



Legislation Text

File #: 000697, Version: 0

000697
ORIGINAL

THE CHAIR

A charter ordinance relating to duty disability retirement allowances.

36-05-3-g rp

36-05-3-i am

This charter ordinance, a revisor's bill, deletes all references to the federal Older Worker's Benefit Protection Act with respect to city duty disability retirement allowances.

The Mayor and Common Council of the City of Milwaukee do ordain as follows:

Part 1. Section 36-05-3-g of the charter is repealed.

(Note: The provisions being repealed read as follows:

36-05. Benefits.

3. DUTY DISABILITY RETIREMENT ALLOWANCE.

g. Older Worker's Benefit Protection Act. General city employees hired on or after October 17, 1992, and general city employees hired prior to October 17, 1992, who elected an optional benefit under par. f and apply for a duty disability retirement allowance on or after January 1, 1993, will be eligible for a duty disability retirement allowance on the same terms as the duty disability retirement allowance which would otherwise apply to them except:

g-1. The amount of the member's benefit shall be 72% of final average salary. Effective with the installment next following the month such member attains age 62, the member's benefit shall be reduced by the amount of the service retirement allowance which would be payable upon voluntary conversion at age 62 under par. b-2.

g-2. If a member is between the ages of 55 and 59 at the time the benefit is first effective, the member shall continue to receive benefits during the period of eligibility until the member attains age 60 or the expiration of a maximum period of 46 months, whichever is later. If a member is between the ages of 60 and 65 at the time the benefit is first effective, the member shall continue to receive benefits during the period of eligibility until the expiration of a maximum period of 27 months. If a member has attained 65 years of age at the time the benefit is first effective, the member shall continue to receive benefits during the period of eligibility until the expiration of a maximum period of 16 months.)

Part 2. Section 36-05-3-i of the charter is amended to read:

i. ~~[[Notwithstanding par. f or g, general]]~~ >>General<< city employees who retire on a duty disability retirement allowance on or after January 1, 1995 (on or after August 16, 1994 for employees represented by the Milwaukee Building and Construction Trades Council, AFL-CIO), shall be eligible for and receive a duty disability retirement allowance equal to 75% of final average salary. General city employees who have not attained the age of 60 years at the time of such retirement shall continue to receive such allowance during their period of eligibility until they reach the first of the month next following age 65, at which time they shall convert to a service retirement allowance. General city employees who have attained the age of 60 years at the time of such retirement shall continue to receive such allowance during their period of eligibility for a period of 5 years, at which time they shall convert to a service retirement allowance.

Part 3. This is a charter ordinance and shall take effect 60 days after its passage and publication, unless within such 60 days a referendum petition is filed as provided in s. 66.01(5), Wis. Stats., in which event this ordinance shall not take effect until submitted to a referendum and approved by a majority of the electors voting thereon.

APPROVED AS TO FORM

Legislative Reference Bureau

Date: _____

IT IS OUR OPINION THAT THE ORDINANCE
IS LEGAL AND ENFOCEABLE

Office of the City Attorney

Date: _____

City Clerk-Legislative Reference Bureau

BJZ:bsw

00375-1

8/18/2000