The Deputy Sheriff Retirement System (DSRS), a multi-employer defined benefit employee retirement system, was established for all deputy sheriffs hired on or after July 1, 1998. DSRS currently has more than 1,500 members and 500 retired members. Service as a sheriff may also be considered covered employment in DSRS under certain circumstances. Individuals elected as Sheriff should contact CPRB to determine his or her eligibility to participate in DSRS.

Active members contribute 8.5% of their gross monthly salary pre-tax and the Sheriff’s Office contributes an additional 16% of the member’s gross monthly salary. In addition, the county contributes certain fees charged for reports and other services provided by Sheriff’s Office. A member is vested after completion of 60 months of covered employment.

“Board” when used in the following sections of this brochure refers to the West Virginia Consolidated Public Retirement Board.

Deputy Sheriff Retirement System

5. Annuity Options Upon Retirement

STRAIGHT LIFE ANNUITY: A lifetime annuity payable monthly to the member determined under the regular benefit formula without adjustment. There are no death benefits payable under this option.

TRUE JOINT & SURVIVOR ANNUITY: A reduced annuity payable monthly to the member. Upon the death of either the member or the beneficiary, the annuity is further reduced in either 50%, 66 2/3%, 75% or 100% of the original monthly amount, dependent on the original option elected by the member. The reduced benefit is payable to the surviving beneficiary or beneficiary for the remainder of his or her lifetime.

JOINT & SURVIVOR ANNUITY: A reduced annuity payable monthly to the member. Upon the death of the member, a reduced annuity of either 50%, 66 2/3%, 75% or 100% of the original monthly amount, dependent on the original option elected by the member, is payable to the beneficiary. There is no change in the original monthly amount if the beneficiary pre-deceases the member.

LEVEL INCOME ANNUITY: An increased annuity payable monthly to the member until the member attains Social Security Retirement Age. After Social Security Retirement Age is met, the benefit is reduced by the estimated Primary Insurance Amount determined at retirement. The reduced benefit is payable monthly for the remaining lifetime of the member. There are no death benefits under this option.

A retiree who is married and elects a survivor option naming someone other than their spouse must have their spouse complete a voluntary spousal waiver. A named survivor must be a natural person with an insurable interest in the member’s life. An option may not be revoked or changed after the member receives their first annuity payment unless permitted pursuant to W.Va. Code §7-14D-12. If a named survivor under an option dies before a retiree, the retiree may elect a new survivor option; however the new option will result in a further reduction in the retiree’s monthly annuity benefit.

DISABILITY RETIREMENT BENEFITS

TOTALY DISABLED means a member’s inability to engage in substantial gainful activity by reason of any medically determined physical or mental impairment that can be expected to result in death or that has lasted or can be expected to last for a continuous period of not less than 12 months. A member is totally disabled if the medical opinion of a physician is so severe that he or she is not only unable to perform his or her previous work as a deputy sheriff but also cannot, considering the member’s age, education and work experience, engage in any other kind of substantial gainful employment which exists in the state.

PARTIALLY DISABLED means a member’s inability to engage in the duties of deputy sheriff by reason of any medically determinable physical or mental impairment that can be expected to result in death or that has lasted or can be expected to last for a continuous period of not less than 12 months. A member may be determined partially disabled and maintain the ability to engage in other gainful employment which exists within the state but which ability would not enable him or her to earn an amount at least equal to 25% of the average annual compensation earned by all active members of this plan during the plan year ending the most recent 30th day of June.

DUTY RELATED DISABILITY BENEFITS

Total Duty: 90% of the member’s average monthly compensation for the full 12 month period preceding his or her disability, payable for lifetime.

Partial Duty: 45% of the member’s average monthly compensation for the full 12 month period preceding his or her disability until age 60, then reverts to normal retirement.

NON-DUTY RELATED DISABILITY BENEFITS

Total Non-Duty: 66 2/3% of the member’s average monthly compensation for the full 12 month period preceding his or her disability until age 60, then reverts to normal retirement.

Partial Non-Duty: 33 1/3% of the member’s average monthly compensation for the full 12 month period preceding his or her disability until age 60, then reverts to normal retirement.

Continued Disability: The Board may require subsequent medical evaluations to determine if a disability retiree has fully or partially recovered from such disability. The Board may also require a disability benefit recipient to file an annual statement of earnings and any other information required in rules adopted by the Board.

DEATH BENEFITS

Employer Contributions at his or her death.

Dependent child(ren) nor dependent parent(s), the member may elect a 100% Joint and Survivor annuity with the spouse as the joint annuitant, and then died. This benefit is payable to the surviving spouse during his or her lifetime.

If a member’s family situation changes or upon attaining 10 years of service, a member’s pre-retirement beneficiary designation should be re-evaluated.

NON-DUTY RELATED - The surviving spouse of any member who, while in covered employment, dies or dies by reason of injury, illness or disease resulting from an accidental risk or hazard inherent in or peculiar to the service required of members, while the member was or is engaged in the performance of his or her duties as a deputy sheriff, or the surviving spouse of a member who dies from any cause after having been retired with a duty related disability shall be entitled to the greater of 2/3 of the average annual compensation received in the preceding 12 month period by the deceased member; or if the member dies after his or her early or non-duty related disability, the surviving spouse would have received had the member retired the day before his or her disability, elected a 100% Joint and Survivor annuity with the spouse as the joint annuitant, and then died. This benefit is payable to the surviving spouse during his or her lifetime.

EATH BENEFITS

If a member’s family situation changes or upon attaining 10 years of service, a member’s pre-retirement beneficiary designation should be re-evaluated.

The very first benefit payment due to a retiree or beneficiary will be the date upon which you terminate employment.

The Board’s receipt of the member’s voluntary application to retire; 2) The member’s termination of covered employment; and 3) The member’s attainment of early or normal retirement criteria.

Final Average Salary x Years of Credited Service x 2.5% = Annual Retirement Benefit

Retirement income payments shall commence on the first day of the following month following 25th of each month, with the Board’s receipt of the member’s voluntary application to retire; 2) The member’s termination of covered employment; and 3) The member’s attainment of early or normal retirement criteria.

The very first benefit payment due to a retiree or beneficiary will be the date upon which you terminate employment.

Retirement benefits are not automatic.

You must apply to the Board for your retirement benefits. Distributions must start by April 1 of the year following the later of: a) the date you reach age 73 if you were born after December 31, 1950; or b) the date upon which you terminate employment.

You must apply to the Board for your retirement benefits. Distributions must start by April 1 of the year following the later of: a) the date you reach age 73 if you were born after December 31, 1950; or b) the date upon which you terminate employment.

In order to qualify for regular retirement benefits, a member of DSRS must meet one of the following requirements:

While still in covered employment, a member may:

- Retire with full benefits at the age of 50 if age plus service equals or exceeds 70 (excluding military service).
- Retire with full benefits at age 60 with 5 full years of service (excluding military service).

When covered employment has ceased, a member may:

- Retire with full benefits at age 50 with 20 years of service (excluding military service), or with reduced benefits at age 60 with 20 years of service (excluding military service).
- Retire with full benefits at age 60 with 5 years of service (excluding military service).

A regular retirement benefit, paid in equal monthly installments, is an equal amount to 2.5% of a member’s final average salary multiplied by the member’s years of credited service. Final average salary refers to the average of the highest annual compensation received for covered employment by the member during any five consecutive plan years within the member’s last ten years of service. A plan year is July 1 through June 30.
Sick and Annual Leave at Retirement

Any member of DSRS who has accrued annual and/or sick leave contributions forfeits all rights to any future of retirement may elect to acquire additional credited service under DSRS. The accrued days shall be applied on the basis of 2 workdays’ credit granted for each 1 day of accrued annual and/or sick leave. However, such credited service shall not be used in meeting initial eligibility for retirement. A member who plans to separate from employment prior to eligibility for a retirement annuity (deferred retirement) and who wishes to convert his/her unused leave to acquiring additional service credit should contact a Uniformed Services Retirement Advisor before terminating employment to determine if this option is available.

In the alternative to increasing retirement benefits, certain members of DSRS who are at least age 55 at the time of retirement and who also participate in a PEIA insurance plan at the time of retirement may be eligible to elect to use accrued annual and/or sick leave to purchase health insurance through PEIA. Please contact PEIA for further information.

Accrued leave cannot be divided and used for both aditional service credit and PEIA coverage.

APPENDMENTS

Most retirement related matters can be handled from the convenience of your home via mail and telephone. However, members who wish to visit CPRB to discuss related matters with a CPRB staff member are required to make an appointment.

QUESTIONS

Should you have any questions regarding the Deputy Sheriff Retirement System, please feel free to contact us in writing or by phone at the Consolidated Public Retirement Board, Monday through Friday, 8:00 a.m. to 5:00 p.m.

Note: Information contained in this publication illustrates the Board’s understanding of the current provisions of the West Virginia Code as it applies to the Deputy Sheriff Retirement System. These provisions are contained in the current plan statutes, and are subject to changes and modification by the West Virginia Legislature each year. This is for general guidance purposes only. In the event there is a discrepancy between information contained in this brochure and the West Virginia Code and Rules or any applicable case law, the language in the Code and Rules or any applicable case law shall prevail.

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The West Virginia Deputy Sheriff Retirement System (DSRS)

A Defined Benefit Retirement Plan
Established July 1, 1998

Administered by:
The West Virginia Consolidated Public Retirement Board (CPRB)