

AN ORDINANCE

NO. 24-_____

An ordinance amending the Columbus, Georgia Pension Plan for General Government Employees, and the Columbus, Georgia Pension Plan for Employees of the Department of Public Safety (collectively, the "Plans") to address the treatment of retirees in pay status who are thereafter appointed or elected to the Columbus Council.

THE COUNCIL OF COLUMBUS, GEORGIA HEREBY ORDAINS:

SECTION 1.

Section 2.13 of the Columbus, Georgia Pension Plan for General Government Employees is hereby amended by adding a new Section 2.13(h) to read as follows:

(h) Former Members in Pay Status And Sworn In Councilor on or after July 1, 2024. No employment service following the reemployment of a former Member in pay status who is sworn in as a Councilor on or after July 1, 2024, shall be considered Creditable Service.

SECTION 2.

Section 2.19 of the Columbus, Georgia Pension Plan for General Government Employees is hereby amended by adding a new Section 2.19(e) to read as follows:

(e) Former Members in Pay Status And Sworn In as Councilor on or after July 1, 2024. No compensation earned following the reemployment of a former Member in pay status who is sworn in as a Councilor on or after July 1, 2024, shall be considered Earnings.

SECTION 3.

Section 2.24 of the Columbus, Georgia Pension Plan for General Government Employees is hereby stricken and replaced by a new Section 2.24 to read as follows:

"2.24 Full-Time Employee: Any Employee whose customary employment is for at least forty (40) hours per week and for twelve (12) months during each calendar year and who is included in the "position classification plan" adopted by the Council. An Employee who is a court reporter, appointed judge

or an appointed or elected Official of the Government shall be deemed a Full-Time Employee. A grant employee identified as "benefit eligible" by the grant administrator shall be deemed a Full-Time Employee. Notwithstanding the foregoing, a former Member in pay status who is sworn-in as an appointed or elected Councilor of the Government on or after July 1, 2024 shall not be deemed a Full-Time Employee for purposes of 4.06 and shall not be entitled to receive any additional benefits under the Plan with respect to service as a Councilor.

SECTION 4.

Section 3.02 of the Columbus, Georgia Pension Plan for General Government Employees is hereby stricken and replaced by a new Section 3.02 to read as follows:

"3.02 Membership Upon Reemployment: Except as provided in Section 4.06(c) regarding the reemployment of a retired Member *in pay status*, upon the reemployment of an Employee after termination of employment, he shall become a Member on his reemployment date, provided he is an Eligible Employee on such date and be subject to all requirements of new Members on that date. Any reemployed Member who satisfies the conditions set forth in Section 2.13(c) for re-establishing Creditable Service, shall be entitled to an Adjusted Employment Date which shall be calculated by taking his re-employment date and backing it up to reflect the years and months of creditable service calculated in accordance with section 2.13. All vesting and contribution requirements shall then be construed as though such employee was hired on his Adjusted Employment Date."

SECTION 5.

Section 4.06 of the Columbus, Georgia Pension Plan for General Government Employees is hereby stricken and replaced by a new Section 4.06 to read as follows:

"4.06 Pension Benefits Upon Reemployment:

If a former Member who is receiving a Pension is reemployed by the Government, the following rules shall apply:

- (a) **Full-Time Reemployment and Resumption of Pension:** If such a Member is reemployed as a Full-Time Employee, those Pension payments shall stop, unless he is participating in the DROP as set forth in Section 4.04 above or is reemployed as an appointed or elected Councilor sworn in on or after July 1, 2024. Pension payments shall also stop during any suspension in DROP participation. During such period of reemployment or

suspension in DROP participation no Pension payments shall be made. Upon subsequent Retirement of such a Member, such Pension payments shall again commence as of the first day of the month coincident with or next following such Retirement. The amount and form of such resumed Pension shall be the same as was being paid to such Member prior to reemployment as of his initial Pension commencement date.

- (b) Part-Time Reemployment: If such a Member is reemployed as a Part-Time Employee, those Pension payments shall continue uninterrupted.

- (c) Eligibility for and Amount of Additional Pension: Upon reemployment, if the Employee meets the requirements of Section 2.21 as an Eligible Employee, such Employee shall again become a Member of this Plan on the date of reemployment, shall make Employee Contributions at the rate required of other new employees hired on that date, and shall accrue Credited Service and Vesting Service from the date of reemployment and again be entitled to accrue a benefit in accordance with the provisions of Section 4. However, in the determination of such a Member's Vesting Service, his prior years of Vesting Service shall be included in addition to his Vesting Service earned after reemployment; provided, however, solely for the purpose of determining the amount of his additional Pension, Credited Service shall accrue only from the date of such reemployment. No member who has participated in the DROP specified in Section 4.04 above shall be eligible for Additional Pension pursuant to this sub-section. Notwithstanding anything in the Plan to the contrary, a former Member who (i) is receiving a Pension and (ii) is reemployed by the Government as an appointed or elected Councilor on or after [July 1, 2024], shall not be eligible for an Additional Pension pursuant to this sub-section.

- (d) Form of Payment of Additional Pension: Upon subsequent Retirement by a Member after a period of reemployment, the monthly benefit determined in accordance with the provisions of Section 4 and based on Credited Service from the date of reemployment shall be in addition to the benefit provided for the prior period of employment and the provisions of Section 4.06 (c). The Pension earned by such a Member during the period of reemployment shall be payable in accordance with the provisions of Section 5."

SECTION 6.

Section 2.14 of the Columbus, Georgia Pension Plan for Employees of the Department of Public Safety is hereby amended by adding a new Section 2.14(g) to read as follows:

(g) Former Members in Pay Status And Sworn In as an Appointed or Elected to Council on or after July 1, 2024. No employment service following the reemployment of a former Member in pay status who is sworn in as a Councilor on or after July 1, 2024, shall be considered Creditable Service.

SECTION 7.

Section 2.20 of the Columbus, Georgia Pension Plan for Employees of the Department of Public Safety is hereby amended by adding a new Section 2.20(e) to read as follows:

(e) Former Members in Pay Status And Sworn In as an Appointed or Elected Councilor on or after July 1, 2024. No compensation earned as a Councilor following the reemployment of a former Member in pay status who is sworn in as a Councilor on or after July 1, 2024, shall be considered Earnings.

SECTION 8.

Section 2.25 of the Columbus, Georgia Pension Plan for Employees of the Department of Public Safety is hereby stricken and replaced by a new Section 2.25 to read as follows:

"2.25 Full-Time Employee:

Any Employee whose customary employment is for at least forty (40) hours per week and for twelve (12) months during each calendar year and who is included in the "position classification plan" adopted by the Council. An Employee who is a court reporter, appointed judge or an appointed or elected Official of the Government shall be deemed a Full-Time Employee. A grant employee identified as "benefit eligible" by the grant administrator shall be deemed a Full-Time Employee. Notwithstanding the foregoing, a retired Member in pay status who is sworn-in as an appointed or elected Councilor on or after July 1, 2024 shall not be deemed a Full-Time Employee for purposes of Sections 3.02 and 4.06 and shall not be entitled to receive any additional benefits under the Plan with respect to service as a Councilor."

SECTION 9.

Section 3.02 of the Columbus, Georgia Pension Plan for Employees of the Department of Public Safety is hereby stricken and replaced by a new Section 3.02 to read as follows:

"3.02 Membership Upon Reemployment: Except as provided in Section 4.06(c) regarding the reemployment of a retired Member *in pay status*, upon the reemployment of an Employee after termination of employment, he shall become a Member on his reemployment date, provided he is an Eligible Employee on such date and be subject to all requirements of new Members on that date. Any reemployed Member who satisfies the conditions set forth in Section 2.14(c) for re-establishing Creditable Service, shall be entitled to an Adjusted Employment Date which shall be calculated by taking his re-employment date and backing it up to reflect the years and months of creditable service calculated in accordance with section 2.14. All vesting and contribution requirements shall then be construed as though such employee was hired on his Adjusted Employment Date."

SECTION 10.

Section 4.06 of the Columbus, Georgia Pension Plan for Employees of the Department of Public Safety is hereby stricken and replaced by a new Section 4.06 to read as follows:

"4.06 Pension Benefits Upon Reemployment:

If a former Member who is receiving a Pension is reemployed by the Government, the following rules shall apply:

- (a) **Full-Time Reemployment and Resumption of Pension:** If such a Member is reemployed as a Full-Time Employee, those Pension payments shall stop, unless he is participating in the DROP as set forth in Section 4.04 above or is reemployed as an appointed or elected Councilor sworn in on or after July 1, 2024. Pension payments shall also stop during any suspension in DROP participation. During such period of reemployment or suspension in DROP participation no Pension payments shall be made. Upon subsequent Retirement of such a Member, such Pension payments shall again commence as of the first day of the month coincident with or next following such Retirement. The amount and form of such resumed Pension shall be the same as was being paid to such Member prior to reemployment as of his initial Pension commencement date.

- (b) Part-Time Reemployment: If such a Member is reemployed as a Part-Time Employee, those Pension payments shall continue uninterrupted.

- (c) Eligibility for and Amount of Additional Pension: Upon reemployment, if the Employee meets the requirements of Section 2.22 as an Eligible Employee, such Employee shall again become a Member of this Plan on the date of reemployment, shall make Employee Contributions at the rate required of other new employees hired on that date, and shall accrue Credited Service and Vesting Service from the date of reemployment and again be entitled to accrue a benefit in accordance with the provisions of Section 4. However, in the determination of such a Member's Vesting Service, his prior years of Vesting Service shall be included in addition to his Vesting Service earned after reemployment; provided, however, solely for the purpose of determining the amount of his additional Pension, Credited Service shall accrue only from the date of such reemployment. No member who has participated in the DROP specified in Section 4.04 above shall be eligible for Additional Pension pursuant to this sub-section. Notwithstanding anything in the Plan to the contrary, a former Member who (i) is receiving a Pension and (ii) is reemployed by the Government as an appointed or elected Councilor sworn in on or after July 1, 2024, shall not be eligible for an Additional Pension pursuant to this sub-section.

- (d) Form of Payment of Additional Pension: Upon subsequent Retirement by a Member after a period of reemployment, the monthly benefit determined in accordance with the provisions of Section 4 and based on Credited Service from the date of reemployment shall be in addition to the benefit provided for the prior period of employment and the provisions of Section 4.06 (c). The Pension earned by such a Member during the period of reemployment shall be payable in accordance with the provisions of Section 5."

SECTION 11.

This ordinance shall be effective immediately upon adoption by the Columbus Council.

SECTION 12.

All ordinances or parts of ordinances in conflict with this ordinance are hereby repealed.

Introduced at a regular meeting of the Council of Columbus, Georgia held on the 18th day of June, 2024; introduced a second time at a regular meeting of said Council held on the ____ day of _____, 2024 and adopted at said meeting by the affirmative vote of ____ members of said Council.

Councilor Allen	voting	_____
(Seat vacant)	voting	_____
Councilor Begly	voting	_____
Councilor Cogle	voting	_____
Councilor Crabb	voting	_____
Councilor Davis	voting	_____
Councilor Garrett	voting	_____
Councilor Huff	voting	_____
Councilor Thomas	voting	_____
Councilor Tucker	voting	_____

Sandra T. Davis
Clerk of Council

B.H. Henderson III
Mayor