Any member who has not yet entered retirement status on the basis of age and service and who becomes physically or mentally disabled by illness or disease on a probable permanent basis resulting from any occupational risk or hazard inherent in or peculiar to the services required of employees of the agency or such other reason as the Board of the Retirement System may find to be sufficient to discontinue his or her service, is disabled as of the date he or she is determined to be disabled. The claim for disability retirement benefits shall be filed by the employee or his or her duly appointed representative. The Board, after review of all evidence and documents, will make a determination as to whether the employee is or is not physically or mentally disabled by reason of that cause probably permanently unable to perform the services required of employees of the agency from any occupational risk or hazard inherent in or peculiar to the employee's service. Any notice of determination of disability after review by the Board will be accompanied by a statement of the reasons and evidence upon which the determination was based.

Non-Duty Disability - Any employee while in active service of the agency may qualify for a non-duty disability, if, in the opinion of the Board, he or she is probably permanently unable to engage in substantial gainful activity by reason of such medically determinable physical or mental impairment that could be expected to result in death or that has lasted or can be expected to last for a continuous period of not less than 5 months along with a reduction in earning capacity of less than 50%, other than those set forth in the duty related disability provisions, and not due to any other cause than a condition for which the employee is receiving compensation under the provisions of the Workers’ Compensation Act.

The very first benefit payment due to a retiree or beneficiary will be mailed directly to the retiree’s or beneficiary’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 18th falls on a weekend or holiday, direct deposits are processed on the prior full business day.

Retirement Benefits

Regular Retirement: A member who has 10 years of service or after March 12, 1994. Civilian employees of the West Virginia State Police are members of the Public Employees Retirement System (PERS). Members of Plan B contribute 24% of base salary into the plan. Members of this retirement system are not covered by Social Security or Workers’ Compensation.

"Agency" when used in the following 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 after March 12, 1994 and who is eligible to participate in the fund.

"Fund", "Plan", "System" or "Retirement System" when used in the following sections of this brochure means the West Virginia State Police Retirement Fund (Plan B).

"Member" means any person who has contributions standing to his or her credit in the fund and who has not yet entered into retirement status.

"Retiree" when used in the following sections of this brochure means any member who commences an annuity payable by the retirement system.

Cost of Living Adjustment (COLA)

Any retiree with less than 20 years of service choosing to receive a deferred annuity is not eligible to receive the annual annuity adjustment.

Disability Retirement Benefits

Total Duty Disability - Any member who has not yet entered retirement status on the basis of age and service and who becomes physically or mentally disabled by illness or disease on a probable permanent basis resulting from any occupational risk or hazard inherent in or peculiar to the services required of employees of the agency or such other reason as the Board of the Retirement System may find to be sufficient to discontinue his or her service, is disabled as of the date he or she is determined to be disabled. The claim for disability retirement benefits shall be filed by the employee or his or her duly appointed representative. The Board, after review of all evidence and documents, will make a determination as to whether the employee is or is not physically or mentally disabled by reason of that cause probably permanently unable to perform the services required of employees of the agency from any occupational risk or hazard inherent in or peculiar to the employee's service. Any notice of determination of disability after review by the Board will be accompanied by a statement of the reasons and evidence upon which the determination was based.

Non-Duty Disability - Any employee while in active service of the agency may qualify for a non-duty disability, if, in the opinion of the Board, the member becomes partially or totally disabled on a probable permanent basis to the extent that the member cannot 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 any other cause than a condition for which the employee is receiving compensation under the provisions of the Workers’ Compensation Act.

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 income, earnings and any other information required in rules adopted by the Board.
SICK AND ANNUAL LEAVE AT RETIREMENT
FOR THOSE EMPLOYED
BETWEEN 3-12-1994 AND 6-30-2015

Any member employed between 3-12-1994 and 6-30-2015 accruing annual and/or sick leave days may elect to use the days at the time of retirement to acquire additional credited service in Plan B. The accrued days shall be applied on the basis of 2 workdays’ credit granted for each 1 day of accrued annual or sick leave days. However, such credited service shall not be used in meeting initial eligibility for retirement.

Pursuant to WV Code §15-2A-21, members employed for the first time as troopers on or after July 1, 2015 are not eligible for this benefit.

In the alternative to increasing retirement benefits, certain members who currently participate in a PEIA insurance plan may be eligible to elect to use unused annual and/or sick leave at the time of retirement to purchase health insurance under the PEIA. Please contact PEIA for further information.

Termination of Employment

Any member who terminates employment may receive a refund of all employee contributions he or she has contributed into the retirement system plus 4% interest compounded annually. If the member withdraws his or her contributions, he or she forfeits all rights to any future retirement or disability benefits under this retirement system.

Reinstatement of Previously Withdrawn Service

Any employee who is retired as an employee of the agency may purchase previously withdrawn service, provided that they redeposit the withdrawn funds plus 7.5% interest per annum from the date of withdrawal to the date of redeposit. The repayment must be made by lump sum payment.

Employment After Retirement

Any retiree of Plan B, who begins participation in the Public Employees Retirement System (PERS) on or after July 1, 2005 may not receive a combined retirement benefit in excess of 105% of the member’s highest annual salary earned while either a member of PERS or while a member of Plan B when adding the retirement benefit from PERS to the retirement benefit received by that member from Plan B.

Appointments

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 questions regarding the West Virginia State Police Retirement System, please feel free to contact us in writing or by phone at the Consolidated Public Retirement Board (CPRB), Monday through Friday, 8:00 a.m. to 5:00 p.m. You may also visit our website at www.wvretirement.com.

Note

Information contained in this brochure illustrates CPRB’s understanding of the current provisions of the West Virginia State Police Retirement System. These provisions are contained in the current plan statutes and legislative rule, and are subject to modification by the West Virginia Legislature each year. This brochure is for general guidance purposes only. In the event there is a discrepancy between information contained in this brochure and WV Code and Rules, the language in the Code and Rules shall prevail.