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**2022** DoD VIRTUAL BENEFITS & WORK-LIFE SYMPOSIUM



# Survivor Benefits

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# Objectives

**1**

Identify the eligibility requirements under both retirement systems for: surviving spouse, former spouse, children

**2**

Provide counseling to the surviving spouse and eligible family members

**3**

Explain the payable amounts of survivor benefits

**4**

Identify the agency roles and responsibilities

# References

- ▶ **Title 5, United States Code (U.S.C) Sections 8341(a)(1) & (2); 8341(d); 8341(g); 8341(i); 8342(c) & (d); 8442(b)-(e)**
- ▶ **Title 5, Code of Federal Regulations (CFR) Sections 831.618; 831.619(a); 831.301; 831.2101-2107; 843, Subparts B & C**
- ▶ **CSRS & FERS Handbook, Chapters 70-75**
- ▶ **Benefits Administration Letters**
- ▶ **TSP Website**



**Survivor benefits are benefits payable to a surviving spouse upon the death of an active federal employee or annuitant.**

**Note: Benefits may also be payable to surviving children and a former spouse**

## Introduction



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## CSRS Employee

In order to receive entitlement for survivor annuity benefits, the employee **must** have met the following requirements:

**1** Completed at least 18 months of creditable civilian service

**2** Died while subject to CSRS deductions

# Survivor Annuity Requirements



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# Survivor Annuity Requirements



## CSRS Spouse

- For payable survivor's annuity, the current spouse must meet one of the following requirements:
  - married to the employee at least 9 months at the time of death
- If married less than 9 months,
  - a child was born of the marriage, or
  - the employee's death was accidental

The spouse's annuity will be 55 percent of the higher of:

- Deceased employee's high-3 average salary and length of service **or** the Guaranteed Minimum which is the lesser of:

- 40 percent of the deceased employee's high-3 average salary

**-OR-**

- Regular annuity after increasing the employee's length in service by the date of death and the date the employee would have been age 60

## Amount of Survivor Annuity CSRS Spouse



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**The survivor may receive the BEDB at the time of death of a FERS employee if the employee has met the following requirements:**

- **\*Completed at least 18 months of creditable civilian service**
- **Died while subject to FERS deductions**

**Note: Creditable civilian service DOES NOT include refunded service or non-deduction service performed after 1/1/89**

**Exception: Foreign Service Pension System (if spouse waives credit and makes a deposit for that period)**

## **Basic Employee Death Benefit (BEDB) – FERS**



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- For FERS employees, a surviving or former spouse may be eligible for the Basic Employee Death Benefit (BEDB) lump sum benefit
- The BEDB in 2022 = \$37,055.54 (adjusted annually) plus 50% of the employee's final salary amount (or high-3 average salary if higher)

## Amount of FERS BEDB



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In addition to the Basic Employee Death Benefit, a monthly survivor annuity is also payable to the spouse or former spouse if **the employee** met the following requirements:

**1** Completed at least 10 years of creditable civilian service (At least 18 months must be civilian service)

**2** Died while subject to FERS deductions

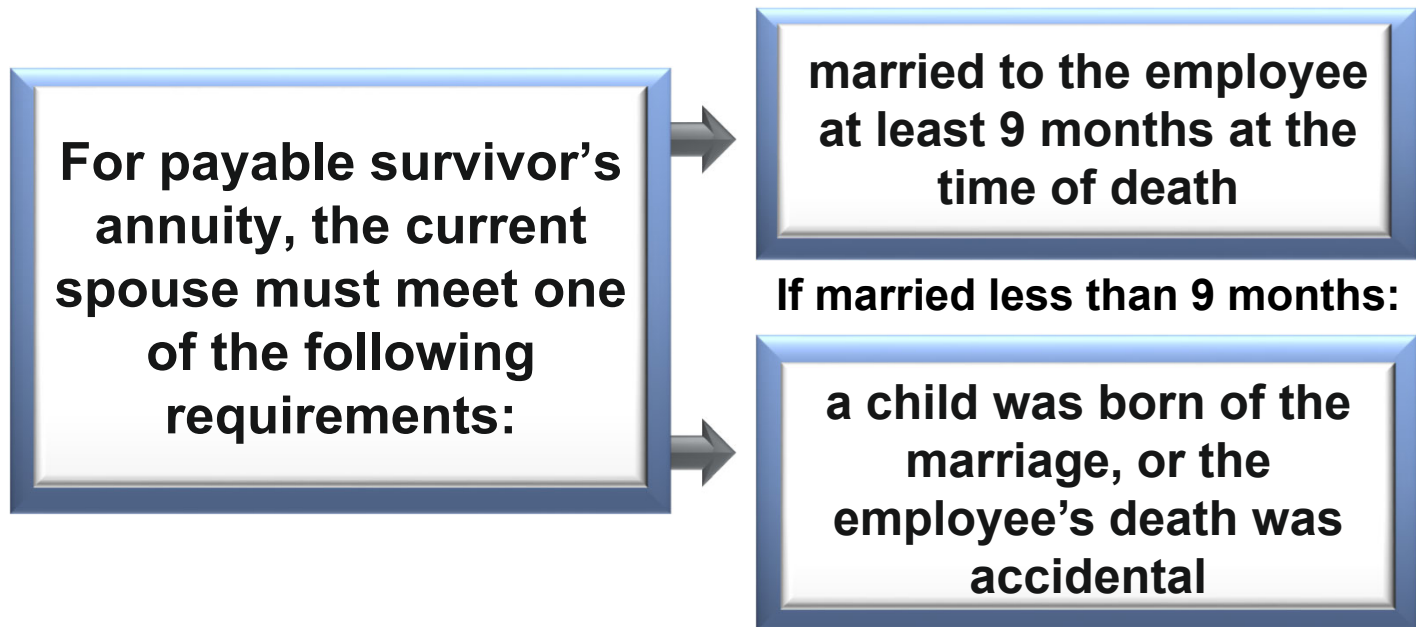
## Survivor Annuity Requirements FERS Employee



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# Specific Requirements FERS Spouse



# Survivor Annuity Computation FERS

- Survivor annuity for a spouse or former spouse is computed as if the employee retired optionally on the date of death
- Receives 50% of the annuity the employee would have earned at time of death
- No age reduction if employee was under MRA at time of death



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# Former Spouse Survivor Benefits

## CSRS & FERS

A former spouse may be entitled to survivor's benefits if:

**1**

**Court order is awarded to the former spouse**

**2**

**Was married to the employee at least 9 months**

**3**

**The employee performed at least 18 months of civilian service**

**Note: Court orders can specify any amount up to 55% of the survivor annuity.**



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# Children Benefits CSRS & FERS



## Eligibility Requirements

- 1** Unmarried
- 2** Under age 18
- 3** Age 18-22 and full-time student
- 4** Age 18 and incapable of self support and the disability occurred before age 18

# Children Benefits



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## OPM pays children benefits to:

- 1** The parent or other person who has custody of the child
- 2** Existing court appointed guardian
- 3** Child over 18 upon request by the child
- 4** \*Other payee on the claim
- 5** Guardian, if one has been appointed by the court

**Note:** Example of “other payee” is an institution caring for a child whom is not capable of caring for themselves

# Children Benefits

## Orphan Rate

**Single Orphan Rate – The child has a living parent who was married to the employee before or prior to their death**

**Double Orphan Rate – The child has no living parent who was married to the employee**

**Single Orphan Rate:**  
\$585 per month per child; or \$1,755 per month divided by the number of eligible children.

**Double Orphan Rate:**  
\$702 per month per child; or \$2,106 per month divided by the number of eligible children.



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# Lump Sum Benefits

If no survivor annuity is payable based on the employee's death, their retirement contributions in the Civil Service Retirement and Disability Fund, (CSRS & FERS) plus interest, is payable to the beneficiary designated by the employee

**Note: If no beneficiary form is on file, then the money will be paid out according to the Order of Precedence.**

- **The employee must make a survivor benefit election as part of their retirement application**
- **If they are married and elect to provide less than the maximum their spouse must consent**

# **Survivor Benefits Election Options at Retirement**



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<b>CSRS Retirement Survivor Annuity Elections</b>	<b>Amount of Survivor Annuity Elected</b>	<b>Amount of the Annuity Reduction</b>
<b>Maximum</b>	<b>55%</b>	<b>2.5% for the first \$3,600, 10% for the remainder</b>
<b>Partial</b>	<b>Amount elected by employee (must be less than 55%)</b>	<b>2.5% for the first \$3,600, 10% for the remainder</b>

# Survivor Benefits Election Options: CSRS



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FERS Retirement Survivor Annuity Elections	Amount of Survivor Annuity Elected	Amount of the Annuity Reduction
Maximum	50%	10%
Partial	25%	5%

# Survivor Benefits Election Options: FERS

# Survivor Benefits Removal

- **The survivor election is a final decision and cannot be removed or changed after the annuitant is in pay status for 30 days**
- **Only way for the reduction to be removed is due to death or divorce, not by voluntary election**
- **If the annuitant's spouse dies, or they divorce, the retiree must submit a signed (with a pen) request to remove the survivor reduction**



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### Post Retirement Marriage

- If you get married after retirement, you can elect a reduced annuity to provide a survivor annuity for your spouse. You must make this election within **two years** of the date of your marriage
- Annuity subjected to two deductions

### Discontinued

- A survivor annuity ends on the last day of the month preceding the month in which the survivor:
  - Dies
  - Remarries **before** age 55

### Reinstatement

- A survivor annuity of a current spouse that ended because of remarriage before age 55 will be reinstated if the remarriage ends by:
  - Death
  - Divorce or
  - Annulment

# Survivor Benefits Post Retirement Marriage, Discontinued & Reinstatement



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# Survivor Benefits Payment

The survivor's annuity benefits will begin on the day after the employee's death in service for the applicable family member.

- Current Spouse
- Former Spouse\*
- Children's Benefits

**\*Note: Pursuant to a court order**

# Social Security Benefits

If the survivor is in pay status with SSA, OPM will offset the survivor annuity by that amount

**Social Security will pay survivor benefits to the surviving spouse and dependent children of a Federal employee who was covered by Social Security**



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## Federal Employees Health Benefits (FEHB)

No survivor benefit = no health insurance under CSRS

The minimum survivor benefit election will permit the current spouse to continue FEHB coverage

If receiving the BEDB in 36 monthly payments, can retain FEHB coverage for duration

## Federal Employees Group Life Insurance (FEGLI)

Benefits are payable for a member covered by FEGLI in the particular order set by law

## Thrift Savings Plan (TSP)

The beneficiary(ies) as designated by the employee on the TSP-3 (Designation of Beneficiary) will receive the payable amount in the TSP account

# Survivor Benefits: FEHB, FEGLI, & TSP



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# Unpaid Compensation

**When employee transfers to another agency, they must fill out a new Unpaid Compensation Designation of Beneficiary Form**

If no beneficiary form is on file, the employee's survivors will receive a lump-sum payment covering the employee's final pay and unused Annual Leave according to the Order of Precedence on the *Designation of Beneficiary, Unpaid Compensation of Deceased Civilian Employee – SF-1152*

**Unpaid Compensation (final pay) and unused annual leave is paid in a lump sum payment to the beneficiary on file**



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- Provide counseling and guidance to survivor and eligible family members
- Assist the family member with completing the application for death benefits
- Provide information on eligible benefit entitlements
- Certify the forms and submit package to OPM
- Completed Application for Death Benefits:
  - (SF-2800/CSRS) or (SF-3104/FERS); attach any other forms and documented evidence as the application or circumstances require
  - Certified copy of the employee's death certificate
  - Certified copy of the employee's and spouse's marriage certificate

**Note: You will need at least 4 certified copies of the death certificate (for TSP, FEGLI, Retirement, Unpaid Compensation)**

## Agency Responsibility



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**1**

Identified the eligibility requirements under both retirement systems for: surviving spouse, former spouse, and children

**2**

Provided an overview of counseling to the surviving spouse and eligible family members

**3**

Explained the payable amounts of survivor benefits

**4**

Identified the agency roles and responsibilities

## Summary



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# Questions & Exercises

