

**LIMITATION ON DISABILITY BENEFITS PRIOR TO AGE 60**

Section 29 of the MERS Plan Document stipulates a limitation on the amount of disability benefits payable a disability retirant between the effective date of retirement and attaining age 60. (Note: Effective February 25, 1998, the Retirement Board amended Plan Section 29(1) to allow a participating tribe to adopt, instead of 60, the age required for age and service retirement where the disability retiree met the service requirement when employment was terminated.) Under this provision, TGRS-MERS must periodically request information from retirants. Application of the limitation shall be to the amount of disability retirement allowance under regular straight life before election of any other form of payment.

The amount of disability benefits shall not exceed the difference between 100% of the retired member’s final average compensation and the amount of the retired member’s annual considered income from the following sources:

- a) Remuneration for personal services rendered in any gainful employment. This also includes self-employment that results in a profit.
- b) Worker’s compensation weekly benefits, redemptions and settlements on account of the same disability for which retired (bona fide medical expenses for which worker’s compensation benefits are paid are excluded).
- c) Payments from any program of salary continuance, sickness and accident insurance, disability insurance, or program of similar purpose, financed in whole or in part by the participating municipality.
- d) Payments made to the member from federal social security old-age, survivors, disability and health insurance program.

Cost of living increases from worker’s compensation, federal social security or retirement shall be disregarded.

If the disability retirant cannot provide the amount of worker’s compensation and/or social security being received, the presumed amounts shall be determined on the basis of the retirant’s final average compensation and the single person statutory benefits. Upon receipt of evidence of the actual amount of worker’s compensation and/or social security being received the retirement system shall adjust the amount of retirement allowance being paid. Plan Section 54 allows for the recovery of any overpayment of TGRS-MERS benefits that occur. Section 29(7) specifies that failure by a retirant to provide requested information, including that listed below, within 90 days of TGRS-MERS request “shall cause suspension of payment . . . until the information is received.”

Please complete the following affidavit, and provide information pertaining to worker’s compensation and/or social security benefits.

**Have you applied for worker’s compensation benefits?**      Yes \_\_\_\_\_      No \_\_\_\_\_  
 (If yes, weekly benefit \$ \_\_\_\_\_)

**Have you applied for social security benefits?**      Yes \_\_\_\_\_      No \_\_\_\_\_  
 (If yes, monthly benefit \$ \_\_\_\_\_)

I will immediately notify TGRS-MERS if I apply for social security or worker’s compensation benefits at a later date.

\_\_\_\_\_  
 Date                                  Print Name of Disability Retirant                                  Signature of Disability Retirant                                  Social Security No.\*

**Please return to TGRS-MERS, 1134 Municipal Way, Lansing, MI 48917 after completion.  
 If you have any questions, please call: 1-877-641-8477.**