

Background Information on Filing Deadlines for Minnesota General Employee Public Retirement Plan Benefits

For general employee public retirement plans in Minnesota, time limits or deadlines sometimes exist, presumably for the primary reason of administration efficiency and convenience.

The following summarizes the filing deadlines or time limits applicable to statewide and major local Minnesota general employee retirement plans:

	MSRS-General	PERA-General	TRA	1 st Class City Teacher Plans	MERF
Retirement Annuity Application Time Limit	Application may not be filed more than 90 days before employment terminates. <i>[352.115, Subd. 8]</i>	No application filing time limit. <i>[353.29, Subd. 4]</i>	Application may not be filed more than 120 days before the termination of teaching service. <i>[354.44, Subd. 3]</i>	Application may not be filed more than 60 days before teaching service terminates. <i>[354A.31, Subd. 2]</i>	No application filing time limit. <i>[MS 2008, Sec. 422A.14]</i>
Disability Benefit Application Time Limit	Application must be filed within 18 months of the date of the termination of public employment. <i>[352.113, Subd. 4, Para. (d)-(e)]</i>	Application must be filed within 18 months of the date of the termination of public employment. <i>[353.33, Subd. 2]</i>	Application must be filed within 18 months of the date of the termination of teaching service. <i>[354.48, Subd. 2]</i>	No application filing time limit. <i>[354A.36, Subd. 1-2]</i>	No application filing time limit. <i>[MS 2008, Sec. 422A.14]</i>
Survivor Benefit Application Time Limit	No application filing time limit. <i>[352.12, Subd. 2]</i>	No application filing time limit. <i>[353.22, Subd. 1a]</i>	No application filing time limit. <i>[354.46, Subd. 2]</i>	No application filing time limit. <i>[354A.35, Subd. 2]</i>	No application filing time limit. <i>[MS 2008, Sec. 422A.23, Subd. 5]</i>

Where there is a limit on how early an application for a retirement annuity may be filed (General State Employees Retirement Plan of the Minnesota State Retirement System (MSRS-General), the Teachers Retirement Association (TRA), and the first class city teacher retirement fund associations (Duluth Teachers Retirement Fund Association (DTRFA) and St. Paul Teachers Retirement Fund Association (SPTRFA)), the limit likely is intended to reduce the administrative burden on the plan administration to keep track of binding documents over an extended period, a consideration that may have been important before the widespread computerization of pension plan record keeping practices, and to reduce the potential for inadvertent errors or errors resulting from changing circumstances between the time the application was filed and the actual retirement.

For the retirement plans where there is a specific limit on how much longer after a disability or after the termination of public employment a disability benefit application can be filed (MSRS-General, General Employee Retirement Plan of the Public Employees Retirement Association (PERA-General), and TRA), the limit is likely intended to make the determination of a disability more accurate and timely. For general employee retirement plans, the standard for receiving a disability benefit is the existence of a total and permanent disability when employment terminated, meaning that the employee is no longer able to engage in any gainful employment for an extended expected period. To determine the inability to be employed and to connect it with the end of public employment, the medical and related documentation of the disability must be assembled reasonably contemporaneously with the injury or illness causing the disability. Where the disability is the result of a chronic illness, such as multiple sclerosis, ascertaining the start of the disability and when the illness made continued employment impossible may be difficult, making the time limit hard to determine. For the retirement plans that lack a time limit on the filing of a disability application (the first class city teacher retirement plans and the former Minneapolis Employees Retirement Fund (MERF)), that lack of a time limit is combined with a lack of retroactivity beyond (earlier) the disability application date.

None of the general employee retirement plans place a time limit on how long after the date of death giving rise to a survivor benefit application can be filed. The lack of a time limit is offset by the absence of any benefit retroactivity before the date of the application.