



ORDINARY & LINE-OF-DUTY DISABILITY RETIREMENT

PM-54-02

Section: 54-00, RETIREMENT

I. ORDINARY DISABILITY

A. Pursuant to Chapter 25, City of Memphis Code of Ordinances, effective 01/01/90, participants of the City of Memphis Retirement System who become mentally or physically incapacitated may receive an ordinary disability benefit allowance if all of the following conditions exist:

1. The participant is unable to properly perform the duties of the position in the department for which he/she was employed to do;
2. The determination of ordinary disability is made by two qualified physicians designated by the Pension Board;
3. The participant has completed five (5) or more years of creditable service as a member of the City of Memphis Retirement System; and
4. The participant's disability is not job-related.

B. Participants, who meet the criteria shown above, shall accrue benefits as follows:

1. For each year of creditable service prior to 1-1-90, and who have 25 years or less of creditable service, shall receive 2.25% of their final average compensation, not to exceed 56.25%.
2. After 01/01/90, participants who have less than 25 years of creditable service shall accrue at a rate of 2.50% when added to their creditable service until they receive credit for a maximum of 25 years of creditable service.
3. Participants employed on or after 01/01/90, shall receive 2.50% for each year of creditable service for a maximum of 72.50% for 25 years of creditable service.

II. LINE-OF-DUTY DISABILITY

Pursuant to Chapter 25, City of Memphis Code of Ordinances, effective 01/01/90, participants who are members of the City of Memphis Retirement System who become permanently disabled resulting from the performance of job duties may receive a line-of-duty disability allowance at 60% minimum to 72.50% maximum of the participant's final average compensation



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III. MEDICAL REQUIREMENT – ORDINARY AND LINE-OF-DUTY DISABILITY RETIREMENT

The disability of a participant is determined by the Pension Board. Included in the Pension Board's determination are the written certifications from two physicians selected and paid for by the Pension Board stating that the participant is disabled and unable to properly perform the duties of the position for which he/she was employed to do.

The Pension Board maintains the right to have the retired disabled participant examined by qualified physicians. The examining physicians shall certify in writing to the Pension Board the current mental and/or physical condition of the retired disabled participant.

IV. REINSTATEMENT – ORDINARY AND LINE-OF-DUTY DISABILITY RETIREMENT

When a participant is approved for reemployment by the Pension Board and is reinstated from Ordinary or Line-of-Duty Retirement, the participant shall be reinstated with prior service credit. Any participant who is reinstated from a disability retirement is not eligible to earn or accrue seniority, pension credit, sick leave, or vacation benefits while on disability pension. Also, the participant is not entitled to sick leave, vacation, or bonus days paid for at the time of disability retirement.

When a participant retires on Ordinary or Line-Of-Duty Disability Retirement and receives payment for unused accumulated sick leave days and, at a later date, the participant is reinstated from Ordinary or Line-Of-Duty Disability Retirement; the participant can never again be paid for any accumulated sick leave days even if the participant retires again.

Employees hired again from retirement on or after 04/01/86, who are given prior service credit, shall, pursuant to Federal Law, PL 99-272, have Medicare payments deducted from their paychecks by payroll deduction. Prior service credit is not transferable for consideration in payments for Medicare coverage.

Reference PM-42-03, MEDICARE COVERAGE.

If the participant had additional unused accrued sick leave days over and above the 75 days of unused accrued sick leave for which the participant was paid at the time of disability retirement, those days shall be placed in the participant's sick leave account when reinstatement occurs.

It is, therefore, incumbent upon the participant's Division to immediately notify the Administrative Services Center, Division of Human Resources, of the date the participant returns from disability retirement, so that the participant's date of



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PM-54-02

Section: 54-00, RETIREMENT

employment can be adjusted in accordance with the Adjusted Date of Employment Policy, PM-66-01 (page 3 of 5), found in the City of Memphis Personnel Manual Policies and Procedures. The participant's adjusted date of employment shall then govern seniority and the rate of accrual of vacation and sick leave time.

All matters of disability retirement are governed by the rules and regulations of the City of Memphis Retirement System as set forth in the City of Memphis Code of Ordinances.