Applying for Disability Retirement

Should you become disabled, this brochure is designed to help guide you through the disability retirement application process.

Ordinary Disability Retirement Requirements

- You must be an employee receiving pay at the time your application is submitted
- You must be vested in the Richmond Retirement System (5 years of creditable service)
- You must be completely and permanently incapacitated from performing any duties with a participating employer of the Richmond Retirement System (RRS)

Compensable Disability Retirement Requirements

- You must be an employee receiving pay at the time your application is submitted
- Your disability must be considered compensable under the Virginia Workers' Compensation Act
- You must be completely and permanently incapacitated from performing any duties with a participating employer of the Richmond Retirement System (RRS)

Disability Retirement Application Process

Ordinary Disability

1. Contact the RRS to verify eligibility, review benefits and options and submit your completed disability retirement application. At this meeting, your birth certificate or other acceptable form of identification (see page 3 for list) must be presented. **You will also need to bring a RRS Form-10 that has been completed by your physician stating you are completely and permanently incapacitated from performing any duties with the City of Richmond.**
2. You must attend a scheduled an examination with an RRS Medical Examiner.
3. The RRS will then coordinate your application with RRS medical examiners, City

Compensable Disability

1. Notify the RRS of your intent to apply for compensable disability retirement.
2. The RRS will request your Workers' Compensation information from the City's Bureau of Risk Management.
3. Upon receipt of the Workers' Compensation information, the RRS will schedule a retirement counseling session with you to verify eligibility, review benefits and options and assist with completing your disability retirement application. Your birth certificate (see page 3 for alternative forms of documentation) must be presented at this meeting.

Disability Retirement Application Process (Continued)

Ordinary Disability

administration and finally the RRS Board of Trustees.

4. The RRS will notify you and your department in writing of the Board of Trustees' decision.*

*If your application is not approved, you may reapply for disability retirement only if your medical condition significantly changes.

Compensable Disability

4. You must attend a scheduled an examination with an RRS Medical Examiner.
5. The RRS will then coordinate your application with RRS medical examiners, City administration and finally the RRS Board of Trustees.
6. The RRS will notify you and your department in writing of the Board of Trustees' decision.*

Sample Disability Retirement Application

The member applying for disability retirement is responsible for completing the highlighted sections of the Disability Retirement Application.

Fill in your personal data here.

Sign and date here.

Have two witnesses sign here.

RICHMOND RETIREMENT SYSTEM
City of Richmond, Virginia

NOTIFICATION OF DISABILITY RETIREMENT

RRS USE ONLY

ABILITY RETIREMENT		MEMBERSHIP
isability -- Sec. 78-245(a)	_____	401(a) Defined Co
le Disability -- Sec. 78-247 (a)(1)	_____	Defined Benefit
--Sec.78-247 (a)(2)	_____	Enhanced Defined Benefit

Please Type or Print Legibly

Member: Jane Doe	Soc. Sec.: 000-00-0000	Active #: 22222
Address: 5200 Memory Lane, Richmond, Virginia	Zip Code: 22222	Phone No.:000.0000
Date Employed: 07/23/1990	Position: Instrument & Control Tech. Supervisor	
Birth Date: 04/21/1959	Department: Public Utilities	

Virginia Workers' Compensation Award
( ) was granted ( ) was not granted
Amount of Award:

Social Security Disability Award
( ) was granted ( ) was not granted
Amount of Award: _____

To: Board of Trustees, Richmond Retirement System

I have satisfied the requirements of Chapter 78 of the law governing the administration of the Richmond Retirement System pertaining to eligibility for disability retirement, and hereby give written notification of my retirement for disability effective _____, 20 ____. I realize that my disability is subject to certification by the medical examiner for the Richmond Retirement System as to my incapacity to perform the duties of my position or another position with the City.

I understand that if I participate in the optional Defined Contribution Plan and become eligible for disability retirement benefits, my disability benefits will be offset by the actuarial equivalent of my account in the Defined Contribution Plan determined as of the date of disability. I further understand that my years of participation in the optional defined contribution plan will be added to my years of service prior to participation in the Defined Contribution Plan for the purpose of calculating the disability retirement allowance in accordance with Section 78-248.

I represent that all of the foregoing facts are correct, and that I have been informed of the pertinent section Chapter 78 related to my disability retirement rights.

I understand that I must submit proof of the date of my birth, a copy of my Letter of Award for Social Security disability benefits to which I am now or may hereafter become entitled, a copy of my Workers' Compensation Award and any subsequent changes, thereto, and a copy of my annual income tax returns.

Date: _____, 20____

_____
Member's Signature

Witnesses:

_____

_____

The foregoing facts are correct to the best of my knowledge and the last day for which the member earned compensation was _____

_____
Appointing Authority's Signature

Date: _____, 20 _____

Note: Use Reverse Side for - Notification by Appointing Authority of Disability Retirement

Alternative Employment Placement

Ordinary Disability

Compensable Disability

If the RRS Medical Examiners determine you are incapable of performing the duties of your current position *but* capable of performing the duties of another position with the City of Richmond, your case will be referred to the City's Chief Administrative Officer (CAO) for alternative job placement. If no alternative position is found within one year, the CAO or his/her designee may recommend disability retirement based upon the results of the job placement search. Your disability retirement application will be forwarded to your department for verification of salary and service information and signature of the appointing authority.

If the CAO offers you an alternative position with the city, you must accept it within 30 days. If you refuse the offer of an alternative position with the City, you will be ineligible to receive a disability retirement allowance.

Acceptable Proof of Age Documents

If you do not have a copy of your **birth certificate**, the RRS will accept the following documents as proof of age:

- Report of Confidential Social Security Benefit Information (Form 2485)
- Hospital birth record or certificate
- Physician's or midwife's birth record
- Passport
- Marriage certificate (if birth date is listed)
- Foreign birth record (provide translation if necessary)
- Religious record established before the age of five showing age or date of birth
- Final adoption decree (the adoption decree must show the birth information was taken from the original birth certificate)

Post Retirement Requirements

Effects of Additional Income on Disability Retirement Benefits

If you are receiving disability retirement benefits, Section 22-237 of the Code of the City of Richmond requires you to submit to the RRS a signed copy of your federal and/or state tax return, along with all W-2's to report your income until you reach your normal retirement age (60 for sworn public safety retirees and 65 for general retirees). If you file a joint return, your spouse's W-2's must also be submitted, otherwise all monies earned will be considered your income and your retirement benefits will be adjusted accordingly (if applicable).

Based upon this information, the Board of Trustees will reduce your retirement benefi ts if your combined retirement allowance and other employment income exceeds the maximum amount in the current pay range for the position from which you retired.

If you refuse to provide the requested tax information, your retirement benefitswillceaseuntiltheinformationissubmittedto the RRS. If the refusal to provide the requested documentation continues for a period of one year, any right to future disability retirement allowance is forfeited.

If you are awarded Social Security disability benefits,youare exempt from the procedures described above.

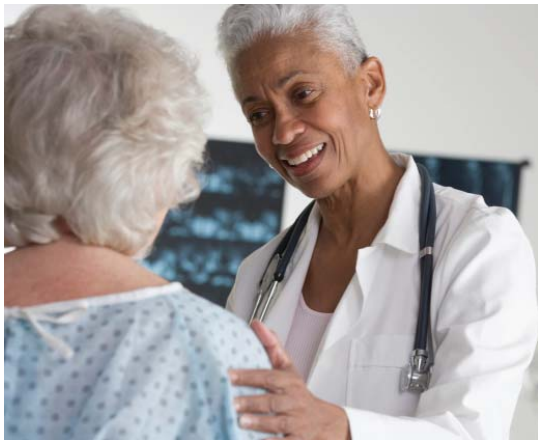
Social Security Disability Benefits

Any member approved for a disability retirement **must apply** for Social Security disability benefits within six months of retirement. A copy of the letter of award or denial must be be submitted to the RRS upon receipt. If you appeal your denial, and are subsequently awarded Social Security disability benefits, you must submit a copy of the award to the RRS immediately. Failure to notify the RRS of a Social Security disability benefit award may result in an overpayment of disability retirement benefits; such overpayment shall be corrected by suspension of all or part of your disability retirement allowance for such period of time as necessary to complete such repayment.

If you are awarded Social Security disability benefits, your retirement benefits will be reduced to the benefits payable at age 65.

Re-Examination

As a disability retiree, you may be required to be re-examined by RRS medical examiners every one, two, or three years based on the medical examiners recommendation. If, as a result of a re-examination, it is determined that you are capable of performing the duties of positions other than those of your last position with the City, the Board of Trustees will refer you to the Department of Human Resources Director for the purpose of seeking an appointment to a position for which you may be reasonably qualified by education, training or experience. Failure or refusal to accept a position (if offered) within one month will deem you ineligible for future disability retirement benefits.



- An Ordinary disability recipient will be required to accept a position if the compensation is at least 80% of his/her salary at retirement.
- A Compensable disability recipient will be required to accept a position if the compensation is at least 100% of his/her salary at retirement. When the salary of the reassigned position does not meet the 100% requirement, the RRS will supplement the difference.

Any retirement benefit awarded to you shall cease upon your appointment to the new position.

If you are awarded Social Security Disability benefits, you will not be required to be re-examined for retirement benefits throughout the duration of the award. Nor will you be required to be re-examined once you reach normal retirement age (65 for general members, 60 for sworn police and fire members).

Affects of Workers Compensation Benefits

Ordinary Disability Retirement

If you receive compensation awarded pursuant to the Virginia Workers' Compensation Act, the total amount of compensation from both your Workers' Compensation benefits and your disability retirement benefits cannot exceed the amount of your average final compensation (AFC) at the time of your retirement.

If your monthly Workers' Compensation Award and pension benefit exceed your monthly AFC, your retirement benefit

Post Retirement Requirements (Continued)

will be limited to the monthly amount of your AFC minus your monthly Workers' Compensation Award.

For example:

Monthly AFC	*$1,800*
Monthly Workers' Compensation Award	*- $1,000*
Adjusted Monthly Retirement Benefit	*$800*

Compensable Disability Retirement

If you retire with a compensable disability allowance after July 1, 1989, and receive or are entitled to a Virginia Workers' Compensation award, your disability retirement pension will be reduced dollar for dollar by the amount of the Workers' Compensation Award.

For example:

Monthly Retirement Benefit	*$1,200*
Monthly Workers' Compensation Award	*- $1,000*
Adjusted Monthly Retirement Benefit	*$200*

If you elect to receive a lump sum payment of your workers' compensation award, your disability retirement pension will be reduced in the same amount and for the number of month's equivalent to the lump sum award amount divided by the amount of the original monthly Workers' Compensation Award.

For example:

Lump Sum Workers' Compensation Award	*$10,000*
Original Monthly Workers' Compensation Award	*÷ $1,000*
Number of Months Disability Pension Will Be Reduced	*10*

Pension Payments

Deductions

Ordinary disability retirement benefits are subject to federal and state income taxes, however, compensable disability retirement benefits are not subject to taxes. Health care and dental insurance premiums are deducted from both compensable and ordinary disability monthly pension payments, if applicable.

Cost-of-Living Adjustment (COLA)

COLA's may be granted at the discretion of Richmond City Council during its annual budget process. When a COLA is granted it will be applied on July 1st for all retirees who retired prior to July 1st of the previous year.

COLA's are calculated as a percentage of a retiree's pension, therefore if a change occurs in the amount of a retiree's regular allowance, the amount of his/her COLA will also change.

For example:

When a retiree's pension reduces due to the receipt of Social Security Disability benefits or when it reduces at age 65, the dollar amount of his/her COLA will also reduce, although the COLA percentage remains the same.

Benefits After Death

If a retiree is eligible for an early service retirement when approved for disability retirement and dies prior to reaching normal retirement age (60 for public safety officers and 65 for general employees), the surviving spouse will receive a 100% survivor allowance payable for life.

If a retiree is not eligible for an early service retirement when approved for disability retirement, his/her spouse is not eligible for survivor benefits. However, before reaching normal retirement age the retiree may choose to elect a survivor option, which will become effective upon reaching their normal retirement date. Notification of a retiree's plan to elect a survivor option must be received by the RRS at least thirty days prior to the retiree's normal retirement date.

If a survivor option is selected, it must be approved by the Board of Trustees and must be in effect prior to the retiree's death in order for the survivor allowance to be payable (to the spouse or another designated survivor). If a retiree elects a survivor option and their beneficiary pre-deceases them before the retiree's normal retirement age, the election of the option shall be null and void upon receipt of a certified death certificate for the beneficiary.

Richmond Retirement System

Helping to Build Your Financial Future

More information:

online
www.rva.gov/retirement-system

Richmond Retirement System Contact:

phone
888-288-2781
804-646-5958

mail
730 East Broad Street, Suite 900
Richmond, VA 23219

City of Richmond Risk Management Contact:

phone
804-646-5604

mail
900 East Broad Street, Room 1000
Richmond, VA 23219