

AN ORDINANCE

02-0-0459

**BY COUNCILMEMBERS H. LAMAR WILLIS, MARY NORWOOD,
CEASAR C. MITCHELL, C.T. MARTIN AND IVORY L. YOUNG, JR.**

AS AMENDED BY: FINANCE/EXECUTIVE COMMITTEE

**AN ORDINANCE TO AMEND THE PENSION
ACTS APPLICABLE TO THE CITY OF
ATLANTA, SO AS TO PROVIDE FOR A
TEMPORARY EARLY RETIREMENT
PROGRAM BASED UPON A COMBINATION OF
AGE AND YEARS OF SERVICE FOR
EMPLOYEES IN THE GENERAL EMPLOYEES
PENSION FUND; AND FOR OTHER PURPOSES.**

WHEREAS, the City of Atlanta is facing a financial budget crisis in the 2002 Budget year; and

WHEREAS, City of Atlanta employees are facing layoffs, furloughs, loss of merit increases, abolishment of vacant positions, and other cutbacks; and

WHEREAS, an adoption of a properly structured temporary Early Retirement Program can reduce or eliminate the personnel cutbacks cited above without diminishing the City of Atlanta's ability to efficiently operate its government; and

WHEREAS, by restoring merit pay that will be earned in 2002 for City Employees, the City of Atlanta will be rewarding instead of punishing City Employees who have earned such pay; and

WHEREAS, by reducing or eliminating furloughs of City of Atlanta employees, better service will be available to the citizens of the City of Atlanta; and

WHEREAS, by reducing layoffs of City of Atlanta employees, better service will be available to the citizens of the City of Atlanta; and

WHEREAS, the City of Atlanta wishes to show its appreciation to City employees who were honorably discharged from the Armed Forces and who served their Country during periods of armed conflict;

WHEREAS, an adoption of a properly structured temporary Early Retirement Program will lessen the burden and loss of City of Atlanta employees who bear no responsibility for the current budget crisis;

THE CITY COUNCIL OF THE CITY OF ATLANTA, GEORGIA, HEREBY ORDAINS, as follows:

SECTION 1: That Georgia Laws 1927, as amended by Georgia Laws 1978, is hereby further amended by adding an additional subsection which shall read as follows:

“Any officer or employee who is a member of the General Employee Pension Fund, and whose age and creditable service before credit for accrued unused sick leave equals at least 73 years as of April 30, 2002, shall be entitled to a monthly pension benefit upon retirement without any reduction for any age or vesting penalties as would otherwise be applicable.

Any officer or employee who has served in the United States military during times of armed conflict may buy back at their expense one year of creditable service for each year served during armed conflict up to a maximum of four (4) years.

Any officer or employee shall be paid thereafter a normal monthly pension benefit equal to three percent (3%) of such person's average monthly earnings (average of the monthly earnings of the highest three (3) consecutive years' salary) multiplied by the number of such person's years, or fraction thereof, of creditable service, and that the normal monthly pension benefit shall not exceed 90% of such person's average monthly earnings (average of the monthly earnings of the highest three (3) consecutive years' salary).

All officers and employees eligible to retire pursuant to his section must make written application to the Pension Office between March 18, 2002 and April 30, 2002.

This section shall become effective for eligible employees of the Atlanta Board of Education upon approval of the Board of Education.

SECTION 2: That the Mayor or her designee for the purpose of transferring institutional knowledge and easing the reorganization of City of Atlanta government is authorized to direct that any City of Atlanta employee who accepts this Early Retirement Program will be required to return under contract to their previous position at their previous rate of compensation without benefits for a period of up to one year from date of retirement of the employee.

That the Mayor or her designee may terminate the contract cited above at any time during the contract.

Any employee failing to fulfill their contract without specific authorized release from the Mayor or her designee will be required to pay the City of Atlanta for the remainder of the time not served of their one year contract.

That the Mayor or her designee is authorized to abolish any position that becomes vacant as a result of the Early Retirement Program.

That the Chief Financial Officer or designee be authorized to transfer expenses between various departments' personnel line items to accommodate the inequity from the Early Retirement Program savings realized between departments.

That the Chief Financial Officer or designee be required that funds be transferred to the General Employee's Pension Fund as needed to make compensation as the savings accrue for the cost of monthly pension benefits due to the Early Retirement Program."

SECTION 3: That all ordinances or parts of ordinances in conflict herewith are hereby repealed.

RCS# 3974
9/03/02
2:34 PM

Atlanta City Council

Regular Session

02-O-0459

Amend Pension Acts to Provide for
Temporary Early Retirement Program
FILE

YEAS: 13
NAYS: 0
ABSTENTIONS: 0
NOT VOTING: 2
EXCUSED: 0
ABSENT 1

| | | | |
|-----------|-------------|-----------|------------|
| Y Smith | Y Archibong | Y Moore | Y Mitchell |
| Y Starnes | Y Fauver | NV Martin | Y Norwood |
| B Young | Y Shook | Y Maddox | Y Willis |
| Y Winslow | Y Muller | Y Boazman | NV Woolard |

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(Do Not Write Above This Line)

AN ORDINANCE

BY

C. T. Martin

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FILED BY
CITY COUNCIL

SEP 03 2002

As Amended

- CONSENT REFER
- REGULAR REPORT REFER
- ADVERTISE & REFER
- 1st ADOPT 2nd READ & REFER
- PERSONAL PAPER REFER

Date Referred 03/04/02

Referred To: Executive

Date Referred

Referred To:

Date Referred

Referred To:

First Reading

Committee _____
 Date _____
 Chair _____
 Referred to _____

Committee: FIN/Exec

Date: 3-13-02

Chair

Action:

Fav, Adv, Hold (see rev. side)

Other: repeal P.P.B

Members

Refer To

Committee: FIN/Exec

Date: 8/28/02

Chair: William H. Miller

Action:

Fav, Adv, Hold (see rev. side)

Other: File

Members

C. T. Martin

James H. Anderson

Gregory B. Adams

William H. Miller

FINAL COUNCIL ACTION

- 2nd
- 1st & 2nd
- 3rd
- Readings
- Consent
- V Vote
- RC Vote

CERTIFIED

CERTIFIED
 SEP 03 2002
 City of Atlanta, Georgia
 Mayor's Office

CERTIFIED
 SEP 03 2002
 City of Atlanta, Georgia
 Mayor's Office

MAYOR'S ACTION