

AN ORDINANCE
BY COUNCILMEMBER FELICIA A. MOORE

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AN ORDINANCE TO AMEND THE CODE OF THE CITY OF ATLANTA, GEORGIA BY AMENDING ARTICLE 3, CHAPTER 5, SECTION 3-505 (C) SO AS TO IDENTIFY CIRCUMSTANCES EFFECTING REEMPLOYMENT OF RETIREES; AND FOR OTHER PURPOSES.

WHEREAS, Article 3, Chapter 5, Section 3-505 (C) of the Code of Ordinances of the City of Atlanta, Georgia provides for the reemployment of retired City employees; and

WHEREAS, the reemployment of retirees is unrestricted up to 520 business days; and

WHEREAS, the City Council wishes to ensure that the retiree reemployment authorization is utilized appropriately.

NOW, THEREFORE, IT IS HEREBY ORDAINED BY THE COUNCIL OF THE CITY OF ATLANTA, AS FOLLOWS:

Section 1: That Section 3-505 of the Code of the City of Atlanta, Georgia which currently reads:

Sec. 3-505. Temporary engagement by contract, reemployment or election of persons retired under municipal laws.

(a) The mayor and council may authorize the engagement of any person who has retired under any of the pension laws, notwithstanding the age of such person, to render any special or particular service as an independent contractor, provided that such contract shall be for a period not exceeding 520 business days, whether continuously or in several separate engagements. Such employees shall be entitled to receive their regular pension payments but shall acquire no further pension or civil service rights by virtue of such temporary contractual arrangement. No contractual engagement shall commence pursuant to this subsection until such time as the department head or chief judge of the court, as applicable, and chief financial officer shall confer with the mayor to confirm the exigency of retaining such particularized expertise within city government.

(b) The mayor and council may authorize the engagement of sworn public safety personnel retired under any of the pension laws, notwithstanding the age of such person, to render public safety services as an independent contractor. Such contracts shall not be subject to the aforementioned 520 business day limitation. Such sworn employees shall be entitled to receive their regular pension payments but shall acquire no further pension or civil service rights by virtue of such temporary contractual arrangement. No contractual engagement shall commence pursuant to this subsection until such time as the department head or chief judge of the court, as applicable, and chief financial officer shall confer with the mayor to confirm the exigency of retaining such particularized expertise within city government.

(c) In the event the particularized services required by the city are not amenable to an independent contractor agreement with a retiree, the City of Atlanta may reemploy a retiree for any single period of time, or any several periods of time, which shall not exceed 520 business days, whether continuously or in separate days of employment, for the purpose of availing the city of some particularized skill possessed by said retiree. During the period of this limited reemployment said retiree shall be entitled to continue to receive his or her regular pension payments, but shall not acquire any civil service rights or any further pension rights, and shall not be required to make any contribution to the pension fund. Limited reemployment pursuant to this subsection shall not commence until such time as the department head and chief financial officer shall confer with the mayor to confirm the exigency of retaining such particularized expertise within city government, and the council shall have approved such reemployment by resolution.

(d) Nothing herein contained shall prevent any retiree from holding any office which is filled by an election by the people. No additional pension or civil service rights or privileges shall accrue to such officer or employee during such period and said retiree shall be entitled to continue to receive his or her regular pension payments.

Shall be amended to read as follows:

Sec. 3-505. Temporary engagement by contract, reemployment or election of persons retired under municipal laws.

(a) The mayor and council may authorize the engagement of any person who has retired under any of the pension laws, notwithstanding the age of such person, to render any special or particular service as an independent contractor, provided that such contract shall be for a period not exceeding 520 business days, whether continuously or in several separate engagements. Such employees shall be entitled to receive their regular pension payments but shall acquire no further pension or civil service rights by virtue of such temporary contractual arrangement. No contractual engagement shall commence pursuant to this subsection until such time as the department head or chief judge of the court, as applicable, and chief financial officer shall confer with the mayor to confirm the exigency of retaining such particularized expertise within city government.

(b) The mayor and council may authorize the engagement of sworn public safety personnel retired under any of the pension laws, notwithstanding the age of such person, to render public safety services as an independent contractor. Such contracts shall not be subject to the aforementioned 520 business day limitation. Such sworn employees shall be entitled to receive their regular pension payments but shall acquire no further pension or civil service rights by virtue of such temporary contractual arrangement. No contractual engagement shall commence pursuant to this subsection until such time as the department head or chief judge of the court, as applicable, and chief financial officer shall confer with the mayor to confirm the exigency of retaining such particularized expertise within city government.

(c) In the event the particularized services required by the city are not amenable to an independent contractor agreement with a retiree, the City of Atlanta may reemploy a retiree for the purpose of availing the city of some particularized skill possessed by said retiree under the following circumstances.

- 1) The reemployment for any single period of time, or any several periods of time, shall not exceed 520 business days, whether continuously or in separate days of employment.

- 2) With the reemployment request, the reemploying department provides a plan, including a timetable for the permanent provision of the services which are temporarily being provided by the reemployed retiree.

- 3) Single or concurrent multiple reemployment periods shall not exceed 120 business days without reauthorization by City Council.

(d) Nothing herein contained shall prevent any retiree from holding any office which is filled by an election by the people. No additional pension or civil service rights or privileges shall accrue to such officer or employee during such period and said retiree shall be entitled to continue to receive his or her regular pension payments.

Section 2: That all ordinances and parts of ordinances in conflict herewith are hereby repealed.