6. Annuitants can credit periods of separation during which they received workers' compensation benefits in lieu of annuity by 1) being reemployed after the period of receipt of workers' compensation benefits and 2) becoming eligible for an immediate or deferred annuity as a result of such reemployment.

III. Reemployed Annuitants

Q-7. How does an annuitant earn a new right to an immediate or deferred annuity based on reemployment?

A-7. If an annuitant's right to annuity stops on or during reemployment, he or she has earned a new right to an immediate or deferred annuity when separated from such employment. However, CSRS and CSRS Offset employees must also meet the 1-out-of-2 year requirement. If the annuitant's right to annuity continues during reemployment, he or she has earned a new right to annuity only if he or she completes the equivalent of 5 full-time, continuous years and earns a right to a redetermined annuity.

Q-8. What kinds of annuities stop on or during reemployment?

A-8. Under CSRS or CSRS Offset, a discontinued service annuity stops when the employee is reemployed in an appointment that is not excluded from CSRS coverage by law or regulation. Other CSRS or CSRS Offset annuities stop when the annuitant is reemployed under special circumstances, such as a Member of Congress or a Presidential appointee. All other annuities, and the right to receive annuity, are not directly affected by reemployment. However, special rules apply to disability annuities that stop during reemployment.

Q-9. What are the special rules that apply to disability annuities that stop during reemployment?

A-9. When OPM finds a CSRS, CSRS Offset or FERS disability annuitant recovered or restored to earning capacity, the date the annuity stops may be affected by Government employment. A disability annuity usually stops 1 year after the date OPM has found the annuitant recovered, or 6 months after the end of the calendar year in which OPM has found the annuitant restored to earning capacity. When a disability annuitant who has been found recovered or restored to earning capacity is reemployed in a Government position before the usual termination date of annuity, the annuity stops on the later of (1) the date of reemployment or (2) the date of OPM's finding. The Government position must be at the same or higher grade or pay level and tenure as the position from which the disability annuitant retired.

Government means:

- the Government of the United States and Gallaudet University;

- nonappropriated fund instrumentalities (NAFI) of the Department of Defense or Coast Guard for eligible individuals who continued their CSRS or FERS coverage in NAFI positions; and
- the government of the District of Columbia when the annuitant was first employed subject to CSRS by the District of Columbia before October 1, 1987 or is an employee of the government of the District of Columbia not excluded from CSRS under section 831.201(g) or 831.201(i) of title 5, Code of Federal Regulations, or is an employee of the District of Columbia who is deemed to be a Federal employee for FERS purposes under section 842.107 or 842.108 of title 5, Code of Federal Regulations.

Q-10. On what basis can a disability annuitant be found recovered?

A-10. OPM will find a disability annuitant recovered from his or her disability if:

- medical evidence shows that the medical condition that initially caused the disability has improved so that the annuitant is no longer disabled for the position from which he or she retired, or
- the annuitant is permanently reemployed, under CSRS, CSRS Offset, or FERS, in a position of the same or higher grade or pay level and tenure as the position from which he or she retired. For this purpose, pay level means current basic pay, and is the hourly rate times the number of hours in the tour of duty.

Q-11. What circumstances will prevent OPM from making a recovery finding on the basis of reemployment?

A-11. If the disability annuitant is age 60 or over, OPM will only find him or her found recovered at the annuitant's own request. In addition, if the reemployed disability annuitant continues to receive workers' compensation benefits on the basis of loss of earning capacity, a recovery finding on the basis of reemployment normally is inappropriate.

Q-12. May a reemployed disability annuitant request OPM to make a finding of recovery from disability, and what effect does the request have?

A-12. Yes. A reemployed disability annuitant may request to be found recovered from his or her disability at any age. A disability annuitant age 60 or over may only be found recovered on his or her own request.

Q-13. On what basis may a disability annuitant be found restored to earning capacity?

A-13. A disability annuitant is deemed restored to earning capacity when, in any calendar year in which the annuitant is under age 60 (on December 31), the annuitant's earnings equal or exceed 80 percent of the current pay of the position from which the annuitant retired.

**for Work-Related Injuries and Disease
Chapter 102**

Q-14. Are workers' compensation benefits counted as part of a disability annuitant's earnings for restoration to earning capacity purposes, or as part of his or her salary for average salary purposes?

A-14. No.

Q-15. How is average salary computed, especially when the employee is working a part-time schedule?

A-15. It depends. If the annuity continued during reemployment and the annuitant is eligible for a supplemental annuity, OPM uses the annual rate of basic pay the employee actually received to compute the average salary for a supplemental annuity. OPM uses an average of the basic salary for the entire period of reemployment rather than an average of the 3 highest consecutive years. For example, the average salary for an employee who worked 20 hours per week at an annual full-time rate of \$60,000 for 1 year and \$65,000 for 1 year would be \$31,250 ($\$30,000 + \$32,500 = \$62,500$ divided by 2 = \$31,250).

Regular part-time rules apply depending on whether the individual is CSRS (or CSRS Offset) or FERS or if the individual had part-time service in a Veterans Health Administration position (see Chapter 55) when:

- The annuity continues during reemployment and the annuitant qualifies for and elects a redetermined annuity.
- The annuity stops during reemployment and the annuitant earns new title to an immediate or deferred annuity.

Q-16. What CSRS or FERS benefits are payable if the reemployed annuitant (whose annuity stopped on or during reemployment) separates without new title to either immediate or deferred annuity?

A-16. If a non-disability annuity stopped on or during reemployment, it may be reinstated as of the date of separation. If a disability annuity stopped on or during reemployment, and the employee is (1) still, or once again, disabled by the same medical condition, and (2) under age 62, the disability annuity may be reinstated. If a disability annuity stopped on or during reemployment, but the employee does not meet the above, he or she may be entitled to discontinued service annuity based on the termination of the disability annuity. To meet this requirement, he or she would need to have had 25 years of service when he or she initially retired, or 20 years of service, and be age 50 or over when the disability annuity stopped. If none of the above circumstances apply to the employee, he or she will be entitled to a deferred annuity based on the prior separation for retirement.

Q-17. What benefits would be payable to a reemployed annuitant (whose annuity did not stop during reemployment) if he or she is not entitled to a redetermined annuity?

A-17. If the annuitant completed at least 1 year of actual, continuous full-time reemployment service, or its part-time equivalent, he or she would be entitled to a supplemental annuity. A supplemental annuity is added onto the regular annuity.

Q-18. Can periods of separation during which the annuitant received workers' compensation benefits be included in the computation of the supplemental annuity?

A-18. No. Only actual reemployment service may be used to compute a supplemental annuity.

**for Work-Related Injuries and Disease
Chapter 102**

C. Sample Documentation of Service

Find below a sample Certified Summary of Federal Service (FERS) (SF 3107-1).

 Federal Employees Retirement System	Certified Summary of Federal Service Federal Employees Retirement System	Office of Personnel Management 5 CFR Part 841
--	--	--

Information for Agency

1. A certified copy of this form must accompany an employee's Application for Immediate Retirement (SF 3107).
2. This form may also be used:
 - for retirement counseling purposes
 - to respond to an employee's request for a record of creditable service.
3. See the CSRS and FERS Handbook for Personnel and Payroll Offices (formerly FPM Supplement 830-1) for detailed instructions for completion and disposition of this form.

Instructions for Employee

1. Your employing office will complete and certify this form for you.
2. Review the form carefully. Be sure it contains all of your service.
3. Complete Section E, Employee's Certification, and return it to your employing office.

Section A - Identification

1. Name of employee (last, first, middle) Fox, Michael		8. Did this employee elect to transfer to FERS? <input type="checkbox"/> No <input type="checkbox"/> Yes Give effective date of election	
2. List all other names used (maiden name, AKA, spelling variants)		9. If yes, is this employee entitled, according to your records, to have part of his/her annuity computed under CSRS rules? <input type="checkbox"/> No <input type="checkbox"/> Yes	
3. Date of birth (month, day, year)		10. a. Does the applicant receive military retired pay? <input type="checkbox"/> No <input type="checkbox"/> Yes (Attach a copy of the applicant's military retired pay order, if available, and complete 10. b.)	
4. Social security number		10. b. If Yes, has the applicant waived military retired pay to credit military service for FERS retirement? <input type="checkbox"/> No (Includes cases where a waiver is unnecessary.)	
5. Other birth dates used		7. Service computation date for retirement purposes <input type="checkbox"/> Yes (Attach a copy of the military finance center's letter to the employee accepting waiver, if available.)	
6. Military serial number			

Section B - Verified Service History Documented in Official Personnel Records

Federal Agency or Military Service Branch	Appointment, Separation, or Conversion Dates for Civilian and Active Honorable Military Service		Name of Retirement System*	Remarks and Non-Creditable Time**
	From	To		
U.S. Army	10/12/78	10/11/82	Honorable Active Duty	Military Deposit Paid in Full
NASA	1/4/83	6/15/87	FICA	Deposit Paid in Full - CSD 8 88888
Department of Agriculture	6/16/87	4/18/00	FERS	
OWCP	8/25/92	12/15/93	LWOP – OWCP	(PL 108-92)
Separation-OWCP	4/19/00	3/15/01	OWCP - PL 108-92	
Department of Agriculture	3/16/01	1/8/03	FERS	
Department of Navy	1/9/03	8/31/05	FERS	Voluntary Early Retirement

* Give details of creditable service not subject to retirement deductions in Section C.
 ** In Remarks, show if CSRS service on or after January 1, 1984, is "regular" CSRS or CSRS offset. Indicate if service is part-time. If service was performed on a WAE or intermittent basis, show the number of hours worked in "Remarks."