

Response to Questions on the Retirement System Review

Request By: Supervisor Gross

Question: Circulate a proposed timeline for implementation of retirement ordinance changes effective for new employees hired on or after July 1, 2019.

Response: The following table provides a proposed timeline for implementation of retirement ordinance changes effective for new employees hired on or after July 1, 2019, as well as the relevant Fairfax County Code citations.

RETIREMENT ORDINANCE CHANGE TIMELINE TARGET JULY 2019 IMPLEMENTATION

ACTIONS	TIME REQUIRED	PROPOSED SCHEDULE
Review at Personnel and Reorganization Committee Meeting		May 22, 2018 & June 26, 2018
Once proposal is confirmed, get the actuarial review (required)	4 weeks	July 1, 2018
Bring to all three Retirement Board of Trustees for approval—requires actuarial report be included four weeks in advance	Requires 4 week advance notice before Retirement Board meeting	August 12, 2018
Bring to all three Retirement Board of Trustees for approval	There are no meetings in August	PORS Sept. 12, 2018 ERS Sept. 19, 2018 URS Sept. 26, 2018
Advertise proposed ordinance amendments at next BOS meeting	Requires 4 weeks notice	Advertise board item October 16, 2018
Public hearing and adoption	Next available meeting	November 20, 2018
Implementation	Six months to make sure those in the process of onboarding (particularly the public safety recruit schools) have sufficient notice	July 2019

Relevant Fairfax County Code Citations:

Employees: Section 3-2-8. - Amendment of article.

The Board of Supervisors shall have the continuing right and power to amend or supplement this Article at any time, which right and power is hereby expressly reserved. But no amendment shall be made unless an actuarial report has been filed with the Board of Supervisors as to its effect upon the System and no amendment shall be adopted which shall reduce the then accrued benefits of members or beneficiaries below the extent they are then covered by accumulated reserves, which reserves shall constitute a trust fund for the payment of such benefits. At least 30 days prior to the public hearing before the Board of Supervisors on any proposed amendment, the Board of Trustees of the System shall be provided with the text of the proposed amendment to provide it the opportunity to submit its comments on the proposed amendment to the Board of Supervisors; provided, this limitation shall not prevent the Board of Supervisors from adopting an emergency amendment under Section 15.2-504 of the Virginia Code. (20-81-3; 27-90-3, § 1; 2-16-3.)

Uniformed: Section 3-3-9. - Amendment of Article.

The Board of Supervisors shall have the continuing right and power to amend or supplement this Article at any time, which right and power is hereby expressly reserved. But no amendment shall be made unless an actuarial report has been filed with the Board of Supervisors as to its effect upon the System and no amendment shall be adopted which shall reduce the then accrued benefits of members or beneficiaries below the extent they are then covered by accumulated reserves, which reserves shall constitute a trust fund for the payment of such benefits. (1961 Code, § 9-79; 11-74-9; 3-16-3.)

RETIREMENT ORDINANCE CHANGE TIMELINE

TARGET JULY 2019 IMPLEMENTATION

Police: Section 3-7-8. - Amendment of Article.

(a) The Board of Supervisors shall have the continuing right and power to amend or supplement this Article at any time, which right and power is hereby expressly reserved. But no amendment shall be made inconsistent with the provisions of Section 51.1-821 of the Virginia Code, as amended, and Chapter 303, 1944 Acts of Assembly, as amended.

(b) No amendment, suspension or revocation, including termination or partial termination of the System, shall have the effect of diverting the trust fund of the System to purposes other than the exclusive benefit of the participating employees or their beneficiaries, until all liabilities for accrued benefits payable under the terms of the System shall have been fully satisfied. Upon termination of the System or a discontinuance of contributions to the System, each member's benefit accrued as of such date will be nonforfeitable. (20-81-3; 21-96-3; 52-13-3; 4-16-3)