

PRESENTATION ON SURVIVORSHIP PENSION BENEFITS AND CHILDREN

1. Nature of Benefit

Enhancement of the Surviving Spouse's Benefit¹

10% for one child

20% for two or more children²

Independent Benefit – if Surviving Spouse Dies

Amount that Surviving Spouse Received (without the enhancements for children)

Paid to guardian of children

Can be apportioned by the Pension Board among children

If Surviving Spouse remarries, payment of the enhancement would continue to the children, even if Surviving Spouse's benefit has terminated³

2. Definition of Child

a. under 18 or physically or mentally disabled to the extent that he or she is unable to secure gainful employment and

b. if child of a retired firefighter, born (before or after death) to the member and the spouse to whom he or she was married prior the date of his or her retirement

c. if child of a police officer born (before or after death) to the member and the spouse to whom he or she was married at the time of death or legally adopted by the member and the spouse to whom he or she was married prior to his or her death and prior to the date of his or her retirement, if retired.

3. Who is not covered:

a. Child of member who was never married

b. Child of member who was divorced

c. Child adopted after retirement, or adopted child of a firefighter (although IRS Plan permits payment to an adopted child of a firefighter adopted before retirement)

c. Child under guardianship of a member

d. Child born to firefighter after retirement

e. Child born to a member without a surviving spouse

f. Child born to a surviving spouse who is removed as the child's guardian

¹ For a surviving spouse of a firefighter to be entitled to benefits, the spouse must have been married to the member prior to retirement and living with the member at the time of death or if not living with the member, the absence was because of the member's fault. Section 205 of the Special Laws (Special Act 531) .

For a surviving spouse of a police officer to be entitled to benefits, the spouse must either have been married to the member prior to retirement and living with the member at the time of death or if not living with the member, the absence was because of the member's fault or if married subsequent to retirement, living with the member continuously for at least 5 years before the member's death. Police Collective Bargaining Agreement, Article XIV, Section (L).

² Police Collective Bargaining Agreement, Article XIV, Section (M); Firefighters' Collective Bargaining Agreement, Article XXII, Section 32.10 (D) only provides for survivors' benefits for firefighters who die before retirement and does not define child or surviving spouse, so it is unclear if the definitions of child and surviving spouse in Section 205 would apply.

³ The language of the plan documents is unclear on this point; It has been the practice of the Pension Fund to pay the amount that was paid to the widow/widower alone.