



**Department of  
Civil Service**

Information for Survivors  
of New York State Employees

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## Introduction

This guide was developed by the Department of Civil Service to help you determine what benefits you may be eligible for as a survivor of a New York State employee. You will need to determine whether the deceased was eligible for or participated in any of the benefit programs that are available to State employees. This guide offers a brief description of those benefits and explains the various documents and information you will need in attending to these matters.

If additional information is needed, please contact the Human Resources Office of the agency where the employee worked.

## Required Documents

In certain business or financial matters relating to the deceased, it will be necessary for you to have certified copies of the death certificate; you will also need certified copies of birth certificates for the deceased, the surviving spouse, and any minor children. You should have these documents readily available.

### Obtained certified copies of:

- Death certificate
- Deceased's birth certificate
- Spouse's birth certificate
- Minor children's birth certificates
- Marriage certificate

## Information on Paycheck Stub

The deceased employee's paycheck record/stub contains information that will be helpful to you in determining some matters that may need your attention. It carries the employee's ID Number and shows payroll deductions for items such as United States Savings Bonds; Individual Retirement Accounts; Tax Sheltered Savings Programs; Credit Unions; retirement system membership, loans, arrears and voluntary contributions; union or employee organization insurance; Managerial/Confidential Life Insurance; and health insurance coverage.

- Obtained last paycheck record/stub

## Paychecks

The deceased State employee may have a final salary check coming or may have money coming for deferrals, unused vacation, overtime credits, travel expenses or bonds. Checks for this money will now have to be drawn in your name, as the survivor.

The Human Resources Office of the department where the deceased was employed will ask you to complete an affidavit stating that you are the next of kin and are entitled to this money. This is a required procedure.

If you have any uncashed State checks issued to the deceased, you should return them to the Human Resources Office and request that new checks be drawn in your name.

Questions concerning uncashed or outstanding checks should be referred to the deceased's Human Resources Office.

- Final salary check due
- Uncashed paycheck
- Inquired about money due for vacation, overtime, or travel

Human Resources Office phone number:

## **Retirements Benefits**

If the deceased was an active member of a retirement system, the designated beneficiary may be entitled to a cash death benefit. The amount of the benefit will be affected by duration of membership in the system, salary level and other factors.

The Human Resources Office of the agency where the deceased was employed reports the death to the retirement system. The retirement system then begins to process the payment of benefits to the employee's beneficiary.

Ordinarily, the beneficiary will hear from the retirement system within a week to ten days following notification of the death of the employee. The retirement system will also tell the beneficiary what amount, if any, of the death benefit is subject to income tax.

If you have any questions, write to the retirement system. In your letter, refer to the employee's retirement registration or Social Security number.

New York State and Local Employees' Retirement System  
110 State Street  
Albany, New York 12244  
(518) 474-7736

- Retirement system contacted  
Retirement registration number:  
Social security number:

## **Survivor's Benefit Program**

A survivor's benefit may be payable on behalf of a deceased employee under certain special circumstances. Ordinarily, no action by the designated beneficiary is necessary in connection with this benefit. Questions concerning eligibility under this program can

be answered by the deceased's Human Resources Office, or you may write directly to the:

New York State and Local Employees' Retirement System  
Survivor's Benefit Program  
110 State Street  
Albany, New York 12244  
(518) 474-7736

**Death Benefit paid from retirement system:**

- Yes – Amount:
- No – contact Survivor's Benefit Program

**Social Security**

If the deceased was covered by Social Security, you should inquire about survivors' benefits for widow/widower and minor or disabled children and dependent parents.

Additional information is available at <https://www.ssa.gov/benefits/survivors/>

**Social Security coverage:**

- Yes
- No

**Social Security Numbers:**

Deceased:  
Spouse and children:

**Health Insurance**

Outstanding hospital, medical, or prescription drug bills may be covered expenses under the New York State Health Insurance Program (NYSHIP). Ask the employee's Human Resources Office for assistance. If you are not sure how to contact the Human Resources Office or still have questions, please write or call:

Employee Benefits Division  
New York State Department of Civil Service  
Albany, New York 12239  
Website: [www.cs.ny.gov](http://www.cs.ny.gov)  
Phone: (518) 457-5754 (Albany area) or 1-800-833-4344

NYSHIP protects you. If the employee dies while on the State payroll, you (the enrolled spouse) and your enrolled dependent children will continue to receive NYSHIP coverage without charge for five biweekly payroll periods beyond the payroll period for which your spouse's last health insurance deduction was taken.

As the un-remarried enrolled spouse, you and your eligible dependent children may be allowed to continue coverage under NYSHIP after the extended benefits period ends. If you or your enrolled dependent children are eligible for dependent survivor coverage

but choose not to participate or fail to make the required payments, NYSHIP coverage will end permanently. You and your eligible dependent children may not re-enroll in the State program.

Your eligibility to continue coverage under NYSHIP and the cost of your premium will depend on the following circumstances:

- If your spouse died as a result of a work-related illness or injury, regardless of your spouse's age at the time of death or length of service, the State will pay 100 percent of the cost of NYSHIP coverage up to the cost of the Empire Plan premium for you and your dependents as long as you remain eligible.
- If your spouse's death was not the result of a work-related illness or injury:
  - If at the time of death your spouse was an active employee who had 10 years of service and was within 10 years or less of retirement, you and your dependents will make the same contribution that active employees make toward the cost of the Empire Plan or HMO premium.
  - If at the time of death your spouse was an active employee who had 10 years of service but was not within 10 years of retirement, you and your dependents would be required to pay both the employer's and the employee's share of the premium.

If you lose eligibility or die, your enrolled dependents may continue their coverage as dependent survivors until they no longer meet the eligibility requirements as dependents. If they no longer meet these requirements, they may enroll through the Consolidated Omnibus Budget Reconciliation Act (COBRA) which is a Federal continuation of coverage law or convert to a direct-pay contract.

Survivors are covered by the same rules as retirees for changing options.

If you and your dependents are not eligible for survivor coverage under NYSHIP, you may be eligible to continue coverage in NYSHIP for up to 36 months under COBRA or convert to direct-pay contracts. There are deadlines for applying. Call the employee's Human Resources Office for information.

**Health insurance coverage:**

- Yes
- No

Name of plan:

**Outstanding medical bills:**

- Yes
- No

## Dental Insurance

Outstanding dental bills may be covered under a State or union sponsored Dental Insurance program. Dental Insurance for the surviving dependents will continue for a period of time indicated by the State or union sponsored Dental Insurance Plan. The Human Resources Office and/or union benefit fund will advise you about this coverage. Ask about COBRA continuation coverage. If you have further questions, please contact the Employee Benefits Division at:

Employee Benefits Division  
New York State Department of Civil Service  
Albany, New York 12239  
Website: [www.cs.ny.gov](http://www.cs.ny.gov)  
Phone: (518) 457-5754 (Albany area) or 1-800-833-4344

### Dental Insurance coverage:

- Yes -- Plan:  
 No

### Outstanding dental bills:

- Yes  
 No

## Employee Organization Benefits

As a member of a union, professional or fraternal organization, the deceased may have been covered by life insurance policies. It is also possible that the deceased's beneficiary may be eligible for other benefits from these organizations.

If you know that the deceased belonged to any organizations of this type, you should inquire about possible benefits. The deceased's Human Resources Office may be helpful in this regard.

### Employee organization membership:

- Contacted employee organization  
 N/A

### Life Insurance policies:

- Yes  
 No

## Veterans' Benefits

If the deceased employee was a veteran of military service, you should inquire about benefits for which you may be eligible as the survivor.

Additional information is available at the [New York State Division of Veteran's Affairs](#).

For assistance in filing for veterans' benefits contact your nearest State Veteran Counseling Center, Veterans Service Agency or call the toll-free referral number at 1-888-VETSNYS (838-7697).

**Status:**

- Veteran
- Non-veteran

Branch of Service:

Period of Service:

Armed Forces Serial Number (if known):

## **Workers' Compensation**

If the deceased has a workers' compensation case pending because of an on-the-job injury or occupational illness, you should request information on the case from the Human Resources Office of the agency where the employee worked. If the deceased was represented in this case by an attorney, you should consult the attorney.

If you would like more information, contact the Human Resources Office of the agency where the employee worked.

### **Workers' Compensation Case Pending:**

WCB Case No.:

Date of Injury:

## **Accidental Death Benefit**

If the death was the result of a job-related accident, as determined by the New York State Workers' Compensation Board, you may be eligible for a survivor's accidental death benefit. Additional information is available on the [Workers' Compensation Board website](#).

You may also be eligible for an accidental death benefit from the New York State and Local Employees' retirement systems. Additional information is available on the [Office of the State Comptroller's website](#).

In addition, dependent children of the deceased admitted to the State University of New York (SUNY) may be eligible for full tuition reimbursement. In the case of State troopers, noncommissioned and commissioned officers and investigators in the Division of State Police and employees designated managerial or confidential, such children may be eligible for full tuition reimbursement at SUNY or full tuition up to the amount

charged by SUNY while attending another accredited institution. For information on this Dependent Children Tuition Program, you should write directly to the:

Governor's Office of Employee Relations  
Empire State Plaza  
Agency Building 2, Suite 1201  
Albany, NY 12223-1250  
(518) 473-3130

**Job related accidental death:**

- Yes -- WCB Case No.
- No

**Children eligible for tuition assistance:**

- Yes
- No

## **Savings Bonds**

If the deceased had payroll deductions for United States Savings Bonds, and the accumulated deductions at the time of death were insufficient for the purchase of another bond, the remaining money will be returned.

Bonds issued in the name of the deceased which do not also include the name of the beneficiary are considered to be part of the deceased's estate.

For information, or assistance in obtaining a refund, call the National Bond and Trust Company at 1-800-426-9314.

**Payroll deduction for Savings Bonds:**

- Yes
- No

## **Individual Retirement Accounts**

If the deceased had one or more of these accounts, the financial institution (bank, insurance company or brokerage firm) should be notified. These firms will then forward the appropriate information to the beneficiary. The deceased's Human Resources Office may be helpful in providing the names of institutions if the IRA was established under the State's program.

**IRA accounts:**

- Yes
- No

Financial Institutions:  
Account Numbers:

## **Tax–Sheltered Savings Programs**

The State provides both deferred compensation programs and tax–sheltered annuities for eligible employees through payroll deduction. The Human Resources Office of the deceased employee should be contacted to determine if the deceased participated in these programs. Names and addresses of the firms associated with the program will then be provided.

### **Tax sheltered savings program:**

- Yes  
 No

## **Credit Union**

The deceased may have been a member of a credit union. To inquire whether the deceased had a credit union savings account or loan, you should write directly to the credit union. The deceased’s Human Resources Office can refer you to the local credit union office.

### **Credit Union membership:**

- Yes  
 No

### **Membership Number:**

- Contacted credit union

## **Income Tax**

A Federal, State and possibly a City of New York and City of Yonkers Income Tax return must be filed for the deceased. The taxes imposed by the City of New York and the City of Yonkers are administered by the State and includable on the State return. The retirement system will tell the beneficiary what amount, if any, of the death benefit is subject to income tax. For information on State income tax, call toll free 1-800-CALL TAX (1-800-225-5829). From areas outside New York State, call (518) 485-6800.

If you need to write, please address your letters to:

New York State Tax Department  
Taxpayer Assistance Bureau  
The State Campus  
Albany, New York 12227

For information on Federal income tax, contact the Internal Revenue Service in the city where you normally file your Federal Income Tax return.

## **Personal Property**

There may be some personal effects in the deceased's office, and there may also be some official office material at home. The deceased's supervisor or the agency Human Resources Office will be of assistance to you in handling these matters.

Contacted deceased's Human Resources Office

## **Other Considerations**

- If you are aware of any life insurance coverage with a private carrier, you should contact the local agent of that insurance company.
- If the deceased left a will, it may be with an attorney, in a safe deposit box or among personal papers at home.
- If there is a savings account, check with the bank to find out what happens to the account.
- If you think the deceased may have had a safe deposit box, you may want to inquire at local banks. If there is one, an official of the bank will explain how you may get the box opened.
- If there is a change of address for the beneficiary, the deceased's Human Resources Office and the retirement system should be notified.



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