



Mail completed form to:
30-30 47th Avenue, 10th Fl
Long Island City, NY 11101



Application to Purchase Credit for Military Service

NOTE: Chapter 41 of the Laws of 2016, effective May 31, 2016, removes the location requirement for applying to purchase military service credit. If you previously applied and were denied based on the location of your military service, please refile this application.

This application is for members who wish to purchase credit for military service previously rendered. There are various laws that allow you to purchase military service and you are entitled to receive credit under whatever law provides you with the greatest benefit. Each law has different provisions for granting service, so please be sure to read the eligibility and buy-back requirements in their entirety before completing this form. **Return this form to NYCERS along with your discharge papers (DD214) for review. NOTE: If the address you provide on this form is different from your address in our system, the new address will become your official address in our records.** If you have any questions, please contact NYCERS' Call Center at 347-643-3000. Please read the Military Buyback Brochure #902 before completing this form.

Member Number	Last 4 Digits of SSN	Home Phone Number ()	Work Phone Number ()
First Name		M.I.	Last Name
Address			Apt. Number
City		State	Zip Code

I am a member of NYCERS, and hereby apply to purchase credit for military service during the following period(s):

FROM (start date) [MM/DD/YYYY]	TO (end date) [MM/DD/YYYY]	BRANCH OF SERVICE
/ /	/ /	
/ /	/ /	
/ /	/ /	
/ /	/ /	

Have you ever received credit for Military Service from any New York State or City retirement system? Yes No

Signature of Member	Date

This form must be acknowledged before a Notary Public or Commissioner of Deeds

State of _____ County of _____ On this ____ day of _____ 20____, personally appeared

before me the above named, _____, to me known, and known to me to be the individual described in and who executed the foregoing instrument, and he or she acknowledged to me that he or she executed the same, and that the statements contained therein are true.

Signature of Notary Public or Commissioner of Deeds _____
Official Title _____
Expiration Date of Commission _____

If you have an official seal, affix it



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ELIGIBILITY AND COST FOR MILITARY BUY-BACK UNDER FEDERAL AND STATE LAWS

In all cases, military service must have been satisfactorily completed and a discharge under honorable circumstances must have been granted. A DD214 form is the most common proof of satisfactory military service. Please see Military Buyback Brochure #902 for details.

Federal Law under the Uniformed Services Employment and Re-employment Rights Act (USERRA)

Members employed by the City of New York who are activated to military service in one of the military branches of the U.S. armed forces may apply to receive service credit for the period of time spent on active military duty, not to exceed **five years** for voluntary active duty (not including any time purchased under Article 20 of the RSSL explained further below). No cap on service is applied if the military service is mandatory, e.g. draft, redeployment.

Members/employees are required to apply to return to a City position within 14 days after termination of military duty if their military service lasted between 31 and 180 days. If their military service lasted more than 180 days, such members are required to apply to return to a City position within 90 days after termination of military duty. Some agencies allow employees to return for reemployment in a timeframe greater than what is allowed under USERRA.

There is no time limit for purchasing military service under USERRA. The right to purchase such service does not terminate when membership terminates.

In general, members purchasing military service under USERRA are entitled to the rights, benefits and privileges they would have been entitled to had they never left their City position for military service. Therefore, the cost to purchase military service is the equivalent of the contributions required of the member had they never left for military service based on their Tier and retirement plan.

Article 20 of the Retirement and Social Security Law (Chapter 548 of the Laws of 2000, amended by Chapter 41 of the Laws of 2016)

Under Article 20 of the Retirement and Social Security Law (RSSL), members (not retirees or vestees) are eligible to purchase active duty (not reserves) military service, not to exceed **three years** of such service, if the member was honorably discharged from the military.

No military time will be purchasable unless the member has at least five years of Credited Service in NYCERS (not including any prior military service) at the time of making application for the purchase.

Time spent in training for active duty that predates employment by New York City or State is not purchasable.

The cost to purchase military service under Article 20 will be:

- > the number of years of military service being purchased **times**
- > 3% for members who joined NYCERS prior to 4/1/12 **or** 6% for members who joined NYCERS on or after 4/1/12 **times**
- > the member's salary earned during the 12-month period prior to the date of application for purchase of military service.

Non-Contributory Service Credit for Members who Performed Active Military Duty on or after 9/11/01 and prior to 1/1/06

Chapter 427 of the Laws of 2014 provides that members who performed active military duty on or after September 11, 2001 and prior to January 1, 2006 are not required to make member contributions in order to be credited with the military time. Members must submit this application along with a copy of the DD214 form for any dates within this time period in order to be credited with this service at no cost. This applies only to military service that was rendered during membership in a New York State or New York City public retirement system, and does not apply to pre-membership military service.