



Frequently Asked Questions Regarding the Disability Retirement Program FERS

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1. What requirements must I meet to be eligible for disability retirement?

You must have become disabled while in a position covered under Federal Employees Retirement System (FERS). You may retire on disability at any age if you have at least 18 months of *creditable civilian service* and meet the criteria for being disabled.

2. What is “creditable civilian service”?

“*Creditable civilian service*” for this purpose includes: (1) service that is subject to FERS deductions, unless it has been refunded, (2) service that was subject to FICA taxes and reduced Civil Service Retirement System (CSRS) deductions, if all CSRS deductions were not refunded, and (3) nondeduction service (that is, temporary or intermittent) performed prior to January 1, 1989, if a deposit is made. NOTE: Service listed as creditable under CSRS is creditable for FERS purposes if there is a CSRS annuity component, and the service was performed before you were first covered by FERS.

3. Is my military service creditable for retirement purposes?

Generally, in addition to the required creditable civilian service, active duty military service is creditable **if a deposit is made**. If you are retired from the military, you cannot receive credit for any of your military service unless you waive your military retirement pay and make the deposit. You may not receive credit for military service in the disability annuity computation if you are receiving a pension or compensation from the Department of Veterans Affairs in lieu of military retired or retainer pay. Accordingly, you must waive military retired pay and renounce certain types of VA benefits paid in lieu of military retired pay and make a deposit in order to receive credit.

If you retired from military service based on a service connected disability incurred in combat or caused by an instrumentality of war, or that awarded under Chapter 67, title 10, you are not required to waive your military retirement. A deposit will be required.

4. What criteria are used to determine if I am eligible for disability retirement?

The following criteria must be met for an employee to qualify as a disability annuitant: (1) medical condition results in service deficiency; (2) medical condition will continue for at least 1 year; (3) no reasonable accommodation can be made; and (4) reassignment is not available within the commuting area, at the same grade or pay level.

5. What is a “reasonable accommodation”?

Reasonable accommodation is an effort by the employer to adjust the work or work site that would allow you to continue to work. Some examples of a reasonable accommodation are: (1) modifying the work site, (2) adjusting work schedules, (3) restructuring the job, (4) modifying equipment, (5) providing personal assistants, and (6) reassigning or retraining.

6. How is “commuting area” determined?

Commuting area is defined as the area and surrounding localities in which individuals live and can be reasonably expected to travel to and from their place of employment. Note: The commuting area is determined by the servicing personnel office and is already established.

7. What happens if I refuse reassignment?

If the agency locates one or more vacant positions at the same grade or pay level and in the same commuting area for which you are qualified for reassignment, the agency will notify Office of Personnel Management (OPM) of your refusal. OPM will not approve an application for disability retirement if you refuse a reasonable offer of reassignment.

8. Can my employing office place me in a position at a lower grade or pay?

You may decline an offer of a position at a lower grade or pay level without affecting your eligibility for disability retirement. Agencies may consider retaining the employee's pay.

9. What must be included in my medical documentation?

The medical documentation must include, but is not limited to the following: (1) history of the specific medical condition; (2) clinical findings from the most recent evaluation; (3) assessment and plans for future treatment; (4) diagnosis; (5) expected date of recovery; (6) effect on life activities both on and off the job; (7) explanation of conclusion that the condition has not become stabilized; (8) likelihood that the individual is or is not expected to experience sudden incapacitation; (9) duty restrictions/ accommodations are or are not warranted; (10) medical basis for indication of injury or harm if carrying out the duties of the position. Please refer to the web article entitled "Disability Retirement Fact Sheets on Various Illnesses" at <http://www.afpc.randolph.af.mil/dpc/BEST/retirements-fers.htm> for specific criteria that may be needed for various types of disability illnesses.

10. Must the disabling condition be the result of an on-the-job injury or disease?

No. It makes no difference whether the medical condition occurred on or off-the-job. However, you must be disabled for useful and efficient service. For example, you must be unable to meet the requirements of your position because of the medical condition.

11. Who determines if I am disabled for useful and efficient service?

OPM will make a determination based on information provided by you and your servicing personnel office.

12. What does "useful and efficient service" mean?

It means that you are performing the critical elements of your position at an acceptable level. It also means that your conduct and attendance are satisfactory.

13. How do I apply for disability retirement?

You must complete SF 3112, Documentation in Support of Disability Retirement Application. You must also submit the SF 3107, Application for Immediate Retirement-FERS. This application must include all required medical documentation. Further, if you have FEGLI coverage, you must complete SF 2818, Continuation of Life Insurance Coverage.

14. If, due to circumstances beyond my control, I become unable to complete and file a disability application, may someone else submit an application on my behalf?

Yes. A court-appointed individual, spouse, or other member of the immediate family, who has assumed responsibility for you, may file your disability application.

15. What is the time limit for filing an application for disability retirement?

You must file an application either before you separate from federal service or within 1 year after the date of your separation.

16. Once I submit my application for disability retirement to my servicing personnel office, how long will processing take?

Once BEST receives your application, we will review it to ensure it is complete and includes appropriate supporting documentation. In some cases, an agency medical examiner will review this documentation and

your position description to determine if you are unable to perform the duties of your position. The local Civilian Personnel Flight (CPF) will attempt to provide reasonable accommodation. If unable, your retirement package will be processed and forwarded through payroll to OPM for review and a decision. Only OPM can approve your disability retirement application. The availability of all required medical information would expedite the adjudication process at OPM.

17. How will I be notified of OPM's decision?

After OPM reviews your application, they will notify both you and our office of their decision by letter.

18. When does my disability annuity commence?

Your annuity commences on the day after you separate, or the day after your last day in pay status.

19. Can I receive both a disability retirement and a voluntary separation incentive payment (VSIP)?

No, an employee who is eligible for disability retirement is not eligible for a VSIP. An employee who has filed an application for disability retirement and wants to withdraw it may do so, if not yet separated from the employing agency. In cases where OPM has already approved the disability application, the employee would be eligible for disability retirement upon separation from service and therefore not eligible for the VSIP, even if the disability application is withdrawn. Under retirement law, a former employee may file for disability retirement within 1 year after separation from service. Whether you apply for disability retirement before or after separation from employment, OPM will notify the employing agency upon approval of an application for disability retirement. If you separate voluntarily and accept a VSIP, and OPM approves your subsequent application for disability retirement, you will be required to repay the VSIP. Why? Because OPM's approval of a disability application constitutes a finding that you would have been eligible for disability retirement at the time of separation, and thus not eligible for the VSIP.

20. Who can I address my questions to?

If you receive **full** services from BEST, you may speak to a benefits counselor by calling 1-800-997-2378 (or commercial 527-2378 if calling within the San Antonio, Texas area). Overseas employees will call a toll-free direct access number, which may be obtained from the servicing Civilian Personnel Flight (CPF). Hearing impaired employees may call TDD 1-800-382-0893 (or commercial 565-2276 within San Antonio), or if overseas, a toll-free direct access TDD number (obtain from CPF).

If you receive **limited** services from BEST, you must direct all retirement-related questions, including disability retirement, to your servicing Civilian Personnel Flight.

21. How do I determine if I receive full or limited services from BEST?

Read our article "Full versus Limited Services – What Does It Mean?" located on the BEST homepage at <http://www.afpc.randolph.af.mil/dpc/BEST/menu.htm>.