



Denver Employees Retirement Plan  
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## DISABILITY PACKET

**DISCLAIMER:** *This publication is for informational and educational purposes only. The Denver Employees Retirement Plan ("Plan") and its administration of Plan is governed by the Revised Municipal Code of the City and County of Denver, as well as the Internal Revenue Code and its rules and regulations which are complex and subject to change. Though the information and explanations contained in this publication are based on the pertinent laws in effect as of this date, it cannot be relied on as legal authority, and any conflict or inconsistencies between it and the governing laws are resolved and controlled by those governing laws. The Plan makes no guarantees pertaining to the information contained within it.*

### REQUIREMENTS FOR ON-THE-JOB DISABILITY RETIREMENT

**NOTE:** *All of the requirements must be met before the member can begin receiving a Disability Retirement benefit.*

On-the-Job Disability Retirement requirements for a disability occurring on or after August 1, 2005:

- ❖ **The member must submit a written application for a Disability Retirement to the Plan. This application must be received by the Plan within ninety (90) days of the member's effective date of separation.**
- ❖ The member must be permanently disabled by injury occurring through accidental means or must be disabled through an occupational disease which arises out of and in the course of the member's employment with an employer covered by the Plan.
- ❖ The member must separate from employment with the employer because of the injury or occupational disease and this is verified by the employer.
- ❖ The injury or occupational disease must have occurred not more than twenty-four (24) months before the effective date of termination.
- ❖ The member must have been awarded and provided the Plan a copy of the letter of "Final Admission of Liability" filed by the employer's risk management division with the State of Colorado.
- ❖ The member must have been awarded disability insurance benefits from the Social Security Administration (SSA) for the same impairment the member is basing claim for a Disability Retirement from the Plan. A copy of the member's original award letter for disability insurance benefits from SSA must be provided to the Plan. Denial of Social Security disability insurance benefits for any reason will disqualify the member from the Plan's Disability Retirement.
  - If the member is not eligible to apply for Social Security disability insurance benefits because the member is employed by an employer which does not participate in Social Security or the member does not have the number of quarters to qualify, a physician chosen and paid by the Plan must certify that the member would qualify for disability insurance benefits from Social Security.
- ❖ All requirements must be met within three (3) years from the effective date of termination in order to be granted a Disability Retirement.

**NOTE:** *The Disability Retirement benefits paid by the Plan will immediately cease if the member is reemployed at any time, generating income at or above the "substantial gainful activity" amount as at the time defined by the Social Security Administration.*

## REQUIREMENTS FOR OFF-THE-JOB DISABILITY RETIREMENT

**NOTE: All of the requirements must be met before the member can begin receiving a Disability Retirement benefit.**

Off-the-Job Disability Retirement requirements for a disability occurring on or after August 1, 2005:

- ❖ **The member must submit a written application for a Disability Retirement to the Plan. This application must be received by the Plan within ninety (90) days of the member's effective date of separation.**
- ❖ The member must be totally and permanently disabled for medical reasons **not** resulting from employment with an employer covered by the Plan.
- ❖ The member must be vested with the Plan and eligible to receive monthly retirement benefits as early as age 55.
- ❖ The member must separate from employment with the employer because of the injury or disease and this is verified by the employer.
- ❖ The injury or disease must have occurred not more than twenty-four (24) months before the effective date of termination.
- ❖ The member must have been awarded disability insurance benefits from the Social Security Administration (SSA) for the same impairment the member is basing claim for a Disability Retirement from the Plan. A copy of the member's original award letter for disability insurance benefits from SSA must be provided to the Plan. Denial of Social Security disability insurance benefits for any reason will disqualify the member from the Plan's Disability Retirement.
  - If the member is not eligible to apply for Social Security disability insurance benefits because the member is employed by an employer which does not participate in Social Security or the member does not have the number of quarters to qualify, a physician chosen and paid by the Plan must certify that the member would qualify for disability insurance benefits from Social Security.
- ❖ All requirements must be met within three (3) years from the effective date of termination in order to be granted a Disability Retirement.

**NOTE: The Disability Retirement benefits paid by the Plan will immediately cease if the member is reemployed at any time, generating income at or above the "substantial gainful activity" amount as at the time defined by the Social Security Administration.**

**TEMPORARY EARLY RETIREMENT  
(Pending Approval of a Disability Retirement)**

- ❖ An active, vested member who, based on age, is eligible for monthly retirement benefits and has submitted the Application and Statement of Disability to the Retirement Board for a disability retirement may elect a Temporary Early Retirement pending approval of such disability application. This benefit is designed to provide income to the member who is attempting to meet the requirements for a Disability Retirement.
- ❖ **The member must apply and submit all required documentation for a Temporary Early Retirement within thirty (30) days of the member's effective date of separation.**
- ❖ The member shall be paid the monthly benefit earned by the member while an active employee. Once the requirements for a Disability Retirement have been satisfied, the member will receive a retroactive adjustment reflecting the difference between the Disability Retirement benefit and the benefit received under the Temporary Early Retirement.
- ❖ Joint and survivor benefit options are available to the member electing a Temporary Early Retirement. If the member is married, the member must elect a joint and survivor benefit option for his/her spouse unless the spouse formally forfeits these rights. **Once retirement benefit payments begin, neither the option selected, nor the beneficiary, can be changed.**
- ❖ While receiving a Temporary Early Retirement, the member is credited with a lump-sum death benefit equal to what he/she would be eligible for under either an early or normal retirement. The member **cannot** draw on this benefit in equal monthly payments.
  - If the member's disability application is approved, the lump-sum death benefit will be recalculated to 150% of the member's annualized average monthly salary, limited to \$50,000.
  - If the member would otherwise qualify for a normal retirement, the lump-sum death benefit credited is \$5,000. If the member is denied a disability retirement, the member can then begin drawing this in either 50 or 100 equal installments.
  - If the member would otherwise qualify for an early retirement, the lump-sum death benefit is based on the member's age at retirement:

***If hired prior to July 1, 2011:***

Age	Lump-Sum Death Benefit	Age	Lump-Sum Death Benefit
64	\$4,750	59	\$3,500
63	\$4,500	58	\$3,250
62	\$4,250	57	\$3,000
61	\$4,000	56	\$2,750
60	\$3,750	55	\$2,500

***If hired on or after July 1, 2011:***

Age	Lump-Sum Death Benefit
64	\$4,500
63	\$4,000
62	\$3,500
61	\$3,000
60	\$2,500

- ❖ If the member has not met all the requirements to be granted a Disability Retirement within three (3) years from the effective date of the Temporary Early Retirement, the member will be awarded a permanent Early or Rule-of-75 Retirement, as qualified.



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## AUTHORIZATION TO OBTAIN INFORMATION

DERP ID: \_\_\_\_\_

I, \_\_\_\_\_, authorize any physician, employer, plan administrator, governmental entity or organization, medical practitioner, or health care provider to give medical and/or employment information about me including, but not limited to, employment files, disciplinary files, medical history, diagnosis, testing and test results, prognosis and treatment of any physical or mental condition to Denver Employees Retirement Plan. Denver Employees Retirement Plan will use the information to determine my eligibility for a disability retirement.

\_\_\_\_\_  
Member's Printed Name

\_\_\_\_\_  
Member's Signature

\_\_\_\_\_  
Member's Social Security Number

\_\_\_\_\_  
Date



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## APPLICATION AND STATEMENT OF DISABILITY

DERP ID: \_\_\_\_\_

I, \_\_\_\_\_, am making an application for the Denver Employees Retirement Plan's Disability Retirement benefit. I am permanently disabled and make the following statement pertaining to my disability (provide a statement of circumstances of the disability, i.e. injury, disease, time it occurred, extent, nature, etc.):

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Pursuant to the requirements set forth in sections 18-391 through 18-430.7 of the Revised Municipal Code of the City and County of Denver, I am in the process of meeting the requirements for a disability retirement with Denver Employees Retirement Plan.

\_\_\_\_\_  
Member's Printed Name

\_\_\_\_\_  
Member's Signature

\_\_\_\_\_  
Member's Social Security Number

\_\_\_\_\_  
Date