

Disability Retirement

mentioned the prohibition to him. Be aware that unless you see in the position description that the position you apply for has been granted a waiver, you're looking at a monthly salary reduction equal to your monthly annuity (inclusive of the RAS).

2.17 Disability Retirement

GREAT NEWS! On December 9, 2022, the "*First Responder Fair RETIRE Act*" was signed into law as [Public Law 117-225](#)⁵⁰. This is a "game changer." Prior to the enactment of this law, if a SCE became ill or was injured and was no longer "fit for duty," the only options were to apply for a disability retirement or accept a non-SCE position. Under this new law, the SCE employee will be able to be placed into a non-SCE position, but still participate in a FERS SCE retirement plan. Of course, what law wouldn't be complete without a few hoops to jump through, but overall, an excellent piece of legislation. Of course, some folks will not be able to stay on duty in any capacity, and a disability retirement is still the best option for them.

Before I get into the mechanics of a disability retirement, let's discuss what it really is. A disability retirement is part of FERS. It does not cost anything extra to have and it's a "real" retirement; the difference being that instead of years of service and age as the pathway to retirement, the pathway for a disability retirement is your unfortunate circumstance of poor health.

Over the past 25 years, I have spoken with countless dozens of folks who took the disability retirement route. I've also spoken to many who qualified but didn't want to take that course of action. Many have shared with me they felt that a disability retirement "was for quitters" or felt shameful applying for it, equating it to welfare. It's a common theme for folks to feel too "proud" to apply for a disability retirement, especially when they are within a few years of a regular retirement. Maybe I just see the numbers side more because I run these numbers for people and do not experience the emotional side, but I plead with many folks to consider this route. This is a benefit that is here for those who take ill and can no longer work. There's no shame in becoming ill.

Some of these folks are literally killing themselves coming to work each day to prove how tough they are or to avoid the perceived shame or embarrassment of applying for a disability retirement. These folks should be working closely with agency human resources personnel and getting out under a disability retirement so they can focus on their treatment plans and their families.

OPM offers a FERS disability retirement, which will retire you from service with a reasonably generous benefit. Application for a disability retirement is done through your agency's human resources department. Under FERS, a federal employee who becomes disabled during his or her career, and who has at least 18 months of service, is eligible to receive a disability-retirement

⁵⁰ <https://www.congress.gov/bill/117th-congress/house-bill/521/text>