



Substitute

AN ORDINANCE

BY: COUNCILMEMBER C. T. MARTIN

AS SUBSTITUTED BY FULL COUNCIL

**CITY COUNCIL
ATLANTA, GEORGIA**

03-O-0950

An Ordinance to amend the 1962 Pension Act (Ga. L. 1962, p. 3140 et seq.) applicable to members of the General Employees Pension Fund of the City of Atlanta, so as to reduce the age adjustment by one-half (1/2) of that contained in said Pension Act, for officers and employees who have not yet attained the age of 55 years, who have at least 25 years of service with the City of Atlanta, and who have been 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 work force in this process; and

WHEREAS, the City of Atlanta desires to minimize the impact of a reduction on its workforce on long term older employees; and

WHEREAS, Ordinance No. 03-O-0042, adopted by the City Council on April 21, 2003 and approved by the Mayor on April 28, 2003, reduced the age adjustment by one-half (1/2) for those officers and employees who are participants in the City's 1978 Pension Plan who were involuntarily separated to balance the City's 2002 and 2003 Budgets and for reorganization of the workforce; and

WHEREAS, several officers and employees who were so involuntarily separated are subject to the City's 1962 Pension Amendment (Ga. L. 1962, P. 3140 et seq.) and were not covered by Ordinance No. 03-O-0042; and

WHEREAS, to bring equity to these two classes of officers and employees, the same pension benefits should be extended to these officers and employees who are subject to the 1962 Pension Amendment.

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



Section 1: (a) Any officer or employee subject to the terms of the 1962 City of Atlanta Pension Amendment (Ga. L. 1962, p. 3140 et seq.) who has not yet attained the age of 55 years, who has at least 25 years of service with the City of Atlanta, and who has been 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 with an age adjustment equal to one-half (1/2) of the age adjustment provided for in said 1962 Pension Amendment for officers and employees who have attained the age of 55 years of age.

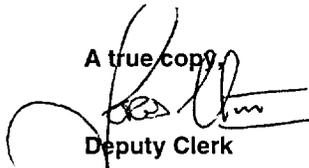
(b) Any former officer or employee eligible to retire pursuant to this ordinance who has been involuntarily separated due to or in association with a RIF, but not due to disciplinary action, between December 31, 2001 and December 31, 2003 in conjunction with the City's reorganization and downsizing of 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 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) 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 involuntary 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 and employees who are RIFFED or so involuntarily separated subsequent to enactment of this Ordinance said offer of reemployment must be made within (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 all ordinances and parts of ordinances in conflict herewith are hereby repealed.

A true copy


Deputy Clerk

ADOPTED by the Council
APPROVED by the Mayor

JULY 07, 2003
JULY 12, 2003

RCS# 4857
7/07/03
4:13 PM

Atlanta City Council

Regular Session

03-O-0950 AMEND 1962 PENSION ACT FOR GEN EMPLOYEES
PENSION FUND TO REDUCE AGE ADJUST BY 1/2
ADOPT ON SUB

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	Y Martin	NV Norwood
Y Young	Y Shook	Y Maddox	Y Willis
Y Winslow	Y Muller	NV Boazman	B Woolard

03-0-0950
(Do Not Write Above This Line)

AN ORDINANCE

Councilmember C. T. Martin
C.T. Martin

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ADOPTED BY
JUL 07 2003

SUBSTITUTE COUNCIL

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

Date Referred 9/6/03
 Referred To: Finance/Executive
 Date Referred _____
 Referred To: _____
 Date Referred _____
 Referred To: _____

First Reading
 Committee _____
 Date _____
 Chair _____
 Referred To _____

Committee _____ Date _____ Chair _____ Action Fav, Adv, Hold (see rev. side) _____ Other _____ Members _____ Refer To _____	Committee _____ Date _____ Chair _____ Action Fav, Adv, Hold (see rev. side) _____ Other _____ Members _____ Refer To _____
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Committee _____ Date _____ Chair _____ Action Fav, Adv, Hold (see rev. side) _____ Other _____ Members _____ Refer To _____	Committee _____ Date _____ Chair _____ Action Fav, Adv, Hold (see rev. side) _____ Other _____ Members _____ Refer To _____
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FINAL COUNCIL ACTION
 2nd 1st & 2nd 3rd
 Readings
 Consent V Vote RC Vote

CERTIFIED

CERTIFIED
 JUL 7 2003
Shirley R. Moore
 COUNCIL PRESIDENT PROTEM

CERTIFIED
 JUL 07 2003
Rachel Dampier Johnson
 MUNICIPAL CLERK

MAYOR'S ACTION
Andy Frank
 JUL 7 2003