



MARYLAND
STATE RETIREMENT
and PENSION SYSTEM

Retirement Coordinator Webinar

Leave of Absence

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Training Objective

Leave of Absence (LOA)

Clearly define retirement terms and benefits, our partnership, responsibilities and resources available to effectively assist our members

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Break in Service

Break in employment greater than 30 days:

- > Hours were not worked or reported to MSRA
- > Member was not paid. Paid leave was not used
- > Contributions were not paid to or received by MSRA

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Membership

Members returning to membership in the same system and plan within their membership period are reinstated to previous retirement or pension system

Membership Period

Membership continues after separation of employment for

- Most MSRPS systems- four (4) years
- Teachers' Retirement System- five (5) years

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Membership

Membership in MSRPS ends when a member:

- Separates from employment more than four (4) years (Teachers' Retirement System 5 years)
- Withdraws his or her accumulated contributions/interest
- Retires
- Dies

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Leave Types

Paid Leave- Member is using paid leave (i.e. annual, administrative, sick, donated etc...)

Leave Without Pay (LWOP)- Member is not being paid or using any type of paid leave while absent

Military Service- Member is not using paid leave. May be receiving differential pay during military service.

Workers' Compensation – Member is not using their earned leave but is being paid workers' compensation. *Disability-Report to MRSA total of compensation award*

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Qualifying Leave of Absence

(30 days minimum – 2 years maximum)

A leave of absence without pay status approved by a member's employer for one of the following reasons:

- > Member's personal illness;
- > Birth or legal adoption of child; or
- > Career-related study

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Family Medical Leave Act (FMLA)

Leave of Absence

Family Medical Leave Act (FMLA) does not apply to pension benefits.

Maryland law provides pension survivor coverage during MSRA approved LOA for members' own illness or medical treatment.

LWOP for a family member is not qualified as a MSRA LOA. Pension survivor benefit coverage ends after 30 day break in service.

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Qualifying Leave of Absence

Benefits

Benefits while on a qualified LOA approved by employer and MSRA:

- > Survivor benefit protection
- > Eligible to purchase service credit

Benefit upon return to work:

- > Contributory members may purchase LOA service credit

Contributory members not returning to service have 60 days after LOA period expires to purchase LOA service credit.

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Qualifying Leave of Absence

Non-Contributory Members

Non-Contributory members on an qualified LOA approved by employer and MSRA:

- Continue survivor benefit protection, and
- Continue to earn service credit

Non-Contributory Employers:

<ul style="list-style-type: none">• Caroline County Roads Board• Carroll County Government• City of Crisfield• Crisfield Housing Authority• Garrett County Commission• Garrett County Roads Board• Howard County Government	<ul style="list-style-type: none">• Prince George's County Government• Prince George's County Crossing Guards• Town of Elkton• Town of North Beach
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Non-Qualifying Leave of Absence

MSRA will not approve a member's LOA without pay status if:

- LOA Request Form 46 not completed or forwarded to MSRA
- LOA not employer-approved
- LOA does not qualify as a MSRPS qualifying reason

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Inactive Member

Member with a break in service greater than 30 days-

- Not qualified/approved MSRA LOA; or
- MSRA LOA period expired
 - a. LOA more than two (2) years; or
 - b. LOA term requested

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Inactive Members

Survivor benefits not covered

Members will not earn or be able to purchase service credit for absence

Service credit cannot be purchased during a break from service

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**Non-Qualifying Leave of Absence
Inactive Member Benefits**

Vested members are eligible for future benefit at normal retirement age for service years earned prior to employment termination
(Keep address/beneficiary info up to date w/ MSRA)

Non-vested member or their survivor may request return of accumulated contributions and interest.
(Withdrawal of contributions ends MSRPS membership & LOA period)

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Intermittent Leave Without Pay

LOA ends upon return to payroll.

Must file a new form 46 if member returns to LWOP status (>30 days) for a qualified LOA after returning to payroll.

Do not complete Leave of Absence Form 46 for any month member was paid and hours were reported by the employer.

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MSRA Responsibilities
Leave of Absence

- Determines if an employer approved leave of absence meets the qualifying definition per law and regulation
- Approves qualifying leave of absences
- Notifies employer if leave denied

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Qualifying Leave of Absence
Return to Work

Member may purchase service credit for approved LOA as long as they are on payroll (active):

- Member files Form 26 Request to Purchase Previous "Leave of Absence" Service;
- Member pays missed contributions plus interest, if applicable, to receive service credit

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Qualifying Leave of Absence
Purchase of Service

If member does not return to payroll, they have up to 60 days after their approved leave of absence term expires, and before they retire, to purchase their leave of absence service credit.

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Retirement Coordinator Responsibilities Return to Work

Upon return to work after LWOP LOA of 30 days or more:

- Remind member they may purchase LOA service credit
- Provide member with Request to Purchase Service Form 26

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Retirement Coordinator Resources Leave of Absence

2010 Employer Guide for Retirement Coordinators

Upon Return

At a Glance –Purchasing Credit-Qualified Approved LOA page II-13

Forms-Request to Purchase Service (26) pg. III-35



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