
Part 41A3 Withdrawal of Retirement Application**Section 41A3.1-1 Withdrawal of Retirement Application**

- A. General** Voluntary retirement is a personnel action that results in a voluntary separation; thus, the filing of an application for retirement is equivalent to submitting a resignation.
- As a consequence, a retiring employee has the same rights that are available to employees involved in other voluntary actions with respect to establishing the effective date of the separation/retirement or withdrawing the application for separation/retirement.
- B. Rule: Specify Effective Date** An employee may apply for voluntary retirement at any time and specify the effective date of the separation in the application, provided the eligibility requirements are met.
- C. Rule: Withdrawal** Except as provided in paragraph D below, an agency must permit an employee to withdraw an application before the effective date of separation.
- D. Exception: Declination** An agency may decline a request to withdraw an application before the effective date of separation only when it has a valid reason and explains that reason in writing to the employee. (From 5 CFR Part 715.)
- E. Cancellation of Separation by Third Party** When an "appropriate authority" determines that the separation upon which a retirement has been based is an unjustified or unwarranted personnel action (From 5 CFR Subchapter 990), an individual may withdraw his or her application for CSRS benefits within 60 days of the decision. As provided under the back pay instructions, the employing agency must deduct CSRS payments from any back pay award.
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