

CITY OF PORTLAND, OREGON

**FIRE & POLICE DISABILITY,
RETIREMENT & DEATH BENEFIT PLAN**

PLAN SUMMARY



FEBRUARY 2016



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INTRODUCTION

This Summary Plan Description summarizes the pension, disability and death benefits available to sworn employees and retirees of the Portland Police Bureau and Portland Fire & Rescue, as well as their spouses, dependent minor children and alternate payees, as of the publishing date and is subject to change. The purpose of this Summary Plan Description is to highlight features of the Fire & Police Disability, Retirement & Death Benefit Plan (FPDR Plan); it is not intended to provide you with a detailed description of your benefits. For a complete description of your benefits, please refer to Chapter 5 of the Charter of the City of Portland and the FPDR Plan's Administrative Rules available here: <http://www.portlandoregon.gov/fpdr/62521>.

In the event of conflict or ambiguity between this Summary Plan Description and the FPDR Plan in Chapter 5 of the Charter of the City of Portland and its Administrative Rules, the FPDR Plan document and Administrative Rules will control. Further, the FPDR Plan, its employees, fiduciaries, and administrators are not bound by any oral or written communication that conflicts with Chapter 5 of the Charter or its Administrative Rules. Please do not hesitate to contact us at 503-823-6823 if you have any questions.

WHICH FPDR TIER AM I IN?

FPDR has three tiers with different benefits and eligibility requirements: FPDR One, FPDR Two and FPDR Three. Please make sure you are referencing the benefits for YOUR tier when you use this Summary Plan Description.

- ⇒ If you were *first sworn* at the Portland Police Bureau or Portland Fire & Rescue *after December 31, 2006* you are an FPDR Three member.
- ⇒ If you were *first sworn* at the Portland Police Bureau or Portland Fire & Rescue *between November 8, 1989 and December 31, 2006*, you are an FPDR Two member.*
- ⇒ If you were an *active member* of the Portland Police Bureau or Portland Fire & Rescue *on November 7, 1989** or *receiving FPDR disability benefits on January 1, 1990 for a disability that was expected to be of less than one year in duration*, you are either an FPDR One member or FPDR Two member, depending upon the election you made in 1990. To confirm which tier you are in, please contact us.
- ⇒ If you were a *retiree* of the Portland Police Bureau or Portland Fire & Rescue *on January 1, 1990*, or *receiving FPDR disability benefits on January 1, 1990 for a disability that was expected to be more than one year in duration*, you are an FPDR One member unless:
 - You returned from disability to active service at the Portland Police Bureau or Portland Fire & Rescue for at least two years and elected to join the FPDR Two tier, in which case you are an FPDR Two member.
- ⇒ If you are *the surviving spouse, dependent minor child or alternate payee* of a sworn employee of the Portland Police Bureau or Portland Fire & Rescue, *your tier is the same as the member's*. Please use the descriptions above to determine which tier applies to your spouse, parent or former spouse.

*Some sworn employees came to City service as part of an annexation or other organizational change and had the option to join FPDR or remain members of the Public Employees Retirement System.

FPDR BENEFITS AT A GLANCE

This table provides an overview of the benefits available to FPDR members and their survivors. Please turn to the appropriate section of this Summary Plan Description, as specified in the table of contents, for a more detailed summary of the benefits available, including the eligibility requirements, benefit amount and termination provisions.

	FPDR Three	FPDR Two	FPDR One
<i>When You Become an FPDR Member</i>	Your sworn date, if you were first sworn before January 1, 2013. Otherwise, after six consecutive months of sworn service.	Your sworn date	Your sworn date
<i>Pension*</i>	FPDR Three members belong to the Oregon Public Employees Retirement System (PERS) and are not eligible to receive FPDR pension benefits.	Eligible at age 50 with 25 years of service, or age 55 Monthly Benefit = Monthly final pay, multiplied by years of service, multiplied by a percent you select (2.2%, 2.4%, 2.6%, or 2.8%). The percent determines the death benefit.	Eligible at age 50 with 25 years of active service, or age 55 with 20 years of active service. Mandatory retirement at age 64 Monthly Benefit = Monthly top-step police officer or fire fighter pay, multiplied by years of service, multiplied by 2.0%
<i>Disability Benefits: Service-Connected or Occupational</i>	<i>With some exceptions,</i> you are eligible when you become an FPDR member. 75% of base pay in first year of disability; then 50% to 75% of base pay Benefits may be reduced if you receive any monthly PERS disability benefit and/or outside wages (subject to a 25% of base pay minimum benefit).	<i>With some exceptions,</i> you are eligible when you become an FPDR member. 75% of base pay in first year of disability; then 50% to 75% of base pay Benefits may be reduced if you receive outside wages (subject to a 25% of base pay minimum benefit).	Eligible if not already retired or receiving nonservice-connected disability benefits 60% of top-step police officer or fire fighter pay Additional benefits are available if you have dependent minor children.
<i>Disability Benefits: Nonservice-Connected*</i>	Eligible after ten years of FPDR service 50% of your base pay, reduced by any monthly PERS disability benefit and 50% of outside wages	Eligible after ten years of FPDR service 50% of your base pay, reduced by 50% of outside wages	Eligible if not already retired The greater of: your earned pension amount (see above); or 20% of top-step police officer or fire fighter pay

*FPDR One and FPDR Two members may also be eligible for an additional state tax offset benefit under Oregon Revised Statutes. Please see the appropriate section(s) in this Summary Plan Description for more information.

	FPDR Three	FPDR Two	FPDR One
Death Benefit: Death After Retirement*	FPDR Three members belong to PERS for pension benefits and benefits for death after retirement, and are not eligible for FPDR death after retirement benefits.	Your spouse** for the 12-month period prior to death and dependent minor children are eligible. 25% to 100% of your pension benefit, depending on the accrual rate you selected at retirement.	<i>With some exceptions,</i> your spouse** for the 12-month period prior to death and dependent minor children are eligible. 36% to 56% of your pension benefit, depending on the age difference between you and your spouse.
Death Benefit: Service-Connected or Occupational Death Before Retirement	Your spouse** for the 12-month period prior to death and dependent minor children are eligible. Until the date you would have been eligible to retire, 75% of your base pay. After that, 50% of your final pay, increased to account for benefit adjustments awarded by the FPDR Board of Trustees since your death.* Offset by any monthly PERS death benefit.	Your spouse** for the 12-month period prior to death and dependent minor children are eligible. Until the date you would have been eligible to retire, 75% of your base pay. After that, 50% of your final pay, increased to account for benefit adjustments awarded by the FPDR Board of Trustees since your death.*	Your spouse** and dependent minor children are eligible. Until the date you would have turned 64 or reached 30 years of service, whichever is earlier, 50% of top-step police or fire fighter pay. After that, equal to death after retirement benefit, assuming you had the lesser of 30 years of service or service through age 64. Additional benefits are available if you have dependent minor children.
Death Benefit: Nonservice-Connected Death Before Retirement*	If you have five years of FPDR service, your spouse** for the 12-month period prior to death and dependent minor children are eligible. 50% of the pension benefit earned at your death, using a 2.6% accrual rate. Offset by any monthly PERS death benefit.	If you have five years of FPDR service, your spouse** for the 12-month period prior to death and dependent minor children are eligible. 50% of the pension benefit earned at your death, assuming a 2.6% accrual selection.	If you have 20 years of FPDR active service, your spouse** for the 12-month period prior to death and dependent minor children are eligible. Equal to death after retirement benefit (see above), based on your years of service at the time of your death.
Funeral Benefit	50% of the monthly pay for a top-step police officer or fire fighter	50% of the monthly pay for a top-step police officer or fire fighter	\$200

*FPDR One and FPDR Two survivors may also be eligible for an additional state tax offset benefit under Oregon Revised Statutes. Please see the appropriate section(s) in this document for more information.

** Your spouse of any sex from whom you are not legally separated, or your same-sex domestic partner if you filed an affidavit of domestic partner status form or a registered domestic partnership certificate with FPDR prior to June 26, 2013 and that partnership was not subsequently dissolved.



FPDR THREE BENEFITS

You are covered by the FPDR Three tier as detailed in Chapter 5, Article 3 of the City Charter if:

- You were first sworn at the Portland Police Bureau or Portland Fire & Rescue between January 1, 2007 and December 31, 2012; or
- You were first sworn at the Portland Police Bureau or Portland Fire & Rescue after December 31, 2012 and have completed six consecutive months of sworn service.

In addition to the retirement benefit provided by the Oregon Public Employees Retirement System (PERS), the FPDR Three tier provides disability benefits, death benefits to your eligible survivors if you die before retirement and funeral benefits. Pension and death benefits after retirement are provided by PERS. More information about PERS benefits can be obtained at www.oregon.gov/pers or by calling 503-598-7377 or 888-320-7377.

DISABILITY BENEFIT

FPDR provides benefits for two types of disability: service-connected/occupational and nonservice-connected.

1. A service-connected disability occurs when an injury or illness arises out of and in the course of performing your sworn duties for the City.
2. Occupational disabilities are heart disease, hepatitis B, non-terminal pneumonia, AIDS, AIDS-related complex, tuberculosis and hernia of the abdominal cavity or diaphragm IF the disability was contracted as a result of your sworn service. Fire members are also entitled to occupational disability benefits for the following cancers if they result from your sworn service: brain, colon, stomach, testicular, prostate, throat, mouth, rectal, breast, multiple myeloma, non-Hodgkin's lymphoma and leukemia.
3. A nonservice-connected disability is a disability that, (1) does not meet the criteria for service-connected or occupational disability, and (2) must render you unable to perform your required sworn duties.

To apply for disability benefits you must submit a completed application to FPDR. See <http://www.portlandoregon.gov/fpdr/62521> for information on filing a claim. Disability claim decisions are made by the FPDR Director. If the Director denies your claim, you will be notified in writing of the decision and of your right to appeal the decision to a hearings officer within sixty (60) days of the mailing date of the denial. Appeal of the Director's claim decision is heard by a hearings officer at the State of Oregon's Office of Administrative Hearings (OAH). The hearings officer's decision is final unless you or the Director requests a review in writing within thirty (30) days of the hearings officer's decision. A review of the hearing officer's decision will be performed by an independent panel from OAH.

	SERVICE-CONNECTED OR OCCUPATIONAL DISABILITY	NONSERVICE-CONNECTED DISABILITY
ELIGIBILITY	<p>With the exceptions listed below, you are eligible on the date you become an FPDR member:</p> <ul style="list-style-type: none"> • Your FPDR membership entry date is your sworn date if that date is between January 1, 2007 and December 31, 2012 inclusive. • Your FPDR membership entry date is the day after you complete six (6) consecutive months of sworn service if your sworn date is after December 31, 2012. <p>Exceptions:</p> <ul style="list-style-type: none"> • To be eligible for occupational disability benefits due to heart disease, five (5) years of FPDR service are required. • To be eligible for occupational disability benefits due to certain cancers, Fire members must have at least five (5) years of FPDR service, be first diagnosed after July 1, 2009 and file an initial claim within seven (7) years of leaving active service. In addition, prostate cancer must first be diagnosed before the Fire member turns 55. Police members are not eligible for the occupational disability presumption for these cancers but may be eligible for service-connected or nonservice-connected disability benefits. <p>You are not eligible for an injury suffered in assaults or combats not connected to your job assignment that amounted to a deviation from your customary duties, or incurred while engaging in or as a result of engaging in recreational or social activities solely for your personal pleasure.</p>	<p>Eligible on the date you complete ten (10) years of FPDR service.</p> <p>The disability cannot be the result of willful injury, participation in unlawful activities or drug or alcohol abuse.</p>

	SERVICE-CONNECTED OR OCCUPATIONAL DISABILITY	NONSERVICE-CONNECTED DISABILITY
DISABILITY BENEFIT	<p><u>Percent of Pay</u> <i>In the first year of disability:</i> 75% of your base pay (which includes premium and longevity pays, but not lost standby, shift differential, call shift or overtime pay) <i>less</i> any monthly PERS disability benefit</p> <p><i>After one year:</i> 50% of your base pay <i>less</i> any monthly PERS disability benefit, IF you are medically stationary (no material improvement in your medical condition can reasonably be expected) AND you are capable of pursuing employment with earnings that equal at least one-third of your base pay. If not, your benefit remains 75% of your base pay less any monthly PERS disability benefit.</p> <p><i>After four years:</i> 50% of your base pay less any monthly PERS disability benefit, whether or not you are medically stationary, IF you are capable of pursuing employment with earnings that equal at least one-third of your base pay. If not, your benefit remains 75% of your base pay less any monthly PERS disability benefit.</p> <p><u>Offset for Outside Earnings</u></p> <ul style="list-style-type: none"> • If receiving a benefit equal to 75% of your base pay, your benefit will be reduced by 50% of wages earned from other employment. • If receiving a benefit equal to 50% of your base pay, your benefit will be reduced by 25% of wages earned from other employment. • Your benefit will never be less than 25% of your base pay. 	<p><u>Percent of Pay</u> 50% of your base pay (which includes premium and longevity pays, but not lost standby, shift differential, call shift, or overtime pay) <i>less</i> any monthly PERS disability benefit</p> <p><u>Offset for Outside Earnings</u> Your benefit will be reduced by 50% of wages earned from other employment, with no minimum benefit.</p>

	SERVICE-CONNECTED OR OCCUPATIONAL DISABILITY	NONSERVICE-CONNECTED DISABILITY
DISABILITY BENEFIT, CONTINUED	<p><u>Benefit Increases</u> Your benefit will increase in accordance with raises such as contract steps, cost-of-living adjustments or longevity pay increases.</p> <p><u>Payment Form</u></p> <ul style="list-style-type: none"> • You will receive interim disability benefits upon FPDR’s receipt of a completed application for benefits while your claim is being reviewed. If your claim is denied (and the denial becomes final) or withdrawn, you will be required to repay the benefits you received. • In the first year of disability, benefits are paid biweekly on the same schedule as City wages. • After the first year, benefits are generally paid monthly on the second Tuesday. • Payments can be made for full pay periods or a partial one, depending on the nature and duration of your disability <p>➤ Example: You injure your wrist on the job and must attend weekly physical therapy appointments, but you are still able to perform your regular sworn duties. In addition to paying for the physical therapy, FPDR will also pay you disability benefits for the time you attend therapy, so you do not have to use sick leave.</p> <p><u>Taxes</u> Service-connected and occupational disability benefits are generally not taxable; please consult your tax preparer.</p>	<p><u>Benefit Increases</u> Your benefit will increase in accordance with raises such as contract steps, cost-of-living adjustments or longevity pay increases.</p> <p><u>Payment Form</u></p> <ul style="list-style-type: none"> • Benefits are generally paid monthly on the second Tuesday. • Payments can be made for full pay periods or a partial one, depending on the nature and duration of your disability. <p><u>Taxes</u> Nonservice-connected disability benefits are generally taxable, please consult your tax preparer.</p>

	SERVICE-CONNECTED OR OCCUPATIONAL DISABILITY	NONSERVICE-CONNECTED DISABILITY
MEDICAL BENEFIT	FPDR will pay for all reasonable and necessary medical expenses associated with your approved service-connected or occupational disability until your death while you are an active member, a member receiving disability benefits or a retired member if you retire from disability or from FPDR service.	FPDR does not provide medical benefits for nonservice-connected disabilities.

TRANSITIONAL DUTY AND VOCATIONAL REHABILITATION BENEFITS	ALL DISABILITIES
	<p><u>Transitional Duty</u> If your physician believes you will be able to return to regular duty in the future, and believes you are capable of some work in the interim, you may return to work with modified duty restrictions <i>at the discretion of your bureau</i>.</p> <ul style="list-style-type: none"> • If your modified duty schedule is less than full time, FPDR will pay disability benefits to you for the hours you cannot work. • FPDR may provide your bureau with a 75% wage subsidy for the hours you spend on modified duty for up to 180 days. <p><u>Vocational Rehabilitation</u> A member receiving disability benefits may be eligible for vocational rehabilitation benefits, such as training, employment counseling or job development and analysis.</p>

CESSATION OF BENEFIT	ALL DISABILITIES
	<p>Disability payments cease when:</p> <ul style="list-style-type: none"> • You are able to return to full-time, regular sworn duty. • You are able to return to full-time, modified sworn duty, and Portland Fire & Rescue or the Portland Police Bureau has made a modified duty position available to you. • You reach Normal Retirement Age under your PERS program and tier (PERS Tier One, PERS Tier Two or the Oregon Public Service Retirement Plan (OPSRP)). At that time your disability benefits will cease UNLESS: <ul style="list-style-type: none"> ○ Your disability is temporary, as defined by FPDR, in which case you may receive disability benefits for up to two (2) years from the date of disability or Normal Retirement Age, whichever is later. • You fail to comply with FPDR’s rules and procedures. Examples are refusing to provide outside wage information or to attend independent medical examinations. • Medical information reveals that your disability is no longer related to your approved claim.

BENEFIT FOR YOUR SURVIVORS AT YOUR DEATH BEFORE RETIREMENT

Your spouse of any sex (from whom you are not legally separated) for the 12-month period prior to your death and/or your dependent minor children may be entitled to benefits upon your death before retirement. Your same-sex domestic partner is considered your spouse if you filed an affidavit of domestic partner status form or a registered domestic partnership certificate with FPDR prior to June 26, 2013, and that partnership was not subsequently dissolved.

	SERVICE-CONNECTED OR OCCUPATIONAL DEATH BEFORE RETIREMENT	NONSERVICE-CONNECTED DEATH BEFORE RETIREMENT
ELIGIBILITY	<p>Your survivor(s) are eligible on the date you become an FPDR member:</p> <ul style="list-style-type: none"> • Your sworn date if that date is between January 1, 2007 and December 31, 2012 inclusive • The date after you complete six (6) consecutive months of sworn service if your sworn date is after December 31, 2012 	<p>Your survivor(s) are eligible on the date you complete five (5) years of FPDR service.</p>

	SERVICE-CONNECTED OR OCCUPATIONAL DEATH BEFORE RETIREMENT	NONSERVICE-CONNECTED DEATH BEFORE RETIREMENT
WHO IS A SURVIVOR?	<p>Your spouse, of any sex, is your surviving spouse so long as you were married and not divorced or legally separated for the 12-month period prior to your death.</p> <p>Your same-sex domestic partner is your surviving spouse only if you filed an affidavit of domestic partner status or a registered domestic partnership certificate with FPDR prior to June 26, 2013.</p> <p>If you do not have a surviving spouse, the benefit will be split equally among your dependent minor children. A dependent minor child is your biological or adopted child who is under age 18, unmarried and substantially supported by you, your surviving spouse or your estate.</p> <p>If you have a surviving spouse AND dependent minor children who are not the children of your surviving spouse, 50% of the benefit will be paid to your surviving spouse and 50% of the benefit will be split among the dependent minor children.</p> <p>If you do not have a surviving spouse or dependent minor children, no death benefits are payable.</p>	<p>Your spouse, of any sex, is your surviving spouse so long as you were married and not divorced or legally separated for the 12-month period prior to your death. Your spouse is eligible for benefits at age 55.</p> <p>Your same-sex domestic partner is your surviving spouse only if you filed an affidavit of domestic partner status or a registered domestic partnership certificate with FPDR prior to June 26, 2013.</p> <p>If you do not have a surviving spouse who is age 55 or older, the benefit will be split equally among your dependent minor children until your spouse reaches age 55. A dependent minor child is your biological or adopted child who is also under age 18, unmarried and substantially supported by you, your surviving spouse or your estate.</p> <p>If you have a surviving spouse who is age 55 or older AND dependent minor children who are not the children of your surviving spouse, 50% of the benefit will be paid to your surviving spouse and 50% of the benefit will be split among the dependent minor children.</p> <p>If you do not have a surviving spouse or dependent minor children, no death benefits are payable.</p>

	SERVICE-CONNECTED OR OCCUPATIONAL DEATH BEFORE RETIREMENT	NONSERVICE-CONNECTED DEATH BEFORE RETIREMENT
DEATH BENEFIT	<p><u>Amount</u> <i>Until your PERS Normal Retirement Age:</i> 75% of your base pay (which includes premium pay but not overtime or leave payouts)</p> <p><i>After your PERS Normal Retirement Age:</i> 50% of your final pay (the highest base pay you received during any of the three consecutive 12-month periods preceding the month of death), increased each year after your death in accordance with any adjustments awarded by the FPDR Board of Trustees.</p> <p><u>PERS Offset</u> The FPDR benefit is reduced by any monthly PERS death benefit.</p> <p><u>Benefit Increases</u> At its discretion the FPDR Board of Trustees may provide an annual cost of living adjustment, so long as the increase doesn't exceed the PERS cost of living adjustment. Such increases usually occur on July 1 each year.</p> <p><u>Payment Form</u> Benefits are paid monthly on the second Tuesday until you would have reached your PERS Normal Retirement Age. Thereafter benefits are paid on the first or, if the first is not a business day (except January 1), the last business day of the prior month.</p> <p><u>Taxes</u> Benefits are generally not taxable; please consult your tax preparer.</p>	<p><u>Amount</u> Your monthly final pay (the highest base pay, including premium pay but not overtime or leave payouts, you received during any of the three consecutive 12-month periods preceding the month of death),</p> <p>Multiplied by your years and months of FPDR service,</p> <p>Multiplied by 2.6%,</p> <p>Multiplied by 50%</p> <p><u>PERS Offset</u> The FPDR benefit is reduced by any monthly PERS death benefit.</p> <p><u>Benefit Increases</u> At its discretion the FPDR Board of Trustees may provide an annual cost of living adjustment, so long as the increase doesn't exceed the PERS cost of living adjustment. Such increases usually occur on July 1 each year.</p> <p><u>Payment Form</u> Benefits are paid monthly on the first or, if the first is not a business day (except January 1), the last business day of the prior month.</p> <p><u>Taxes</u> Benefits are generally taxable; please consult your tax preparer.</p>

CESSATION OF BENEFIT	<p>ALL DEATH BENEFITS</p> <p>Your surviving spouse will receive benefits until their death.</p> <p>If your dependent minor children receive benefits, they will receive benefits until they turn 18 or marry, whichever comes first. In the case of a nonservice-connected death before retirement, their benefits will cease if your surviving spouse reaches age 55 before they turn 18 or marry, unless they are not the children of your surviving spouse.</p> <p>If you have a surviving spouse AND dependent minor children who are not the children of your surviving spouse and who are receiving a portion of the death benefit, the portion of your benefit payable to the dependent minor children will revert to your surviving spouse when the last dependent child turns 18 or marries, whichever comes first.</p>
DOMESTIC RELATIONS ORDERS	<p>ALL PRE-RETIREMENT DEATH BENEFITS</p> <p>Your pre-retirement death benefits may be assigned to an alternate payee (your former spouse or partner) if required by a court-certified domestic relations order (DRO). DROs are used when a couple wishes to divide benefits as part of a divorce, annulment or legal separation, or dissolution of a certified same-sex partnership.</p>

FUNERAL BENEFIT

FPDR will make a one-time funeral benefit payment equal to 50% of the monthly pay for a top-step police officer or fire fighter, including maximum longevity pay. Payment will be made to your surviving spouse (as defined above) or to your estate if you have no qualifying spouse. The benefit is available to all active members, members on FPDR disability and members who retired as active members or members on FPDR disability.



FPDR TWO BENEFITS

If you were first sworn at the Portland Police Bureau or Portland Fire & Rescue between November 8, 1989 and December 31, 2006 inclusive, or you were an active employee of one of those bureaus on December 31, 1989 (even if you were receiving disability benefits for a disability that was expected to be of less than one year in duration) and elected to join the FPDR Two tier, you are covered under the “FPDR Two” tier as detailed in Chapter 5, Article 3 of the City Charter. The FPDR Two tier provides pension, disability, death and funeral benefits.

PENSION BENEFIT

To apply for pension benefits, you must submit a completed application to FPDR no later than the day before your pension start date. Contact FPDR to schedule a retirement appointment or to request a pension application be sent to you for completion. You may appeal in writing to the FPDR Director a determination of the amount of your pension benefit or the resolution of any matter affecting the benefit within one year of the date you had knowledge of all material facts that are in dispute. If the Director denies your claim, you will be notified in writing of the decision and of your right to appeal the decision to a hearings officer within sixty (60) days of the date you receive the written notification of the denial. Appeal of the Director’s claim decision is heard by a hearings officer at the State of Oregon’s Office of Administrative Hearings (OAH).

ELIGIBILITY	<p>To be eligible to retire, you must:</p> <ul style="list-style-type: none"> • Be at least 50 years old and have at least 25 years of service; or • Be at least 55 years old, whichever comes first. <p>If you terminate before your retirement eligibility date but have at least five (5) years of service, you are eligible to retire when you would have been eligible to retire had your City sworn service continued.</p>
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PENSION BENEFIT	<p>Your monthly pension is your monthly <u>final pay</u> multiplied by <u>years of service</u> multiplied by an <u>accrual rate</u> that determines the death benefit.</p> <p>If you were hired before July 14, 1995 AND file Oregon income tax returns in retirement, you are eligible for an additional benefit provided by Oregon Revised Statutes 237.635 and 237.637. The additional benefit is intended to fully or partially offset Oregon income taxes, and is equal to the greater of:</p> <ul style="list-style-type: none"> • 0% to 4.0% of your monthly pension, based on your years of service (0-9 years, 0%; 10-19 years, 1.0%, 20-24 years, 2.5%; 25 or more years, 4.0%); or • 9.89% times the percentage of your service prior to October 1, 1991. <p><u>Final pay</u> is the highest base pay you received during any of the three (3) consecutive 365- or 366-day periods preceding the calendar month in which you retire (the “lookback period”). Base pay means the regular pay for your position, including premium pay, longevity pay, standby pay, coach’s pay, and pay for working out of class. It does not include any pay earned on overtime, call shifts or leave payouts. Annual final pay is divided by twelve (12) to get monthly final pay.</p> <ul style="list-style-type: none"> ➤ Example: If you retire on June 15, 2016 your final pay is the highest of these amounts, divided by 12: <ul style="list-style-type: none"> • Base pay received from June 1, 2015 – May 31, 2016 • Base pay received from June 1, 2014 – May 31, 2015 • Base pay received from June 1, 2013 – May 31, 2014 ❖ <i>Received pay</i> means the wages you actually or constructively received for base pay during the lookback period, plus pay you would have received if your bargaining agreement had been in effect during the lookback period, less any retroactive payments you received for days before the lookback period began. ❖ In a typical 365- or 366-day period you will receive 26 paychecks. Since those paychecks include wages for only 364 days (= 14 days in each biweekly pay period times 26), FPDR will include in your final pay one or two additional days of wages from the paycheck immediately preceding the lookback period. On occasion a 365- or 366-day period includes 27 paychecks. In that case, FPDR will include only one or two days of wages from the first paycheck in the lookback period, to ensure no more than 365 or 366 days of wages are included in final pay. ➤ Example: Your collective bargaining agreement expires on June 30, 2015, and a new agreement is not in place when you retire on October 1, 2015. When the new agreement is approved on January 1, 2016 it includes a 3% wage increase effective July 1, 2015. FPDR will retroactively increase your final pay by 3% for the period July 1, 2015 to September 30, 2015. Your pension will be increased going forward, and you will receive a retroactive payment for the increase to pension payments already made.
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PENSION BENEFIT, CONTINUED	<ul style="list-style-type: none"> ➤ Example: Your lookback period is June 1, 2015 – May 31, 2016. It is discovered that you were not paid for all of your standby hours over the last several years, and you receive a retroactive payment in January 2016. Only the portion of the retroactive payment that is for standby hours worked since June 1, 2015 will be included in your final pay. <p><u>Years of service</u> are the number of years and full months since your sworn date, up to thirty (30) years of service, after accounting for <i>time adjustments</i>. Partial months are not counted. Time adjustments can be negative or positive.</p> <ul style="list-style-type: none"> ❖ Negative time adjustments are a loss of service credit because of unpaid time off work (other than approved military leave) or time on disability. ❖ A negative time adjustment for a period of disability is calculated as follows <div style="text-align: center; margin: 10px 0;"> <p>The period of disability (for example, 30 days),</p> <p>Multiplied by (1 – a fraction), where the fraction is:</p> $\frac{\text{your disability payment(s) for that period}}{3/4 \text{ of your base pay for that period}}$ </div> <p>The result of this formula is that a member receiving a 75% of base pay service-connected or occupational disability benefit who does not receive wages from any other source will have no time loss, while all other disability recipients will have some time loss.</p> <ul style="list-style-type: none"> ❖ Approved military leave does not result in time loss, so long as you return to active duty at PPB or PF&R with federal reemployment rights. ➤ Example 1: Your sworn date is May 9, 1986, and you retire on May 4, 2016. Your years of service are 29.9166 (29 years, 11 months) because your pension start date must be May 9 or later to get credit for the last month. ➤ Example 2: Your sworn date is July 31, 1986, and you retire on July 31, 2017. Your years of service are 30.0 (30 years, 0 months) because there is no service credit after 30 years. ➤ Example 3: Your sworn date is July 31, 1986, and you retire on July 31, 2016. However, you received nonservice-connected disability benefits for 100 days during your career, and other wages reduced your disability benefit to 30% of your base pay. Your time loss is 30% divided by 75% (which is 40%), subtracted from 100% (which is 60%) multiplied by 100 days (which is 60 days). Therefore, your years of service are 30 years less 60 days, or 29.83 years (29 years, 10 months). ❖ A positive time adjustment occurs when a member arranges a “buy in” from the Oregon Public Employees Retirement System (PERS) and so converts all sworn service credit at PERS to sworn service credit at FPDR via a one-time payment from PERS to FPDR ➤ Example: Your City of Portland sworn date is January 1, 1994, but previously you worked for six years in a PERS-covered sworn position for another city in Oregon. You retire on January 1, 2014. Your years of service are 26.0 (20 years, 0 months of FPDR service and 6 years, 0 months of “bought in” PERS service).
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PENSION BENEFIT, CONTINUED	<p>The <u>accrual rate</u> you select at retirement determines the percent of your pension that your surviving spouse will receive after your death.</p> <ul style="list-style-type: none"> • 2.2% accrual = death benefit is 100% of member’s benefit • 2.4% accrual = death benefit is 75% of member’s benefit • 2.6% accrual = death benefit is 50% of member’s benefit • 2.8% accrual = death benefit is 25% of member’s benefit <p><u>Benefit Increases:</u> At its discretion the FPDR Board of Trustees may provide an annual cost-of-living adjustment, so long as the increase doesn’t exceed the Oregon Public Employees Retirement System (PERS) cost-of-living adjustment provided to police and fire employees who are participants in PERS. Such increases usually occur on July 1 each year.</p> <p><u>Taxes:</u> Benefits are generally taxable; consult your tax preparer.</p> <p><u>Payment Form:</u> Benefits are paid monthly on the first or, if the first is not a business day (except January 1), the last business day of the prior month.</p>
DOMESTIC RELATIONS ORDERS AND GARNISHMENTS	<p><u>Domestic Relations Orders</u> Your pension will be reduced if required by a court-certified domestic relations order (DRO). DROs are used when a couple wishes to divide a pension as part of a divorce, annulment or legal separation, or dissolution of a certified same-sex partnership. The amount by which your pension is reduced, and the benefit provided to the alternate payee (your former spouse or partner), depends on the specific provisions of your DRO. If the alternate payee dies before receiving any FPDR benefits, your pension amount will not be reduced.</p> <p><u>Garnishments</u> Your pension will also be reduced if required by a court order for child or spousal support, or for an Internal Revenue Service tax levy.</p>

DISABILITY BENEFIT

FPDR provides benefits for two types of disability: service-connected/occupational and nonservice-connected.

1. A service-connected disability occurs when an injury or illness arises out of and in the course of performing your sworn duties for the City.
2. Occupational disabilities are heart disease, hepatitis B, non-terminal pneumonia, AIDS, AIDS-related complex, tuberculosis, hernia of the abdominal cavity or diaphragm IF the disability was contracted as a result of your sworn service. Fire members are also entitled to occupational disease benefits for the following cancers if they result from your sworn service: brain, colon, stomach, testicular, prostate, throat, mouth, rectal, breast, multiple myeloma, non-Hodgkin’s lymphoma and leukemia.

Information on this page applies only to FPDR Two members.

3. A nonservice-connected disability is a disability that, (1) does not meet the criteria for service-connected or occupational disability, and (2) must render you unable to perform your required sworn duties.

To apply for disability benefits you must submit a completed application to FPDR. See <http://www.portlandoregon.gov/fpdr/62521> for information on filing a claim. Disability claim decisions are made by the FPDR Director. If the Director denies your claim, you will be notified in writing of the decision and of your right to appeal the decision to a hearings officer within sixty (60) days of the mailing date of the denial. Appeal of the Director's claim decision is heard by a hearings officer at the State of Oregon's Office of Administrative Hearings (OAH). The hearings officer's decision is final unless you or the Director requests a review in writing within thirty (30) days of the hearings officer's decision. A review of the hearing officer's decision will be performed by an independent panel from OAH.

	SERVICE-CONNECTED OR OCCUPATIONAL DISABILITY	NONSERVICE-CONNECTED DISABILITY
ELIGIBILITY	<p>You are eligible on your sworn date with the following exceptions:</p> <ul style="list-style-type: none"> • To be eligible for occupational disability benefits due to heart disease, at least five (5) years of service are required. • To be eligible for occupational disease benefits due to certain cancers, Fire members must have at least five (5) years of service, be first diagnosed after July 1, 2009 and file an initial claim within seven (7) years of leaving active service. In addition, prostate cancer must first be diagnosed before the Fire member turns age 55. Police members are not eligible for the occupational disease presumption for these cancers but may be eligible for service-connected or nonservice-connected disability benefits. <p>You are not eligible for an injury suffered in assaults or combats not connected to your job assignment that amounted to a deviation from your customary duties, or incurred while engaging in or as a result of engaging in recreational or social activities solely for your personal pleasure.</p>	<p>You are eligible on the date you reach ten (10) years of service.</p> <p>The disability cannot be the result of willful injury, participation in unlawful activities, or drug or alcohol abuse.</p>

	SERVICE-CONNECTED OR OCCUPATIONAL DISABILITY	NONSERVICE-CONNECTED DISABILITY
DISABILITY BENEFIT	<p><u>Percent of Pay</u> <i>In the first year of disability:</i> 75% of your base pay (which includes premium and longevity pays, but not lost standby, shift differential, call shift or overtime pay)</p> <p><i>After one year:</i> 50% of your base pay, IF you are medically stationary (no further material improvement in your medical condition can reasonably be expected) AND you are capable of pursuing employment with earnings that equal at least one-third of your base pay. If not, your benefit remains 75% of your base pay.</p> <p><i>After four years:</i> 50% of your base pay, whether or not you are medically stationary, IF you are capable of pursuing employment with earnings that equal at least one-third of your base pay. If not, your benefit remains 75% of your base pay.</p> <p><u>Offset for Outside Earnings</u></p> <ul style="list-style-type: none"> • If receiving a benefit equal to 75% of your base pay, your benefit will be reduced by 50% of wages earned from other employment. • If receiving a benefit equal to 50% of your base pay, your benefit will be reduced by 25% of wages earned from other employment. • Your benefit will never be less than 25% of your base pay. 	<p><u>Percent of Pay</u> 50% of your base pay (which includes premium and longevity pays, but not lost standby, shift differential, call shift or overtime pay)</p> <p><u>Additional Tax Offset Benefit</u> If you were hired before July 14, 1995, you are eligible for an additional benefit provided by Oregon Revised Statutes 237.635 and 237.637. The additional benefit is intended to fully or partially offset Oregon income taxes, and is equal to the greater of:</p> <ul style="list-style-type: none"> • 0% to 4.0% of your monthly pension, based on your years of service (0-9 years, 0%; 10-19 years, 1.0%, 20-24 years, 2.5%; 25 or more years, 4.0%); or • 9.89% times the percentage of your service prior to October 1, 1991. <p><u>Offset for Outside Earnings</u> Your benefit will be reduced by 50% of wages earned from other employment, with no minimum benefit.</p>

	SERVICE-CONNECTED OR OCCUPATIONAL DISABILITY	NONSERVICE-CONNECTED DISABILITY
DISABILITY BENEFIT, CONTINUED	<p><u>Benefit Increases</u> Your benefit will increase in accordance with raises, such as contract steps, cost-of-living adjustments or longevity pay increases.</p> <p><u>Payment Form</u></p> <ul style="list-style-type: none"> • You will receive interim disability benefits upon FPDR’s receipt of a completed application for benefits while your claim is being reviewed. If your claim is denied (and the denial becomes final) or withdrawn, you will be required to repay the benefits you received. • In the first year of disability, benefits are paid biweekly on the same schedule as City wages. • After the first year, benefits are generally paid monthly on the second Tuesday. • Payments can be made for full pay periods or a partial one depending on the nature and duration of your disability. <p>➤ Example: You injure your wrist on the job and must attend weekly physical therapy appointments but are still able to perform your regular sworn duties. In addition to paying for the physical therapy, FPDR will also pay you disability benefits for the time you attend therapy, so you do not have to use sick leave.</p> <p><u>Taxes</u> Service-connected and occupational disability benefits are generally not taxable; please consult your tax preparer.</p>	<p><u>Benefit Increases</u> Your benefit will increase in accordance with raises, such as contract steps, cost-of-living adjustments or longevity pay increases.</p> <p><u>Payment Form</u></p> <ul style="list-style-type: none"> • Benefits are generally paid monthly on the second Tuesday. • Payments can be made for full pay periods or a partial one, depending on the nature and duration of your disability. <p><u>Taxes</u> Nonservice-connected disability benefits are generally taxable; please consult your tax preparer.</p>

	SERVICE-CONNECTED OR OCCUPATIONAL DISABILITY	NONSERVICE-CONNECTED DISABILITY
MEDICAL BENEFIT	FPDR will pay for all reasonable and necessary medical expenses associated with your approved service-connected or occupational disability until your death while you are an active member, a member receiving disability benefits or a retired member, if you retire from disability at any date or if you retire from service after 2006.	FPDR does not provide medical benefits for nonservice-connected disabilities.

TRANSITIONAL DUTY AND VOCATIONAL REHABILITATION BENEFIT	ALL DISABILITIES
	<p><u>Transitional Duty</u> If your physician believes you will be able to return to regular duty in the future, and believes you are capable of some work in the interim, you may return to work with modified duty restrictions <i>at the discretion of your bureau</i>.</p> <ul style="list-style-type: none"> • If your modified duty schedule is less than full time, FPDR will pay disability benefits to you for the hours you cannot work. • FPDR may provide your bureau with a 75% wage subsidy for the hours you spend on modified duty for up to 180 days. <p><u>Vocational Rehabilitation</u> A member receiving disability benefits may be eligible for vocational rehabilitation benefits, such as training, employment counseling or job development and analysis.</p>

CESSATION OF BENEFIT	ALL DISABILITIES
	<p>Disability benefit payments cease when:</p> <ul style="list-style-type: none"> • You are able to return to full-time, regular sworn duty. • You are able to return to full-time, modified sworn duty, and Portland Fire & Rescue or the Portland Police Bureau has made a modified duty position available to you. • You reach Disability Retirement Age, which is the date you reach thirty (30) years of service (after any time adjustment) or the date you reach <i>Social Security retirement age</i>, whichever comes first. At that time you will be eligible only for pension benefits UNLESS: <ul style="list-style-type: none"> ○ Your disability is temporary, as defined by FPDR, in which case you may receive disability benefits for up to two years (2) after the date of disability, or two (2) years after reaching Disability Retirement Age, whichever comes later. If you do not return to active service during those two years, you will be eligible only for pension benefits at the end of the two-year period. ○ <i>Social Security retirement age</i> is 67 for anyone born after 1959. If you were born in 1959 or earlier, Social Security retirement age ranges from age 65 to age 66, 10 months. • You fail to comply with FPDR’s rules and procedures. Examples are refusing to provide other wage information or to attend independent medical examinations. • Medical information reveals that your disability is no longer related to your approved claim.

BENEFIT FOR YOUR SURVIVORS AT YOUR DEATH

Your spouse of any sex (from whom you are not legally separated) for the 12-month period prior to your death and/or your dependent minor children may be entitled to benefits upon your death. Your same-sex domestic partner is considered your spouse if you filed an affidavit of domestic partner status form or a registered domestic partnership certificate with FPDR prior to June 26, 2013, and that partnership was not subsequently dissolved.

	DEATH AFTER RETIREMENT	SERVICE-CONNECTED OR OCCUPATIONAL DEATH BEFORE RETIREMENT	NONSERVICE-CONNECTED DEATH BEFORE RETIREMENT
ELIGIBILITY	Your survivor(s) are eligible on your retirement date.	Your survivor(s) are eligible on your sworn date.	Your survivor(s) are eligible on the date you complete five (5) years of service.
WHO IS A SURVIVOR?	<p>Your spouse, of any sex, is your surviving spouse so long as you were married and not divorced or legally separated for the 12-month period prior to your death.</p> <p>Your same-sex domestic partner is your surviving spouse only if you filed an affidavit of domestic partner status or a registered domestic partnership certificate with FPDR prior to June 26, 2013.</p> <p>If you do not have a surviving spouse, the benefit will be split equally among your dependent minor children. A dependent minor child is your biological or adopted child who is also under age 18, unmarried and substantially supported by you, your surviving spouse or your estate.</p>	<p>Your spouse, of any sex, is your surviving spouse so long as you were married and not divorced or legally separated for the 12-month period prior to your death.</p> <p>Your same-sex domestic partner is your surviving spouse only if you filed an affidavit of domestic partner status or a registered domestic partnership certificate with FPDR prior to June 26, 2013.</p> <p>If you do not have a surviving spouse, the benefit will be split equally among your dependent minor children. A dependent minor child is your biological or adopted child who is also under age 18, unmarried and substantially supported by you, your surviving spouse or your estate.</p>	<p>Your spouse, of any sex, is your surviving spouse so long as you were married and not divorced or legally separated for the 12-month period prior to your death. Your spouse is eligible for benefits at age 55.</p> <p>Your same-sex domestic partner is your surviving spouse only if you filed an affidavit of domestic partner status or a registered domestic partnership certificate with FPDR prior to June 26, 2013.</p> <p>If you do not have a surviving spouse who is 55 or older, the benefit will be split equally among your dependent minor children until your spouse reaches age 55. A dependent minor child is your biological or adopted child who is also under age 18, unmarried and substantially supported by you, your surviving spouse or your estate.</p>

	DEATH AFTER RETIREMENT	SERVICE-CONNECTED OR OCCUPATIONAL DEATH BEFORE RETIREMENT	NONSERVICE-CONNECTED DEATH BEFORE RETIREMENT
WHO IS A SURVIVOR? CONTINUED	<p>If you have a surviving spouse AND dependent minor children who are not the children of your surviving spouse, 50% of the benefit will be paid to your surviving spouse and 50% of the benefit will be split among the dependent minor children.</p> <p>If you do not have a surviving spouse or dependent minor children, no death benefits are payable.</p>	<p>If you have a surviving spouse AND dependent minor children who are not the children of your surviving spouse, 50% of the benefit will be paid to your surviving spouse and 50% of the benefit will be split among the dependent minor children.</p> <p>If you do not have a surviving spouse or dependent minor children, no death benefits are payable.</p>	<p>If you have a surviving spouse who is age 55 or older AND dependent minor children who are not the children of your surviving spouse, 50% of the benefit will be paid to your surviving spouse and 50% of the benefit will be split among the dependent minor children.</p> <p>If you do not have a surviving spouse or dependent minor children, no death benefits are payable.</p>
DEATH BENEFIT	<p><u>Amount</u> The benefit depends on the accrual rate you selected at retirement.</p> <p>The death benefit is:</p> <ul style="list-style-type: none"> • 25% of your pension for a 2.8% accrual • 50% of your pension for a 2.6% accrual • 75% of your pension for a 2.4% accrual • 100% of your pension for a 2.2% accrual 	<p><u>Amount</u> <i>Until the earliest date you would have been eligible for retirement:</i> 75% of your base pay (which includes premium pay but not overtime or leave payouts)</p> <p><i>After the earliest date you would have been eligible for retirement:</i> 50% of your final pay (the highest base pay you received during any of the three consecutive 12-month periods preceding the month of death), increased each year after your death in accordance with any adjustments awarded by the FPDR Board of Trustees.</p>	<p><u>Amount</u> 50% of your accrued retirement benefit at death, assuming a 2.6% accrual rate:</p> <p>Your monthly final pay (the highest base pay, including premium pay but not overtime or leave payouts, you received during any of the three consecutive 12-month periods preceding the month of death),</p> <p>Multiplied by your years and months of service,</p> <p>Multiplied by 2.6%,</p> <p>Multiplied by 50%</p>

	DEATH AFTER RETIREMENT	SERVICE-CONNECTED OR OCCUPATIONAL DEATH BEFORE RETIREMENT	NONSERVICE-CONNECTED DEATH BEFORE RETIREMENT
DEATH BENEFIT, CONTINUED	<p><u>Additional Tax Offset Benefit</u> If your survivor files Oregon income tax returns and you were eligible for an additional benefit provided by Oregon Revised Statutes 237.635 and 237.637, your survivor will also be eligible. Please see pension benefit section for more information.</p> <p>The additional benefit is intended to fully or partially offset Oregon income taxes, and is equal to the greater of:</p> <ul style="list-style-type: none"> • 0% to 4.0% of the survivor benefit, based on your years of service (0-9 years, 0%; 10-19 years, 1.0%, 20-24 years, 2.5%; 25 or more years, 4.0%); or • 9.89% times the percentage of your service prior to October 1, 1991. 	<p><u>Additional Tax Offset Benefit</u> If your survivor files Oregon income tax returns and you were eligible for an additional benefit provided by Oregon Revised Statutes 237.635 and 237.637, your survivor will also be eligible AFTER the date you would have been eligible for retirement. Please see pension benefit section for more information.</p> <p>The additional benefit is intended to fully or partially offset Oregon income taxes, and is equal to the greater of:</p> <ul style="list-style-type: none"> • 0% to 4.0% of the survivor benefit, based on your years of service (0-9 years, 0%; 10-19 years, 1.0%, 20-24 years, 2.5%; 25 or more years, 4.0%); or • 9.89% times the percentage of your service prior to October 1, 1991. 	<p><u>Additional Tax Offset Benefit</u> If your survivor files Oregon income tax returns and you were eligible for an additional benefit provided by Oregon Revised Statutes 237.635 and 237.637, your survivor will also be eligible. Please see pension benefit section for more information.</p> <p>The additional benefit is intended to fully or partially offset Oregon income taxes, and is equal to the greater of:</p> <ul style="list-style-type: none"> • 0% to 4.0% of the survivor benefit, based on your years of service (0-9 years, 0%; 10-19 years, 1.0%, 20-24 years, 2.5%; 25 or more years, 4.0%); or • 9.89% times the percentage of your service prior to October 1, 1991.

	DEATH AFTER RETIREMENT	SERVICE-CONNECTED OR OCCUPATIONAL DEATH BEFORE RETIREMENT	NONSERVICE-CONNECTED DEATH BEFORE RETIREMENT
DEATH BENEFIT, CONTINUED	<p><u>Benefit Increases</u> At its discretion the FPDR Board of Trustees may provide an annual cost-of-living adjustment, so long as the increase doesn't exceed the Oregon Public Employees Retirement System cost-of-living adjustment. Such increases usually occur on July 1 each year.</p> <p><u>Taxes</u> Benefits are generally taxable; please consult your tax preparer.</p> <p><u>Payment Form</u> Benefits are paid monthly on the first or, if the first is not a business day (except January 1), the last business day of the prior month.</p>	<p><u>Benefit Increases</u> At its discretion the FPDR Board of Trustees may provide an annual cost-of-living adjustment, so long as the increase doesn't exceed the Oregon Public Employees Retirement System cost-of-living adjustment. Such increases usually occur on July 1 each year.</p> <p><u>Taxes</u> Benefits are generally not taxable. However, the additional tax offset benefit is generally taxable unless you were killed in the line of duty. Please consult your tax preparer.</p> <p><u>Payment Form</u> Benefits are paid monthly on the second Tuesday until the earliest date you would have been eligible to retire. Thereafter benefits are paid on the first, or if the first is not a business day (except January 1), the last business day of the prior month.</p>	<p><u>Benefit Increases</u> At its discretion the FPDR Board of Trustees may provide an annual cost-of-living adjustment, so long as the increase doesn't exceed the Oregon Public Employees Retirement System cost-of-living adjustment. Such increases usually occur on July 1 each year.</p> <p><u>Taxes</u> Benefits are generally taxable; please consult your tax preparer.</p> <p><u>Payment Form</u> Benefits are paid monthly on the first or, if the first is not a business day (except January 1), the last business day of the prior month.</p>

CESSATION OF BENEFIT	<p>ALL DEATH BENEFITS</p> <p>Your surviving spouse will receive benefits until their death.</p> <p>If your dependent minor children receive benefits, they will receive benefits until they turn 18 or marry, whichever comes first. In the case of a nonservice-connected death before retirement, their benefits will cease if your surviving spouse reaches age 55 before they turn 18 or marry, unless the children are not the children of your surviving spouse.</p> <p>If you have a surviving spouse AND dependent minor children who are not the children of your surviving spouse and who are receiving a portion of the death benefit, the portion of your benefit payable to the dependent minor children will revert to your surviving spouse when the last dependent child turns 18 or marries, whichever comes first.</p>
DOMESTIC RELATIONS ORDERS	<p>ALL PRE-RETIREMENT DEATH BENEFITS</p> <p>Your pre-retirement death benefits may be assigned to an alternate payee (your former spouse or partner) if required by a court-certified domestic relations order (DRO). DROs are used when a couple wishes to divide benefits as part of a divorce, annulment or legal separation, or dissolution of a certified same-sex partnership.</p>

FUNERAL BENEFIT

FPDR will make a one-time funeral benefit payment equal to 50% of the monthly pay for a top-step police officer or fire fighter, including maximum longevity pay. Payment will be made to your surviving spouse (as defined above) or to your estate if you have no surviving spouse. The benefit is available to all active and retired FPDR Two members, including members on disability.



FPDR ONE BENEFITS

If you were receiving FPDR pension or disability payments (for a disability that was not expected to be of less than one year in duration) on January 1, 1990, or you were an active employee of the Portland Police Bureau or Portland Fire & Rescue on December 31, 1989 and made a formal election to remain in the FPDR One plan, you are covered under the “FPDR One” tier as detailed in Chapter 5, Article 5 of the City Charter. The FPDR One tier provides pension, disability, death and funeral benefits.

PENSION BENEFIT

To apply for pension benefits, you must submit a completed application to FPDR no later than the day before your pension start date. Contact FPDR to schedule a retirement appointment or to request a pension application be sent to you for completion. You may appeal in writing to the FPDR Director a determination of the amount of your pension benefit or the resolution of any matter affecting the benefit within one year of the date you had knowledge of all material facts that are in dispute. If the Director denies your claim, you will be notified in writing of the decision and of your right to appeal the decision to a hearings officer within sixty (60) days of the date you receive the written notification of the denial. Appeal of the Director’s claim decision is heard by a hearings officer at the State of Oregon’s Office of Administrative Hearings (OAH).

ELIGIBILITY	<p>To be eligible to retire, you must:</p> <ul style="list-style-type: none"> • Be at least 50 years old and have at least 25 years of service; • Be at least 55 years old and have at least 20 years of service; or • Reach age 64.
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PENSION BENEFIT	<p>Your monthly pension is the <u>monthly pay of a first class police officer or fire fighter</u> multiplied by <u>years of service</u> multiplied by 2%.</p> <p>If you file Oregon income tax returns in retirement, you are eligible for an additional benefit provided by Oregon Revised Statutes 237.635 and 237.637. The additional benefit is intended to fully or partially offset Oregon income taxes, and is equal to the greater of:</p> <ul style="list-style-type: none"> • 0% to 4.0% of your monthly pension, based on years of service (0-9 years, 0%; 10-19 years, 1.0%, 20-24 years, 2.5%; 25 or more years, 4.0%); or • 9.89% times the percentage of your service prior to October 1, 1991. <p><u>Monthly pay of a first class police officer or fire fighter</u> is current top-step pay for a police officer or fire fighter plus the maximum percent longevity pay. First class fire fighter pay also includes the apparatus operator premium, but no other premium payments.</p> <ul style="list-style-type: none"> ➤ Example 1: You retired as a fire captain. Your monthly pension is based on the monthly pay of a top-step fire fighter, including the maximum percent longevity pay and apparatus operator pay. ➤ Example 2: You retired as a police officer with 20 years of service. Your monthly pension is based on the monthly pay of a top-step police officer, including the maximum percent longevity pay even if that percent requires more years of service than 20. <p><u>Years of service</u> is the number of full years since your sworn date, up to 30 years of service, after accounting for <i>time loss</i>. Partial years are not counted. Each year of service increases your pension by 2.0%.</p> <ul style="list-style-type: none"> ❖ <i>Time loss</i>: Time loss is the loss of service credit because of unpaid time off work (other than approved military leave) or time off work for a nonservice disability. Time served in a temporary appointment before your permanent appointment does not count as service. <ul style="list-style-type: none"> ➤ Time off work for an approved service-connected or occupational disability claim does not result in time loss. ➤ Approved military leave does not result in time loss IF the military service was compulsory, or occurred during a declared national emergency, and you were honorably discharged. In addition, you must return to active duty at the Portland Police Bureau or Portland Fire & Rescue within 60 days of discharge, unless you reached retirement eligibility while serving in the military. ➤ Example 1: Your sworn date is July 31, 1960 and you retired on June 30, 1990. You have 29 years of service because you must retire on or after July 31 to receive credit for your last year.
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PENSION BENEFIT, CONTINUED	<ul style="list-style-type: none"> ➤ Example 2: Your sworn date is July 31, 1975, and your birth date is May 15, 1950. You were injured on the job and have been on FPDR service disability since October 1, 1987. You will be mandatorily retired on May 15, 2014, the day you turn 64. There is no time loss since you have an approved service-connected disability. You have 30 years of service credit because there is no service credit beyond 30 years. ➤ Example 3: Your sworn date is July 31, 1969, and your birth date is May 15, 1950. You have been on FPDR nonservice-connected disability since October 1, 1989. You will be mandatorily retired on May 15, 2014, the day you turn 64. You will have no service credit for the period October 1, 1989 – May 14, 2014 since your approved disability was neither service-connected nor occupational in nature. You have 20 years of service credit for the period July 31, 1969 – September 30, 1989. <p><u>Benefit Changes</u> Benefit amounts, except the supplemental pension benefit (see below), vary in accordance with changes in top-step police officer or fire fighter pay, including longevity and for Fire members, apparatus operator pay. Changes are calculated at the start of the fiscal year. When increases are made retroactively to July 1, FPDR will issue retroactive benefit increases.</p> <p><u>Taxes</u> Benefits are generally taxable; consult your tax preparer.</p> <p><u>Payment Form</u> Benefits are paid monthly on the first or, if the first is not a business day (except January 1), the last business day of the prior month.</p>
SUPPLEMENTAL PENSION BENEFIT	<p>If you were a <i>Fire Chief, Assistant Fire Chief, Fire Marshal, Assistant Fire Marshal, Fire Battalion Chief, Police Chief, Assistant Police Chief, Deputy Police Chief, Assistant Deputy Police Chief, Police Inspector or Police Captain after July 31, 1973</i>, you also receive a supplemental pension benefit paid by FPDR that brings your combined benefit to 55% of the highest average annual salary you received in two of the five years preceding your retirement date. The supplemental benefit ceases on your death.</p>

DOMESTIC RELATIONS ORDERS AND GARNISHMENTS	<p><u>Domestic Relations Orders</u> Your pension will be reduced if required by a court-certified domestic relations order (DRO). DROs are used when a couple wishes to divide a pension as part of a divorce, annulment or legal separation, or dissolution of a certified same-sex partnership. The amount by which your pension is reduced, and the benefit provided to the alternate payee (your former spouse or partner), depends on the specific provisions of your DRO. If the alternate payee dies before receiving any FPDR benefits, your pension amount will not be reduced.</p> <p><u>Garnishments</u> Your pension will also be reduced if required by a court order for child or spousal support, or for an Internal Revenue Service tax levy.</p>
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DISABILITY BENEFIT

FPDR provides benefits for two types of disability: service-connected/occupational and nonservice-connected. To receive benefits, the disability must render you unable to perform your required duties at the Portland Police Bureau or Portland Fire & Rescue.

1. A service-connected disability occurs when an injury or illness arises out of and in the course of performing your sworn duties for the City.
2. Occupational disabilities are heart disease, non-terminal pneumonia, tuberculosis and hernia of the abdominal cavity or diaphragm. Fire members are also entitled to occupational disability benefits for the following cancers if they result from your sworn service: brain, colon, stomach, testicular, prostate, throat, mouth, rectal, breast, multiple myeloma, non-Hodgkin’s lymphoma and leukemia.
3. A nonservice-connected disability is a disability that, (1) does not meet the criteria for service-connected or occupational disability, and (2) must render you unable to perform your required sworn duties.

	SERVICE-CONNECTED OR OCCUPATIONAL DISABILITY	NONSERVICE-CONNECTED DISABILITY
ELIGIBILITY	All FPDR One members who are not yet retired are eligible for service-connected/occupational disability benefits unless they are receiving nonservice-connected disability benefits.	All FPDR One members who are not yet retired are eligible for nonservice-connected disability benefits. The disability cannot be the result of willful injury, participation in unlawful activities or drug or alcohol abuse.

	SERVICE-CONNECTED OR OCCUPATIONAL DISABILITY	NONSERVICE-CONNECTED DISABILITY
DISABILITY BENEFIT	<p><u>Percent of Pay</u></p> <ul style="list-style-type: none"> • <i>In the first year of disability:</i> 100% of your salary • <i>Years two through four, if the approved disability is service-connected:</i> The lesser of (i) 100% of your salary or (ii) 100% of first class police officer or fire fighter pay* • <i>After one year, if the approved disability is occupational:</i> 60% of first class police officer or fire fighter pay* • <i>After four years, if the approved disability is service-connected:</i> 60% of first class police officer or fire fighter pay* <p>*See Pension Benefit on how first class police officer or fire fighter pay is determined.</p> <p>If you are receiving an occupational disability benefit, you are eligible for an additional benefit provided by Oregon Revised Statutes 237.635 and 237.637. The additional benefit is intended to fully or partially offset Oregon income taxes, and is equal to the greater of:</p> <ul style="list-style-type: none"> • 0% to 4.0% of your monthly pension, based on years of service (0-9 years, 0%; 10-19 years, 1.0%, 20-24 years, 2.5%; 25 or more years, 4.0%); or • 9.89% times the percentage of your service prior to October 1, 1991. 	<p><u>Percent of Pay</u></p> <p>The greater of:</p> <ul style="list-style-type: none"> • Your maximum earned pension (2% multiplied by years of service multiplied by first class police officer or fire fighter pay*); or • 20% of first class police officer or fire fighter pay.* <p>*See Pension Benefit on how first class police officer or fire fighter pay is determined.</p> <p>You are eligible for an additional benefit provided by Oregon Revised Statutes 237.635 and 237.637. The additional benefit is intended to fully or partially offset Oregon income taxes, and is equal to the greater of:</p> <ul style="list-style-type: none"> • 0% to 4.0% of your monthly pension, based on years of service (0-9 years, 0%; 10-19 years, 1.0%, 20-24 years, 2.5%; 25 or more years, 4.0%); or • 9.89% times the percentage of your service prior to October 1, 1991.

	SERVICE-CONNECTED OR OCCUPATIONAL DISABILITY	NONSERVICE-CONNECTED DISABILITY
DISABILITY BENEFIT, CONTINUED	<p><u>Additional Benefit for Dependent Minor Children</u> If you have dependent minor children, your benefit will be increased by 25% for one eligible child, 40% for two eligible children or 50% for three or more eligible children. For purposes of this benefit, your “dependent minor child” is your biological or adopted child who is under age 18, unmarried and substantially supported by you, your surviving spouse or your estate.</p> <p><u>Benefit Changes</u> Benefit amounts vary in accordance with changes in first class police officer or fire fighter pay. Changes are calculated at the start of the fiscal year. When increases are made retroactively to July 1, FPDR will issue retroactive benefit increases.</p> <p><u>Taxes</u> Service-connected disability benefits are generally not taxable. Occupational disability benefits are generally taxable. Please consult your tax preparer.</p> <p><u>Payment Form</u> Benefits are paid monthly, on the second Tuesday</p>	<p><u>Benefit Changes</u> Benefit amounts vary in accordance with changes in first class police officer or fire fighter pay. Changes are calculated at the start of the fiscal year. When increases are made retroactively to July 1, FPDR will issue retroactive benefit increases.</p> <p><u>Taxes</u> Nonservice-connected disability benefits are generally taxable; please consult your tax preparer.</p> <p><u>Payment Form</u> Benefits are paid monthly, on the second Tuesday</p>

	SERVICE-CONNECTED OR OCCUPATIONAL DISABILITY	NONSERVICE-CONNECTED DISABILITY
MEDICAL BENEFIT	<p>FPDR will pay for all reasonable and necessary medical expenses associated with an approved service-connected disability until your death, assuming you retire from disability and not from active service.</p> <p>FPDR will pay for all reasonable and necessary medical expenses associated with an approved occupational disability for one year from the date of disability or your retirement, whichever occurs first.</p>	<p>FPDR does not provide medical benefits for nonservice-connected disabilities.</p>
CESSATION OF BENEFIT	<div style="border: 1px solid black; padding: 5px; text-align: center;">ALL DISABILITIES</div> <p>Disability payments cease when:</p> <ul style="list-style-type: none"> • You reach age 64, at which time you are eligible only for pension benefits. • Your disability no longer renders you unable to perform your required duties at the Portland Police Bureau or Portland Fire & Rescue. 	

BENEFIT FOR YOUR SURVIVORS AT YOUR DEATH

Your spouse of any sex (from whom you are not legally separated) for the 12-month period prior to your death and/or your dependent minor children may be entitled to benefits upon your death. Your same-sex domestic partner is considered your spouse if you filed an affidavit of domestic partner status form or a registered domestic partnership certificate with FPDR prior to June 26, 2013, and that partnership was not subsequently dissolved.

	DEATH AFTER RETIREMENT	SERVICE-CONNECTED OR OCCUPATIONAL DEATH BEFORE RETIREMENT	NONSERVICE-CONNECTED DEATH BEFORE RETIREMENT
ELIGIBILITY	Your survivor(s) are eligible on your retirement date, with the exception that a member who had a nonservice-connected disability, retired and then died after June 30, 1990 must have had at least ten (10) years of service for there to be a death benefit.	Your survivor(s) are eligible on your sworn date.	Your survivor(s) are eligible for a one-time cash payment on the date you reach one (1) year of active service or for an annuity benefit on the date you reach twenty (20) years of active service.
WHO IS A SURVIVOR?	<p>Your spouse, of any sex, is your surviving spouse so long as you were married and not legally separated for the 12-month period prior to your death.</p> <p>Your same-sex domestic partner is your surviving spouse only if you filed an affidavit of domestic partner status or a registered domestic partnership certificate with FPDR prior to June 26, 2013.</p>	<p>Your spouse, of any sex, is your surviving spouse so long as you were married and not legally separated for the 12-month period prior to your death.</p> <p>Your same-sex domestic partner is your surviving spouse only if you filed an affidavit of domestic partner status or a registered domestic partnership certificate with FPDR prior to June 26, 2013.</p>	<p>Your spouse, of any sex, is your surviving spouse so long as you were married and not legally separated for the 12-month period prior to your death.</p> <p>Your same-sex domestic partner is your surviving spouse only if you filed an affidavit of domestic partner status or a registered domestic partnership certificate with FPDR prior to June 26, 2013.</p>

	DEATH AFTER RETIREMENT	SERVICE-CONNECTED OR OCCUPATIONAL DEATH BEFORE RETIREMENT	NONSERVICE-CONNECTED DEATH BEFORE RETIREMENT
WHO IS A SURVIVOR? (CONTINUED)	<p>If you have no surviving spouse, the benefit will be split equally among your dependent minor children. A dependent minor child is your biological or adopted child who is under age 18, unmarried and substantially supported by you, your surviving spouse or your estate.</p> <p>If you do not have a surviving spouse or dependent minor children, no death benefits are payable.</p>	<p>If you have no surviving spouse, the benefit will be split equally among your dependent minor children. A dependent minor child is your biological or adopted child who is under age 18, unmarried and substantially supported by you, your surviving spouse or your estate.</p> <p>If you have a surviving spouse AND dependent minor children who are not the children of your surviving spouse, 50% of the surviving spouse benefit (including children’s allowances) will be paid to your surviving spouse and the remainder of the benefit will be split equally among all dependent minor children.</p> <p>If you do not have a surviving spouse or surviving dependent minor children, no death benefits are payable.</p>	<p>If you have no surviving spouse, the benefit will be split equally among your dependent minor children. A dependent minor child is your biological or adopted child who is under age 18, unmarried and substantially supported by you, your surviving spouse or your estate.</p> <p>If you have a surviving spouse AND dependent minor children who are not the children of your surviving spouse, 50% of the surviving spouse benefit will be paid to your surviving spouse and the remainder of the benefit will be split equally among all dependent minor children.</p> <p>If you do not have a surviving spouse or dependent minor children, no death benefits are payable.</p>

	DEATH AFTER RETIREMENT	SERVICE-CONNECTED OR OCCUPATIONAL DEATH BEFORE RETIREMENT	NONSERVICE-CONNECTED DEATH BEFORE RETIREMENT
DEATH BENEFIT	<p><u>Amount</u> <i>A surviving spouse benefit depends on the age difference between the two of you. If your surviving spouse is the same age or older than you, they will receive 56% of your base FPDR pension. This percentage decreases 1% for each year that your spouse is younger than you, to a minimum benefit of 36%.</i></p> <ul style="list-style-type: none"> ➤ <i>Example 1: Your spouse is three years, four months younger than you. Their benefit will be 53% of yours. Three years, four months rounds to three years; 56% minus 3% is 53%.</i> ➤ <i>Example 2: Your spouse is seven months younger than you. Their benefit will be 55% of yours. Seven months rounds to one year; 56% minus 1% is 55%.</i> <p><i>If there is no surviving spouse, the dependent minor children benefit is 56% of your pension. The benefit is split equally among all dependent children.</i></p>	<p><u>Amount</u> <i>Until the date you would have reached thirty (30) years of service or turned 64, whichever is earlier: 50% of first class police officer or fire fighter pay*</i></p> <p><i>On that date you would have reached thirty (30) years of service or turned 64, which is earlier: A percentage of your earned pension benefit. Your earned pension benefit is 2% multiplied by years of service (assuming service until age 64 or 30 years after your sworn date, whichever comes first) multiplied by first class police officer or fire fighter pay*</i></p> <p><i>If you have a surviving spouse the benefit is based on your age difference. If your surviving spouse is the same age or older than you, the benefit will be 56% of your pension. This percentage decreases 1% for each year that your surviving spouse is younger than you, to a minimum benefit of 36%.</i></p> <p><i>*See Pension Benefit for how first class pay is determined.</i></p>	<p><u>Amount</u> <i>If you have less than 20 years of active service at your death, the benefit is the greater of:</i></p> <ul style="list-style-type: none"> • <i>A one-time payment of \$1,500 plus an additional \$100 for every year of service; or</i> • <i>All contributions you made to the FPDR Fund, less any nonservice-connected disability benefits paid to you.</i> <p><i>If you have more than 20 years of service at your death: A percentage of your earned pension benefit. Your earned pension benefit is 2% multiplied by years of service multiplied by first class police officer or fire fighter pay. See Pension Benefit for how first class pay is determined.</i></p>

	DEATH AFTER RETIREMENT	SERVICE-CONNECTED OR OCCUPATIONAL DEATH BEFORE RETIREMENT	NONSERVICE-CONNECTED DEATH BEFORE RETIREMENT
DEATH BENEFIT, CONTINUED	<p><i>For dependent minor children when the surviving spouse commences death benefits and then dies, the surviving spouse benefit as determined by the age difference between the two of you, as outlined above, is split equally among all dependent minor children.</i></p> <p><u>Additional Tax Offset Benefit</u> If your survivor files Oregon income tax returns, they may be eligible for an additional benefit provided by Oregon Revised Statutes 237.635 and 237.637. Please see pension benefit section for more information.</p>	<p>If you have no surviving spouse but do have dependent minor children, the benefit will be 56% of your earned pension, split equally among all dependent children.</p> <p><u>Additional Benefit for Dependent Minor Children</u> If you have a surviving spouse AND dependent minor children, the benefit amount will be increased by 25% for one eligible child, 40% for two eligible children or 50% for three or more eligible children.</p> <p><u>Additional Tax Offset Benefit</u> If your survivor files Oregon income tax returns, they may be eligible for an additional benefit provided by Oregon Revised Statutes 237.635 and 237.637. Please see pension benefit section for more information.</p>	<p>If you have a surviving spouse the benefit is based on the age difference between the two of you. If your surviving spouse is the same age or older than you, the benefit will be 56% of your pension. This percent decreases 1% for each year that your surviving spouse or domestic partner is younger than you, to a minimum benefit of 36%.</p> <p>If you have no surviving spouse but do have dependent minor children, the benefit will be 56% of your earned pension benefit and split equally among all dependent minor children.</p> <p><u>Additional Tax Offset Benefit</u> If your survivor files Oregon income tax returns, they may be eligible for an additional benefit provided by Oregon Revised Statutes 237.635 and 237.637. Please see pension benefit section for more information.</p>

	DEATH AFTER RETIREMENT	SERVICE-CONNECTED OR OCCUPATIONAL DEATH BEFORE RETIREMENT	NONSERVICE-CONNECTED DEATH BEFORE RETIREMENT
DEATH BENEFIT, CONTINUED	<p><u>Benefit Changes</u> Benefit amounts vary in accordance with changes in police officer or fire fighter pay. Changes are calculated at the start of the fiscal year. When increases are made retroactively to July 1, FPDR will issue retroactive benefit increases.</p> <p><u>Taxes</u> Benefits are generally taxable; please consult your tax preparer.</p>	<p><u>Benefit Changes</u> Benefit amounts vary in accordance with changes in police officer or fire fighter pay. Changes are calculated at the start of the fiscal year. When increases are made retroactively to July 1, FPDR will issue retroactive benefit increases.</p> <p><u>Taxes</u> Benefits for service-connected death are generally not taxable until the date you would have reached thirty (30) years of service or age 64, whichever comes first. From that point forward, benefits are generally taxable unless you were killed in the line of duty. Benefits for occupational death are generally taxable. Please consult your tax preparer.</p>	<p><u>Benefit Changes</u> Benefit amounts vary in accordance with changes in police officer or fire fighter pay. Changes are calculated at the start of the fiscal year. When increases are made retroactively to July 1, FPDR will issue retroactive benefit increases.</p> <p><u>Taxes</u> Benefits are generally taxable; please consult your tax preparer.</p>

	DEATH AFTER RETIREMENT	SERVICE-CONNECTED OR OCCUPATIONAL DEATH BEFORE RETIREMENT	NONSERVICE-CONNECTED DEATH BEFORE RETIREMENT
DEATH BENEFIT, CONTINUED	<p><u>Payment Form</u> Monthly, paid on the first or, if the first is not a business day (except January 1), the last business day of the previous month.</p>	<p><u>Payment Form</u> Monthly. Benefits paid prior to the date you would have reached thirty (30) years of service or age 64 are paid on the second Tuesday. Benefits paid after that date are paid on the first or, if the first is not a business day (except January 1), the last business day of the previous month.</p> <p>With the FPDR Board of Trustees' consent, your survivors may elect a \$5,000 cash settlement in lieu of further pension payments.</p>	<p><u>Payment Form</u> Monthly, paid on the first or, if the first is not a business day (except January 1), the last business day of the previous month.</p> <p>With the FPDR Board of Trustees' consent, your surviving spouse may request within one year after your death either:</p> <ul style="list-style-type: none"> • A return of your contributions less the amount of nonservice-connected disability benefits paid to you, or • A \$3,500 cash settlement in lieu of further pension payments.

CESSATION OF BENEFIT	<div style="text-align: center; border: 1px solid black; background-color: #e0e0e0; padding: 5px; margin-bottom: 10px;">ALL DEATH BENEFITS</div> <p>Your surviving spouse will receive benefits until their death. If you still have dependent minor children at the time of your surviving spouse’s death, their benefit payments shall be split equally among all dependent minor children until they turn 18 or marry, whichever comes first.</p> <p>Your dependent minor children who receive benefits will receive benefits until they turn 18 or marry, whichever comes first.</p> <p>If you have a surviving spouse AND a dependent minor child or children who are not the children of your surviving spouse and who are receiving a portion of the death benefit, the portion of your benefit payable to the dependent minor children will revert to your surviving spouse when the last of the children turn 18 or marry, whichever comes first. If your surviving spouse dies while there remain dependent minor children, the entire death benefit shall be split equally among all dependent minor children until they turn 18 or marry, whichever comes first.</p>
DOMESTIC RELATIONS ORDERS	<div style="text-align: center; border: 1px solid black; background-color: #e0e0e0; padding: 5px; margin-bottom: 10px;">ALL PRE-RETIREMENT DEATH BENEFITS</div> <p>Your pre-retirement death benefits may be assigned to an alternate payee (your former spouse or partner) if required by a court-certified domestic relations order (DRO). DROs are used when a couple wishes to divide benefits as part of a divorce, annulment or legal separation, or dissolution of a certified same-sex partnership.</p>

FUNERAL BENEFIT

Upon your death, FPDR will make a one-time funeral benefit payment of \$200 to whoever is responsible for your funeral expenses.