Military Service

Police

1. I took a leave of absence from my police department to serve in the military. Can that service time be credited to my Article 3 fund for pension purposes?

Per 40 ILCS 5/3-110(b), creditable service time includes all periods of service in the reserves (voluntary or called), military, naval or air forces of the United States entered upon while on active status as a police officer of a municipality, not to exceed 5 years. The police officer must, in accordance with the rules of the board, pay into the fund the amount the officer would have contributed if he or she had been a regular contributor during such period, provided the municipality for which the officer served has made no contributions on behalf of the police officer.

2. Can I purchase time I served in the military prior to becoming a police officer?

Per 40 ILCS 5/3-110(b-5), creditable service includes all periods of service in the reserves (voluntary or called), military, naval or air forces of the United States entered upon before beginning active service as a police officer of a municipality, not to exceed 2 years. The officer must, in accordance with the rules of the board, pay into the fund the amount the officer would have contributed if he or she had been a regular contributor during such period, provided the municipality for which the officer served has made no contributions on behalf of the police officer. The officer must also contribute an amount equal to the municipality’s normal cost of the benefit. The officer must pay interest on both the employee contributions and the employer’s normal cost calculated at the actuarially assumed rate from the date the employee last became a police officer under Article 3.

3. Where can I find information about how to calculate the amount owed by an officer purchasing military time served prior to beginning service as an officer?

On December 1, 2010, the Public Pension Division produced a Siren to assist funds with the calculations and understanding of the law. Go to the Sirens link on the Division’s homepage or click here.

4. A police officer was injured while on active duty with the United States military. Would he/she receive a duty disability or non-duty disability pension from the police pension fund?

If a police officer is on a leave of absence from the police department to serve in the United States military and is injured while on active duty with the military, the officer would receive a non-duty disability pension from the police pension fund. (40 ILCS 5/3-114.1–114.2)

5. Do officers taking a leave of absence to serve in the military need to continue paying employee contributions to the police pension fund during their time of service? Is this considered a break in service?

If the contributions for the full salary amount are not being paid by the employer or employee during the leave of absence, the fund should notify the employee upon his or her return to service of the amount owed by the employee to the pension fund.
Such amounts are to be paid to the pension fund in accordance with the rules of the board and prior to applying for a permanent pension. There is no break in creditable service unless the police officer fails to make the full required pension contributions within the allowable time frame.

Fire

1. **I took a leave of absence from my fire department to serve in the military. Can that service time be credited to my Article 4 fund for pension purposes?**

   Per 40 ILCS 5/4-108(c)(1), creditable service time includes all periods of service in the reserves (voluntary or called), military, naval or air forces of the United States entered upon while on active status as a firefighter of a municipality, not to exceed 5 years. The firefighter must, in accordance with the rules of the board, pay into the fund the amount the firefighter would have contributed if he or she had been a regular contributor during such period, provided the municipality for which the firefighter served has made no contributions on behalf of the firefighter.

2. **Can I purchase time I served in the military prior to becoming a firefighter?**

   Per 40 ILCS 5/4-108(c)(1.5), creditable services include all periods of service in the reserves (voluntary or called), military, naval or air forces of the United States entered upon before beginning active service as a firefighter of a municipality, up to 24 months. The firefighter must pay into the fund the amount the firefighter would have contributed if he or she had been a regular contributor during such period, provided the municipality for which the firefighter served has made no contributions on behalf of the firefighter. The firefighter must also contribute an amount equal to the municipality’s normal cost of the benefit. The firefighter must pay interest on both the employee contributions and the employer’s normal cost calculated at the actuarially assumed rate from the date the employee last became a firefighter under Article 4.

3. **Where can I find information about how to calculate the amount owed by a firefighter purchasing military time prior to beginning service as a firefighter?**

   On August 19, 2009, the Public Pension Division produced a Siren to assist funds with the calculations and understanding of the law. Go to the Sirens link on the Division’s homepage or click here.

4. **A firefighter was injured while on active duty with the United States military. Would he/she receive a duty disability or non-duty disability pension from the firefighters pension fund?**

   If a firefighter is on a leave of absence from the fire department to serve in the United States military and is injured while on active duty with the military, the firefighter would receive a non-duty disability pension from the firefighters pension fund. (40 ILCS 5/4-110 and 4-111)

5. **Do firefighters taking a leave of absence to serve in the military need to continue paying employee contributions to the firefighters pension fund during their time of service? Is this considered a break in service?**
If the contributions for the full salary amount are not being paid by the employer or employee during the leave of absence, the fund should notify the employee upon his or her return to service of the amount owed by the employee to the pension fund. Such amounts are to be paid to the pension fund in accordance with the rules of the board and prior to applying for a permanent pension. There is no break in creditable service unless the firefighter fails to make the full required pension contributions before his/her retirement date and in accordance with the rules of the board.