

## **PART XI: Other Important Information**

### **A. Mandated Payment of Benefits After Age 70½ When You Are No Longer Employed**

Under federal law, the Board of Trustees is required to start paying you your benefits from the pension plan no later than the April 1<sup>st</sup> of the calendar year after you have reached age 70½ and you are no longer employed with the City of Atlanta. Payments will begin even if you have not filed an application for benefits.

### **B. Maximum Retirement Benefits**

Federal law prohibits benefits from exceeding certain limits. These limits vary depending upon your retirement age and your form of payment. Currently, the limit is \$175,000 per year for a life annuity.

### **C. Direct Rollover of Eligible Distributions**

You may elect to have any portion of an eligible rollover distribution paid directly to an eligible retirement plan specified by you. An eligible rollover distribution is a lump-sum payment that is paid to you or on your behalf in lieu of your monthly retirement benefit. For example, the refund of your participant contributions with interest might be an eligible rollover distribution. A monthly retirement benefit that is not paid in a single lump sum would not be an eligible rollover distribution. (You should note that this rollover provision of the plan does not entitle you to elect to receive a lump sum payment in lieu of your retirement benefit unless you are otherwise eligible to receive a lump sum payment.) An eligible retirement plan is another qualified retirement plan, such as an individual retirement account (IRA), that will accept an eligible rollover distribution from this plan. Prior to the time that you are to receive an eligible rollover distribution, the pension office will give you detailed information about how to roll over your benefit into another retirement plan. For more information on eligible rollover distributions from this plan, please contact the pension office.

### **D. Pension Credit for Military Service**

On December 12, 1994, a new federal law, the Uniformed Services Employment and Reemployment Rights Act of 1994 (USERRA), became effective. This law requires the pension plan to give you pension credit (i.e. **creditable service**) for certain service performed after that date while you are in the United States Army, Navy, Air Force, Marines, or Coast Guard (or any Reserve or National Guard components of any of these), in the commissioned corps of the United States Public Health Service, or in any other category of persons designated by the President of the United States in a time of war or emergency. However, in order to receive pension credit under the

plan for military or other service as described above, you must meet the following requirements:

1. You must have been working in employment which was covered by the pension plan immediately prior to entering such service; and
2. You must return to covered employment as a police officer with the City within the time period specified in the law; and
3. You must make-up the required participant contributions to the pension plan (without interest) within the time period specified in the law for the period of time while you were in the military

If you would like more details concerning the specific rules regarding pension credit for uniformed service, please contact the pension office.

#### **E. Family Leave**

The Family and Medical Leave Act of 1993 (FMLA) is a federal law that requires the pension plan to allow you a period of absence from work for certain reasons without counting that absence as a break in your service. Under the law, the reasons for absence are limited to:

1. A leave of absence to care for your child following his or her birth;
2. A leave of absence taken because of the placement of a child with you for adoption or foster care;
3. A leave of absence taken because you have a serious health condition that prevents you from performing your duties as an active plan participant; and
4. A leave of absence to care for your child, spouse, or parent when this individual has a serious health condition.

It is important for you to understand that you cannot simply take a leave of absence as described above and have that leave prevent a break in your service. The law states that you must file an application with the City of Atlanta for a leave of absence under the FMLA and the City must approve your leave before the leave can prevent a break in your service. For more information regarding your rights under the FMLA or to obtain an application for an FMLA approved leave of absence, please contact the pension office.

#### **F. Assignment of Benefits**

The money in the trust fund is used exclusively to provide benefits for the participants of the fund and eligible beneficiaries. None of the money in the fund is assignable, transferable, or attachable.

**G. Plan Amendment and Termination**

The Board of Trustees and the City of Atlanta intend to continue the pension plan indefinitely, but reserve the right to amend the plan, change the method of providing benefits, or terminate the plan if that should ever be necessary. You will be provided notice if circumstances require the Board or the City to make such amendments or changes.

**H. Plan Administration**

The Board of Trustees administers the plan and acts as the plan fiduciary. The Board of Trustees is made up of six members, two of whom are active police officers, one of whom is a retired police officer, and three of whom are representatives of the City. The Board of Trustees is the legal plan administrator of the plan and has authority to make the rules and regulations necessary for the day-to-day operations of the plan. Any interpretation of the plan's provisions rests with the Board of Trustees. No employee of the City of Atlanta nor anyone else is authorized to interpret the plan on behalf of the Board or Trustees, nor can an employee of the City act as an agent of the Board of Trustees. However, the Board of Trustees has established a pension office to handle routine requests from participants regarding eligibility rules, benefits, and claims procedures, and to file government reports and to handle other administrative activities under the direction of plan provisions. The Account Coordinator in the pension office will refer these matters to the Board of Trustees for final determination.

As required by law, an independent auditor examines the entire fund's financial records every year and certifies as to their accuracy, completeness, and fairness. In addition, the Trustees are required to submit periodic financial statements and other reports to the State of Georgia. These reports are available for inspection by prior appointment at the pension office during normal business hours.

**1. Name, address, and telephone number of pension office**

Board of Trustees of the City of Atlanta Police Officers' Pension Fund  
 c/o Administrative Services, Inc.  
 2187 Northlake Parkway  
 Building 9, Suite 106  
 Tucker, GA 30084

(770) 934-3953 Local  
 (800) 959-3953 Toll-free  
 (770) 939-6940 Fax

**2. Name and principal business address for each plan trustee:**

Police Trustees	City Trustees
<p>Mr. Richard Light            c/o Administrative Services, Inc.            2187 Northlake Parkway            Building 9, Suite 106            Tucker, GA 30084</p>	<p>Ms. Janice D. Davis            Chief Financial Officer            City of Atlanta            68 Mitchell Street, S.W., Suite 11100            Atlanta, GA 30335            Phone: (404) 330-6430</p>
<p>Mr. Louis Arcangeli            c/o Administrative Services, Inc.            2187 Northlake Parkway            Building 9, Suite 106            Tucker, GA 30084</p>	<p>Ms. Benita Ransom            Commissioner            Department of Human Resources            68 Mitchell Street, S.W., Suite 2150            Atlanta, GA 30335            Phone: (404) 330-6360</p>
<p>Mr. Anthony Biello            c/o Administrative Services, Inc.            2187 Northlake Parkway            Building 9, Suite 106            Tucker, GA 30084</p>	<p>Ms. Clea Winslow            Council Member            Atlanta City Council            68 Mitchell Street, S.W.            Atlanta, GA 30335            Phone: (404) 330-6047</p>

**3. City of Atlanta Elected Officials:**

<p><u>MAYOR:</u></p> <p>Ms. Shirley Franklin</p> <p><u>APPOINTED OFFICIALS:</u></p> <p>Ms. Lynnette Young Chief Operating Officer</p> <p>Ms. Janice D. Davis Chief Financial Officer</p> <p>Ms. Linda K. DiSantis, Esq. City Attorney</p> <p>Mr. Greg Pridgeon Chief of Staff</p>	<p><u>COUNCIL MEMBERS:</u></p> <p>Ms. Lisa Border President</p> <p>Ms. Carla Smith District 1</p> <p>Ms. Kwanza Hall District 2</p> <p>Mr. Ivory Lee Young, Jr. District 3</p> <p>Ms. Cleta Winslow District 4</p> <p>Ms. Natalyn Mosby Archibong District 5</p> <p>Ms. Anne Fauver District 6</p> <p>Mr. Howard Shook District 7</p> <p>Ms. Clair Muller District 8</p> <p>Ms. Felicia A. Moore District 9</p> <p>Mr. Clarence Terrell (C.T.) Martin District 10</p> <p>Mr. Jim Maddox District 11</p> <p>Ms. Joyce Shepard District 12</p> <p>Mr. Ceasar C. Mitchell Post 1, At-Large</p> <p>Ms. Mary Norwood Post 2, At-Large</p> <p>Mr. H. Lamar Willis Post 3, At-Large</p>
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**City of Atlanta**  
**Police Officers' Pension Plan**

SUMMARY PLAN DESCRIPTION  
*(Revised January 1, 2007)*