The West Virginia State Police Retirement Board, Disability and Retirement Fund, commonly referred to as Plan A, was established for all state troopers on July 1, 1935. Chapter 2 of the West Virginia Code establishes the plan provisions for Plan A. During the 1994 Legislative Session, the West Virginia Legislature enacted Chapter 15, Article 2A of the West Virginia Code that establishes a new retirement plan for all state troopers hired on or after March 12, 1994. That plan was entitled the West Virginia State Police Retirement System, now commonly referred to as Plan B. State law now requires a contribution sufficient to fund the Plan benefits on an actuarially determined basis including both the employer National Cost plus amortizing the unfunded actuarial accrued liability through Fiscal Year 2025 (the ARC).

The State also contributes other monies to the system through annual, guaranteed contributions, accident insurance, group life insurance, etc. Members of Plan A are not covered by Social Security or Workers’ Compensation.

• **“agency”** means the following in the sections of this brochure means the West Virginia State Police.

• **“Board”** when used in the following sections of this brochure means the West Virginia Consolidated Public Retirement Board.

• **“Employee”** when used in the following sections of this brochure means any person regularly employed in the service of the agency as a law enforcement officer before March 12, 1994 and who is eligible to participate in the fund.

• **“fund”, “plan”, or “system”** when used in the following sections of this brochure means the West Virginia State Police Death, Disability and Retirement Fund (Plan A).

• **“Member”** means any person who has contributions standing to his or her credit in the fund and who has not yet entered into retirement.

• **“Retiree”** when used in the following sections of this brochure means any former member who is receiving an annuity payable by the fund.

### Retiree Benefits
In order to qualify for full retirement benefits, a member must be age 55 with 20 years of contributory service (excluding Military Service), OR any age with 25 years of credited service (including Military Service). A member who is less than 50 years of age with 20 years of credited service (excluding Military Service), qualifies for a deferred benefit at age 50. Age 50 is an entry age that the agency will terminate employment after completing 10 years of service with the agency, but prior to eligibility for normal retirement, who leaves his or her contributions on deposit with the fund is eligible for deferred retirement benefits beginning at age 62.

There are no regular or deferred retirement benefits available for a member with less than 10 years of service.

The regular retirement benefit, payable in equal monthly installments, is equal to 5.5% of the employee’s aggregate salary paid during his or her whole period of service as an employee of the agency, but not less than $6,000 annually. This benefit is payable during the lifetime of the retiree.

The very first benefit payment due to a retiree or beneficiary will be mailed directly to the recipient’s home address. Following the first payment, barring any unforeseen circumstances, benefit payments are credited by direct deposit to retiree accounts on the 25th of each month, except the month of December, when retiree accounts are credited on the 18th. If the 25th (or December 18th) falls on a weekend or holiday, direct deposits are processed the next full business day.

### Disability Retirement Benefits
**Total Disability** - A member of the fund who has not yet entered retirement status on the basis of age and service who and becomes permanently and totally disabled as the result of a physical or mental impairment resulting from any occupation inherent in or peculiar to the services required of employees of the agency or incurred pursuant to or while the member was engaged in the performance of his or her duties as an employee of the agency, but is able to engage in substantial gainful activity by reason of such 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 total disability related disability benefit payable during the lifetime of the retiree, or until the disability eligibility sooner terminates, is an annual amount equal to 8.5% of the total salary which would have been earned by the member during twenty-five years, or during actual service if more than twenty years of service in the fund, based on the average earnings of the retiree while employed as an employee of the agency, but not less than $15,000 annually.

**Partial Disability** - A member of the fund who has not yet entered retirement status on the basis of age and service who becomes partially disabled by injury, illness or disease resulting from any occupational risk or hazard inherent in or peculiar to the services required of employees of the agency or incurred pursuant to or while the employee was engaged in the performance of his or her duties as an employee of the agency who qualifies for a partial disability, if, in the opinion of the Board, he or she is probably permanently unable to perform adequately the duties required of him or her as an employee of the agency, but is able to engage in any other gainful employment in a field other than law enforcement. A partial disability related disability retirement benefit payable during the lifetime of the retiree, or until the disability eligibility sooner terminates, is an annual amount equal to 5.5% of the total salary which would have been earned by the member during twenty-five years, or during actual service if more than twenty years of service in the fund, based on the average earnings of the retiree while employed as an employee of the agency, but not less than $6,000 annually.

**Non-Duty Disability** - Any employee while in active service of the agency may qualify for a non-duty disability if the employee has, in the opinion of the Board, become permanently partially or totally disabled and is unable to adequately perform the duties required of an employee of the agency from any cause other than those set forth in the duty related disability provisions, and not due to vicious habits, intemperance or willful misconduct on his or her part.

- **a).** If the employee at the time of such retirement has served less than 20 years, the benefit payable shall be paid in equal monthly installments during a period equal to ½ the time he or she has served as an employee of the agency or until the disability eligibility sooner terminates, a sum equal to 5.5% of the total salary which would have been earned by the member during twenty-five years of service. At the end of the ½ time period of service, the benefit payable for the remainder of the retiree’s life is an annual sum paid in monthly installments equal to ½ the basic salary received by the retiree from the agency in the preceding 12 month period immediately prior to the disability award.

- **b).** If the employee, at the time of such retirement has served 20 years or longer, the employee is entitled to receive annually, during such period, an amount equal to 5.5% of the aggregate salary paid to the employee during twenty-five years, or during actual service if more than twenty years of service in the fund, based on the average earnings of the retiree while employed as an employee of the agency, but not less than $15,000 annually.

### 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**

- **“Dependent Child”** means any child, whether natural or adopted, who is financially dependent on a deceased member or duty disability retiree during 25 years of age or older, and who is: (1) Under the age of 18; (2) Under the age of 23; or (3) Is financially dependent on the member by virtue of a permanent mental or physical disability upon evidence satisfactory to the Board.

- **“Dependent Parent”** means the member’s parent or step-parent claimed as a dependent by the member for federal income tax purposes at the time of the member’s death.

### Duty Related
- The surviving spouse of a member who dies from a duty related pre-retirement death, or the surviving spouse of the member who dies after having been retired with a duty related disability, is entitled to receive an annual benefit, in equal monthly installments, an amount equal to 5.5% of the total salary which was or would have been earned by the deceased member or duty disability retiree during 25 years of...
Any person who qualifies as a surviving dependent child of an employee who dies in the performance of duty or of a retiree who dies after having been retired with a duty related disability is entitled to receive a scholarship to be applied to the career education development of that dependent at a West Virginia institution.

Non-Duty Related - The surviving spouse of a retiree who dies after a normal or a non-duty related disability retirement, or the surviving spouse of an employee of the agency who has completed 20 years of service with the agency is entitled to receive an annual benefit, in equal monthly installments, an amount equal to 75% of the retirement benefit the deceased retiree was receiving while in retirement status, or would have been entitled to receive to the same effect as if such employee had been retired immediately prior to the time of his or her death, but not less than $3,000 annually. A surviving spouse will also receive $100 per month for each dependent child. If there is no surviving spouse, each surviving dependent parent will receive 50% of what would have been paid to the surviving spouse without children.

The benefit payable to the surviving spouse of a member of a non-duty related death with less than 20 years of service is a monthly amount in which the annual benefit is equal to 75% of the member's highest annual salary earned while employed with the agency and returns to employment with the agency within the allowable time frame following discharge may be eligible to purchase up to 5 years of additional military service credit as provided by federal law. Military service credit under this plan may not be credited under any other retirement system administered by the Board.

Sick and Annual Leave at Retirement
Any member of the fund who participates in a Public Employees Retirement System (PERS) on or after July 1, 2005 may receive a refund of all employee contributions he or she has contributed into the fund plus 4% interest compounded annually. Any member of the fund who is called to active duty in the armed forces of the United States during employment with the agency and returns to employment with the agency within the allowable time frame following discharge may be eligible to purchase up to 5 years of additional military service credit as provided by federal law. Military service credit under this plan may not be credited under any other retirement system administered by the Board.

Military Service
Any member of the fund who completes 20 years of service with the agency is entitled to apply for up to 5 years of military service credit for active duty in the armed forces of the United States prior to employment with the agency. No contributions are required to receive credit for this service. Any member of the fund who is called to active duty in the armed forces of the United States during employment with the agency and returns to employment with the agency within the allowable time frame following discharge may be eligible to purchase up to 5 years of additional military service credit as provided by federal law. Military service credit under this plan may not be credited under any other retirement system administered by the Board.

Dependent Scholarship - Any person who qualifies as a surviving dependent child of an employee who dies in the performance of duty or of a retiree who dies after having been retired with a duty related disability is entitled to receive a scholarship to be applied to the career education development of that dependent at a West Virginia institution.

Non-Duty Related - The surviving spouse of a retiree who dies after a normal or a non-duty related disability retirement, or the surviving spouse of an employee of the agency who has completed 20 years of service with the agency is entitled to receive an annual benefit, in equal monthly installments, an amount equal to 75% of the retirement benefit the deceased retiree was receiving while in retirement status, or would have been entitled to receive to the same effect as if such employee had been retired immediately prior to the time of his or her death, but not less than $3,000 annually. A surviving spouse will also receive $100 per month for each dependent child. If there is no surviving spouse, each surviving dependent parent will receive 50% of what would have been paid to the surviving spouse without children.

The benefit payable to the surviving spouse of a member of a non-duty related death with less than 20 years of service is a monthly amount in which the annual benefit is equal to 75% of the member's highest annual salary earned while employed with the agency and returns to employment with the agency within the allowable time frame following discharge may be eligible to purchase up to 5 years of additional military service credit as provided by federal law. Military service credit under this plan may not be credited under any other retirement system administered by the Board.

Sick and Annual Leave at Retirement
Any member of the fund who participates in a Public Employees Retirement System (PERS) on or after July 1, 2005 may receive a refund of all employee contributions he or she has contributed into the fund plus 4% interest compounded annually. Any member of the fund who is called to active duty in the armed forces of the United States during employment with the agency and returns to employment with the agency within the allowable time frame following discharge may be eligible to purchase up to 5 years of additional military service credit as provided by federal law. Military service credit under this plan may not be credited under any other retirement system administered by the Board.

Military Service
Any member of the fund who completes 20 years of service with the agency is entitled to apply for up to 5 years of military service credit for active duty in the armed forces of the United States prior to employment with the agency. No contributions are required to receive credit for this service. Any member of the fund who is called to active duty in the armed forces of the United States during employment with the agency and returns to employment with the agency within the allowable time frame following discharge may be eligible to purchase up to 5 years of additional military service credit as provided by federal law. Military service credit under this plan may not be credited under any other retirement system administered by the Board.

Dependent Scholarship - Any person who qualifies as a surviving dependent child of an employee who dies in the performance of duty or of a retiree who dies after having been retired with a duty related disability is entitled to receive a scholarship to be applied to the career education development of that dependent at a West Virginia institution.

Non-Duty Related - The surviving spouse of a retiree who dies after a normal or a non-duty related disability retirement, or the surviving spouse of an employee of the agency who has completed 20 years of service with the agency is entitled to receive an annual benefit, in equal monthly installments, an amount equal to 75% of the retirement benefit the deceased retiree was receiving while in retirement status, or would have been entitled to receive to the same effect as if such employee had been retired immediately prior to the time of his or her death, but not less than $3,000 annually. A surviving spouse will also receive $100 per month for each dependent child. If there is no surviving spouse, each surviving dependent parent will receive 50% of what would have been paid to the surviving spouse without children.

The benefit payable to the surviving spouse of a member of a non-duty related death with less than 20 years of service is a monthly amount in which the annual benefit is equal to 75% of the member's highest annual salary earned while employed with the agency and returns to employment with the agency within the allowable time frame following discharge may be eligible to purchase up to 5 years of additional military service credit as provided by federal law. Military service credit under this plan may not be credited under any other retirement system administered by the Board.

Sick and Annual Leave at Retirement
Any member of the fund who participates in a Public Employees Retirement System (PERS) on or after July 1, 2005 may receive a refund of all employee contributions he or she has contributed into the fund plus 4% interest compounded annually. Any member of the fund who is called to active duty in the armed forces of the United States during employment with the agency and returns to employment with the agency within the allowable time frame following discharge may be eligible to purchase up to 5 years of additional military service credit as provided by federal law. Military service credit under this plan may not be credited under any other retirement system administered by the Board.