

## IMPACT STATEMENT

**Legislation title:** \*Amend the Fire and Police Disability, Retirement and Death Benefit Plan to comply with an arbitration decision for final pay calculation for former members of the Portland Police Commanding Officers Association and Portland Fire Fighters Association. (Ordinance)

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**Presenter name:** None

### **Purpose of proposed legislation and background information:**

The purpose of this Ordinance is to amend the City's Fire and Police Disability and Retirement (FPDR) benefit plan to extend additional pension benefits to former members of the Portland Fire Fighters Association (PFFA) and Portland Police Commanding Officers Association (PPCOA) to comply with a labor arbitrator's order dated May 18, 2020 and revised award dated July 31, 2020. FPDR Two members who are also members of PFFA, PPCOA and the Portland Police Association (PPA) receive a 27<sup>th</sup> pay date (rather than the usual 26) in the final pay calculation used to determine their FPDR Two pension benefit if they retire in certain months. The arbitrator's order extends a prorated portion of that 27<sup>th</sup> pay date to *former* members of PFFA and PPCOA (i.e. nonrepresented sworn employees), with the proration being determined by the percent of sworn employment served while a member of PFFA, PPCOA or PPA.

Chapter 5, Section 403 (a) of the City Charter grants City Council the authority to extend additional benefits to members by ordinance if those additional benefits are required by law. The amendment is retroactive to January 1, 2013, the day a voter-approved 2012 Charter change to eliminate the 27<sup>th</sup> pay date went into effect.

### **Financial and budgetary impacts:**

There are no financial or budgetary impacts to the General Fund.

The immediate financial impact to the FPDR Fund will be the issuance of approximately \$240,000 in retroactive pension benefits to 20 FPDR Two retirees who were nonrepresented at retirement and retired in a month producing a 27<sup>th</sup> pay date after January 1, 2013. In addition, the ongoing monthly pension benefits of these retirees and one surviving spouse will be increased by roughly \$200 - \$400 each, at an annual cost of around \$75,000. FPDR has sufficient contingency funds in its FY 2020-21 Adopted Budget and FYE21-25 Five-Year Forecast to cover these costs.

The long-term financial impact to the FPDR Fund is unknown. FPDR Two members will continue to retire for the next 15 to 20 years, and at the median FPDR pays pensions to retirees for 30 years and to their surviving spouses for another five years. (FPDR Three members – those sworn employees hired after December 31, 2006 – are enrolled in Oregon PERS for their pension benefits, which are not impacted by this ordinance.) The future pensions and surviving spouse benefits of most

