



Legislation Text

File #: 170807., **Version:** 1

Termination of Disability Retirement Benefits for Disability Retiree Ronald E. Days (B)

This item requests consideration and approval of Termination of Disability Retirement benefits of former Transit Operator Ronald E. Days.

A meeting of the Disability Review Committee was conducted on Tuesday, December 12, 2017 to review the termination of disability retirement benefits of former Transit Operator Ronald E. Days. Upon review of Mr. Days' recertification documents and employment verification from his current employer, he is performing work that is similar in nature for which he is receiving a disability. According to the plan that Mr. Days received his disability, it states in Section. 2-553. Disability Benefits (a) Disabled employees. An employee of the city who becomes, in the opinion of the City Commission, totally disabled and wholly and continuously unable to perform any and every duty of his/her employment or of a position to which he/she may be assigned on the recommendation of the Disability Review Committee as approved by the administrative department head, shall be entitled to disability payments in accordance with the disability plan. It also references in Sec. 2-556. Termination of Disability Pension (a) Upon recovery, the employee's disability pension shall be continued temporarily (not to exceed six months) in order to give him/her an opportunity to find a position. If he/she is reemployed in the City's service, his/her disability pension shall be discontinued as of the effective date of such reemployment. If he/she is not so reemployed, his/her disability pension shall be terminated at the expiration of the six-month period; (b) A disabled pensioner shall be considered as no longer disabled nor entitled to the benefits of this division when the pensioner becomes able to satisfactorily perform duties similar to those required by the position from which he/she was retired, or duties of a position which shall become and is available to the person and deemed suitable by the City Commission. Because this determination has to be made by the Board of Trustees City Commission, the Disability Review Committee is asking that you review and consider all facts and approve termination of the Disability Benefits for Mr. Days if deemed appropriate.

Mr. Days' in-line-of duty pension benefit is \$599.63 before Social Security offsets and is paid out of the City of Gainesville Employee's Pension Plan. The benefit is gross of any offsets associated with collateral income as required by the Plan. If Mr. Days should receive collateral employer provided benefit income, those offsets will be taken from the monthly benefit. Since he received benefits prior to 2007, Workers' Comp offsets could be taken but they have not been taken. Mr. Days previously signed a General Release, Waiver of Employment and Confidentiality Commitment releasing his rights to all future employment with the City of Gainesville. Mr. Days has not applied for Social Security benefits since July 10, 2012 of which his benefits were denied by Social Security on August 7, 2012. Mr. Days is gainfully employed full-time by the School Board of Levy County making \$26,769.12 as a bus driver during the 2017-18 School Year.

The Board of Trustees of the City of Gainesville Employee's Pension Plan consider and approve the termination of disability retirement benefits of Ronald E. Days, with benefits ending six-months after approval by the Board of Trustees effective October 1, 2018.