



PERSONAL SERVICE INCOME

TIERS 3, 4 AND 6

JANUARY 2015

Tier 3, 4 and 6 disability retirees are required to report any additional earnings received after the effective date of retirement. **Disability retirees are required to complete Form #351 (Affidavit of Personal Service Income) on an annual basis, specifying earnings from the public and/or private sectors for the preceding calendar year. This fact sheet provides answers to the most frequently asked questions regarding Personal Service Income.**

What is Personal Service Income?

Personal Service Income is considered to be any income, including income earned from both the public and private sectors, you received for the reporting calendar year **excluding** the following:

- Your NYCERS' pension
- Social Security
- Workers' Compensation
- Income earned from rental property, stocks, bonds, IRAs and interest earned on deposits in bank accounts

Why am I required to report my Personal Service Income?

As a Tier 3, Tier 4, or Tier 6 disability retiree, your post-retirement earnings are limited by specific laws and/or NYCERS' rules derived from such laws. NYCERS must monitor such earnings to comply with the law and/or rules as well as oversight and audits by the Comptroller of the City of New York.

What if I did not earn any Personal Service Income?

You are still required to complete and return Form #351 attesting that you have not earned any Personal Service Income for the reporting year.

What happens if I do not return the Affidavit of Personal Service Income (Form #351)?

If you do not return Form #351 within the prescribed timeframe, your monthly pension checks will be suspended until such time as the completed form and corresponding documentation have been returned. If NYCERS suspends your pension check and you subsequently complete and file Form #351, **you will not be allowed to pick up your pension check in person.** NYCERS will mail the check to you after determining that you have satisfied the applicable requirements.

What is the reporting calendar year?

The reporting calendar year is the calendar year preceding the date you receive Form #351 in the mail. For example, those receiving Form #351 in 2015 are reporting Personal Service Income for calendar year 2014. Therefore, the reporting calendar year would be 2014.

NOTE: If you retired in the reporting calendar year you must still submit Form #351 and required documentation. However, please keep in mind that your City salary earned prior to retirement will not count toward any earnings limitations.



Am I required to submit any additional documentation?

Yes. You must submit your Federal income tax return and your W-2 form(s) along with Form #351. If you filed a joint Federal income tax return, you must also include your spouse's W-2 form(s). If you did not earn any Personal Service Income, you still need to submit Form #351 and supporting documentation.

Why am I required to include my spouse's W-2 form(s) if I filed a joint return?

It is necessary to distinguish your income from that of your spouse. NYCERS handles the personal data of its members and retirees and is committed to the protection of such data. NYCERS' commitment to data protection equally extends to personal information pertaining to a retiree's spouse.

What are the limitations on post-retirement earnings?

The earnings limitations that apply to you depend on the specific section of law under which you retired. Please see the chart on the enclosed Earnings Limitation brochure. If you do not know the section of law under which you retired, you may refer to your Retirement Resolution or data sheet which was given to you at the time of retirement.

What happens if I exceed the earnings limitations?

If you exceed the earnings limitations, your pension benefit will be suspended. The length of the suspension depends on the specific section of law under which you retired.

