

# Protecting Disabled Federal Fire Fighter Retirement Benefits

The IAFF supports the First Responder Fair RETIRE Act and encourages members of Congress to support extending special retirement benefits to fire fighters disabled in the line of duty.

## BACKGROUND

Currently, federal fire fighters and other public safety employees may retire after 20 years of service at age 50 or after 25 years of service at any age. They face mandatory separation from service at age 57. This coverage, known as “special” or “6(c)” retirement, is available due to the strenuous and physically demanding nature of the jobs federal public safety officers perform. As a result, they contribute a higher percentage of their pay toward an annuity under the Federal Employees Retirement System (FERS).

Under current law, a fire fighter is not eligible for 6(c) retirement unless he or she has met both the age and service requirements. A fire fighter who suffers a disabling injury in the line of duty that prevents him or her from completing the service requirements in a covered fire protection position does not have the option of retiring at the 6(c) level. He or she must elect to either take a disability retirement or return to work in a non-covered position and retire under the standard FERS benefit. Federal fire fighters who suffer a disabling injury in the line of duty should not be penalized by the very retirement system that ought to be honoring their sacrifice and service.

Under the First Responder Fair RETIRE Act, a fire

fighter who returns to federal employment after recovering from a line of duty injury or illness would retain his or her 6(c) retirement status in the same manner as if they had never been disabled. The individual’s retirement status would be preserved, even in cases where the nature of the injury prevents an individual from returning to service in a covered position.

The bill also supports fire fighters who seek to return to their agency following their transition to the Federal Employees’ Compensation Act (FECA) Program at the Department of Labor (DOL) but are unable to continue service in a primary or secondary fire service position. Specifically, it includes a strong “Sense of Congress” provision that directs the DOL and the Office of Personnel Management (OPM) to ensure to the fullest possible extent that an individual reappointed to a non-covered position is with the same federal agency, in the same geographic location and at a level of pay commensurate to the position the individual held immediately before suffering a disabling injury or illness. In so doing, this legislation appropriately honors the sacrifices that disabled public safety officers have made to keep us safe while helping to protect their financial security.

## LEGISLATION

**House:** [HR 1256, the First Responder Fair RETIRE Act](#)  
Sponsors: Representative Gerald Connolly (D-VA); Representative Peter King (R-NY)

**Senate:** [S 531, the First Responder Fair RETIRE Act](#)  
Sponsors: Senator Jon Tester (D-MT); Senator Susan Collins (R-ME)

**Summary:** The First Responder Fair RETIRE Act establishes provisions to permit federal fire fighters and other public safety officers to receive retirement benefits in the same manner as if they had not been disabled.