

Rule 513-7-1-.12 Retirement

(1) Applications: Requirements.

- (a) Members qualifying for retirement and seeking to do so shall prepare and submit an application for retirement in a form prescribed by the Board of Trustees. Such form shall be submitted 60 days in advance of the planned retirement date. The form shall be signed by the Chief of the member's fire department. A Chief's retirement application shall be signed by the Chief's civilian supervisor (e.g., Mayor, City Manager, etc.).
- (b) An application for retirement shall include the form to select a survivor option, and a beneficiary (if such has not already been chosen). This shall be verified during processing by the Pension Fund office. The three options available are:
 1. Full Benefits-No survivor- a named beneficiary is required to receive the final pension payment after the retiree's death;
 2. Option A - Joint and Survivor - beneficiary must be a legal spouse; and
 3. Option B - Ten year Certain and Life - beneficiary may be a spouse or any non-spousal relationship, but must be an individual, see Rule 513-7-1.14.
- (c) A change in beneficiary designation may be made only upon forms prescribed by the Board and no change is effective until said completed form is received by the Fund. To be valid, a change in beneficiary designation shall be received in the Fund office prior to the member's death.

(2) Payments of retirement benefits shall not commence until it has been determined that all requirements for retirement eligibility have been satisfied and a completed application for retirement has been approved by the Board. A completed application must include proof of age of member and when the member chooses a Joint and Survivor option, proof of age of spouse and proof of marriage must also be provided. Notice of separation of employment for full-time and part-time employment must also be submitted. When a member's separation notice is unavailable at time of application submission, the member shall submit a copy within 60 days of receiving their first monthly pension benefit. If a copy is not received within the allowed 60 days, benefits will cease until the required document is received. For members that have dues in arrears, the amount due shall be subtracted from the first month's benefit payment.

(3) All volunteer firefighters, upon application for retirement, shall complete and submit a notarized Creditable Service Affidavit, indicating that they have met the requirements for creditable service since the previous year's affidavit was filed.

(4) Benefits may not commence until the member is no longer employed by a fire department nor engaged in a compensated capacity that would qualify him/her for membership in the Fund, except for as provided in (a) and (b) below.

- (a) Retired firefighters, after retiring from service with their respective fire departments and commencing to receive benefits from this Fund, may then volunteer their time, service and resources to assist their local fire department in any capacity deemed appropriate to their expertise. So long as the retired firefighter is not compensated by the hour, by the call, per diem, or in any manner related to his/her service in an amount which creates a taxable event, the retired firefighter may continue to receive retirement benefits. The determinant of whether or not a firefighter is compensated or not compensated will rest with the production of tax reporting documentation for the individual. If a Form W-2 or Form 1099 is issued to report taxable income or transfer payments to a retired firefighter, then compensation shall be presumed, and benefits shall be suspended.

- (b) If a retired firefighter is reimbursed for purchases made for personal equipment or on behalf of a fire department, bona fide receipts, certified by the firefighter as correct, shall be maintained and available to the pension office on request for a period not to exceed seven years.
- (5) Retired firefighters who are receiving benefits and choose to return to service with a fire department shall notify the Fund within 30 days of re-employment. Benefits shall be suspended for the period of re-employment. Such member may re-join the Fund and earn additional creditable service under O.C.G.A. Sec. [47-7-101](#). Benefits will be resumed at the prior level, plus any increases granted in the interim, when the member subsequently retires.
- (6) The retired member shall notify the Pension Fund office of any of the following changes: mailing address, direct deposit information, marital status (i.e., divorce, death of spouse, re-marriage), beneficiary, tax withholding or re-engagement for compensation in a capacity that qualifies for membership in the Pension Fund.

Authority: O.C.G.A. Sec. [47-7-23](#).