

DHHS POLICIES AND PROCEDURES

Section V:	Human Resources
Title:	Safety and Benefits
Chapter:	Separation Allowance of Eligible Law Enforcement Officers
Current Effective Date:	4/1/04
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Purpose

Policy

[G.S. 143-166.41](#) provides for a special separation allowance for eligible law enforcement officers under age 62 at service retirement. The allowance is 0.85% times the equivalent last annual base rate of pay.

Implementation

1. Eligibility
 - A. Completed 30 or more years of creditable service or 55 years of age and five (5) years of creditable service.
 - B. Under the age of 62.
 - C. At least 50 percent of the creditable service is as a law enforcement officer.
 - D. Completed five (5) years of continuous service as a law enforcement officer immediately preceding service retirement.

Creditable service is defined as service for which credit is allowed under the retirement system of which the officer is a member.

2. Termination of Payment - Separation allowance payments cease:
 - A. Upon the death of the individual.
 - B. The last day of the month the individual attains 62 years of age.
 - C. The first day of reemployment by any state department, agency or division/facility/school.

The Human Resources' (HR) Office will monitor the payment process as it relates to the above events to determine continuation or termination.

Benefits payable under this statutory provision are not subject to any increase in salary or retirement allowance authorized by the General Assembly.

3. Payment Calculation

At the retirement of a law enforcement officer, documentation from the State of North Carolina Retirement System shall be obtained certifying the years of creditable service, number of years in the Law Enforcement Officers Retirement System, and date of birth. This documentation must be attached to the payroll transmittal.

The calculation for the separation allowance is:

Creditable service	×	Last annual salary	×	0.85% = Annual benefit
Example: 30 years	×	\$40,000	×	0.85% = \$10, 200.00

Reference

Office of State Personnel, Section 6 Employee Benefits and Awards,
<http://www.osp.state.nc.us/manuals/html/othrbene.htm>

For questions or clarification on any of the information contained in this policy, please contact [Human Resources](#). For general questions about department-wide policies and procedures, contact the [DHHS Policy Coordinator](#).