



AN ORDINANCE

03-0-0042

BY: COUNCILMEMBER DEBI STARNES

AS SUBSTITUTED (#2) AND AMENDED BY:
FINANCE/EXECUTIVE COMMITTEE

AN ORDINANCE TO AMEND THE PENSION ACTS APPLICABLE TO MEMBERS OF THE GENERAL EMPLOYEES PENSION FUND OF THE CITY OF ATLANTA, SO AS TO PROVIDE FOR A RETIREMENT PROGRAM FOR EMPLOYEES INVOLUNTARILY SEPARATED TO BALANCE THE CITY OF ATLANTA 2002 AND 2003 BUDGETS AND FOR REORGANIZATION OF THE WORKFORCE; AND FOR OTHER PURPOSES.

WHEREAS, the City of Atlanta is in a fiscal crisis and will be reducing the City's workforce to assist in balancing the 2002 and 2003 Budgets; and

WHEREAS, the City of Atlanta is reorganizing the City's workforce and will be reducing the City's workforce in this process; and

WHEREAS, the City of Atlanta desires to minimize the impact of a reduction in it's workforce on long term older employees.

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

SECTION 1: That Georgia Laws 1927, p. 265, as amended by Georgia Laws 1978, p. 4546, is hereby further amended by adding additional subsections which shall provide as follows:

(a) Any officer or employee who is a member of the General Employees Pension Fund, who shall have served at least 15 years in the active service of the City, and who is involuntarily separated due to or in association with a Reduction-in-Force (RIF), or in conjunction with the City's reorganization and downsizing of the City's workforce and budgetary needs, but not due to disciplinary action, between December 31, 2001 and December 31, 2003, may elect to take a monthly retirement benefit to be computed as follows: Said monthly retirement benefit shall be equal to a normal monthly pension benefit less one-fourth (1/4) of one percent (1%) per month for each month not to exceed 60 months that the officer or employee lacks in being 60 years of age, and one-eighth (1/8) of one percent (1%) per month for each month in excess of 60 months that the officer or employee lacks in being 60 years of age.



(b) Any former officer or employee eligible to retire pursuant to this ordinance who has been involuntarily separated due to or in association with a RIF, but not due to disciplinary action, between December 31, 2001 and December 31, 2003 in conjunction with the City's reorganization and downsizing of the City's workforce and budgetary needs, and has already applied for and/or has been granted a service pension, may make written application to the Pension Office within the two year reemployment rights period to receive the benefit authorized in subsection (a) of this Ordinance.

(c) Any former officer or employee eligible to retire pursuant to this ordinance who has been involuntarily separated due to or in association with a RIF, but not due to disciplinary action, between December 31, 2001 and December 31, 2003 in conjunction with the City's reorganization and downsizing of the City's workforce and budgetary needs, and has applied for and received a refund of his/her pension contribution, may, within the two year reemployment rights period, repay said contribution plus interest at a rate of seven (7) percent per annum from the date of withdrawal of his/her contribution, to the date that he/she makes written application to the Pension Office for the purpose of receiving the benefit authorized in subsection (a) of this Ordinance.

(d) (i) This ordinance shall not apply to officers or employees who are rehired by the City of Atlanta or whose services are retained by the City pursuant to a contract; (ii) Nor shall this ordinance apply to officers or employees who reject or have rejected an offer of reemployment made by the City, to a position comparable to that from which the officer or employee was RIFFED or involuntarily separated in conjunction with the City's reorganization and downsizing of the City's workforce, budgetary needs or other purposes. For officers or employees who were RIFFED or so involuntarily separated prior to the enactment of this ordinance, said offer of reemployment must be made within six (6) months of the enactment hereof. For officers or employees who are RIFFED or so involuntarily separated subsequent to the enactment of this ordinance, said offer of reemployment must be made within six (6) months of the date of separation of any such officer or employee. For purposes of this subsection, a "comparable position" shall be defined as one for which the compensation is equal to or no less than 90% of the compensation earned by such officer or employee at the time of separation.

SECTION 2: 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.

A true copy,

Phonda Daughin Johnson
Municipal Clerk, CMC

ADOPTED as amended by the Council
APPROVED by the Mayor

APR 21, 2003
APR 28, 2003

RCS# 4644
4/21/03
4:27 PM

Atlanta City Council

Regular Session

03-O-0042 Amend Pension Acts to provide Retirement
Program for involuntarily sep. employees
ADOPT/SUB/AMEND

YEAS: 12
NAYS: 0
ABSTENTIONS: 0
NOT VOTING: 3
EXCUSED: 0
ABSENT 1

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

03-0-0042

(Do Not Write Above This Line)

AN ORDINANCE
BY *Tom Starns*

AN ORDINANCE TO AMEND THE GENERAL EMPLOYEES PENSION LAWS (GEORGIA LAWS 1977, P. 265, PARTICULARLY AS AMENDED BY GEORGIA LAWS 1978, P. 4546 (AND AS HAS BEEN FURTHER AMENDED) AND CODIFIED AT SECTION 6-37 RELATE TO LAWS SECTION OF VOLUME 1, CITY CHARTER AND CODE) SO AS TO PROVIDE THAT EMPLOYEES WHO HAVE BEEN FURLONGUED OR SEPARATED FROM THE SERVICE OF THE CITY DUE TO A REDUCTION IN FORCE IN ACCORDANCE WITH SECTION 114-37 OF THE CITY CODE, AFTER JANUARY 1, 2002 AND WHERE THE EMPLOYEES' POSITIONS HAVE BEEN ABOLISHED BY ACTION OF THE CITY COUNCIL, AND WHO SHALL HAVE SERVED 15 YEARS IN THE ACTIVE SERVICE OF THE CITY, AND WHO SHALL NOT HAVE ATTAINED THE AGE OF 60 YEARS, MAY AS A MATTER OF RIGHT, WITHIN THE TWO YEAR REEMPLOYMENT RIGHTS PERIOD, RETIRE FROM ACTIVE SERVICE AND RECEIVE AN EARLY RETIREMENT BENEFIT AS PROVIDED IN THIS ORDINANCE. TO PROVIDE THAT SIMILARLY SITUATED EMPLOYEES WHO WERE "RIFFED" AFTER JANUARY 1, 2002 BUT PRIOR TO THE ENACTMENT OF THIS ORDINANCE AND WHO HAVE REQUESTED AND RECEIVED A REFUND OF THEIR EMPLOYEE CONTRIBUTIONS, MAY BE REINSTATED INTO THE PENSION FUND AND SHALL BE ELIGIBLE TO RECEIVE THE BENEFIT UPON THE FULL REPAYMENT WITHIN THE TWO YEAR REEMPLOYMENT RIGHTS PERIOD, OF THE AMOUNT OF THE REFUND PLUS INTEREST AT THE RATE OF 7% PER ANNUM CALCULATED FROM THE DATE OF THE REFUND; AND FOR OTHER PURPOSES.

SUBSTITUTES AMENDED

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

ADOPTED BY

APR 21 2003

COUNCIL

Date Referred 16/03

Referred To: Finance Executive

Date Referred

Referred To:

Date Referred

Referred To:

First Reading

Committee _____
Date _____
Chair _____
Referred To _____

FINANCE
Date 1-25-03
Chair _____

Action and Amend
Fav, Adv, Hold (see rev. side)
Other Refer to Pen. Members

Refer To

FINANCE
Date 4/1/03
Chair _____

Action
Fav, Adv, Hold (see rev. side)
Other _____

Members

Refer To

Committee

Date

Chair

Action

Fav, Adv, Hold (see rev. side)

Members

Members

Action
Fav, Adv, Hold (see rev. side)
Other _____

Chair

Date

Action

Members

Refer To

FINAL COUNCIL ACTION
 2nd 1st & 2nd 3rd
Readings
 Consent V Vote RC Vote

CERTIFIED

CERTIFIED
APR 21 2003
Shawn D. Moore
COUNCIL PRESIDENT PROTEM

CERTIFIED
APR 21 2003
Ronald Champion
MUNICIPAL CLERK

MAYOR'S ACTION

Andrew Frank
APR 28 2003