

**Sarasota Firefighters' Insurance Trust Fund**

**Summary Plan Description**

**Supplemental Disability Benefit Plan**

**As of**

**July 28, 2021**

## Table of Contents

	<u>Page</u>
Purpose of the Disability Fund.....	1
Explanation of the Disability Fund .....	1
Definitions.....	1
Eligibility Conditions.....	2
Supplemental Disability Benefits .....	2
General Provisions .....	3
Insufficient Assets .....	3
Termination.....	4
Questions and Answers .....	4
Administration of the Health Fund .....	6
Signature Page .....	8

### **Purpose of the Disability Fund**

The Supplemental Disability Fund was created to make the employee whole, in the event that he/she incurs an on-the-job injury or illness which prevents the employee from continuing employment as a special risk employee as defined by the Plan.

### **Explanation of Disability Fund**

If, while in the employment of the County and a member of the Florida Retirement System, an employee suffers an on-duty injury or illness, reaches maximum medical improvement, and as a result of the injury or illness is disabled from rendering continued service as a Firefighter, EMT or Paramedic, the County shall offer the employee suitable employment in another division or department of the County. When the employee retires, he/she can retire and receive benefits as if still under the special risk terms, even though said employee is no longer considered a special risk employee. The now retired plan participant will receive two checks; one from the Florida Retirement System, with possible penalties for early retirement under regular class retirement classification, and another check from the Disability Plan. Compensation will be at an annual pay rate, which is no less than the annual pay that the employee would have received had they not been disabled, including longevity, step increases and specialty pay, earned by the employee at the time he/she reached maximum medical improvement. In addition, the Plan will compensate the participant for early retirement penalties created by the regular class retirement classification – as if the employee never left the special risk category. The employee is eligible to enter the Disability Plan on day one of employment.

### **Definitions**

**Employer:** Sarasota County Government

**Employee:** Employees within the Bargaining Unit represented by the Local 2564 and participating in the Florida Retirement System.

**Normal Retirement Age:** For employees hired before July 1, 2011 it shall mean age 55 and at least 10 years of employment with Sarasota County Government; or age 52 and at least 25 years of employment (which can include up to 4 years of military service); or 25 years of continuous employment regardless of age; or 30 years of employment regardless of age (which can include up to 4 years of military service). For employees hired on or after July 1, 2011, it shall mean age 60 and at least 10 years of service.

**Participant:** Any employee or former employee who is or may be eligible to receive a benefit of any type from this Trust Fund.

**Plan:** Shall mean the Sarasota Firefighters Insurance Trust Fund.

**Disability or Disabled:** Shall mean the permanent curtailment of employment by the Sarasota County Fire Department as a full-time certified fire fighter, EMT or Paramedic due to an illness or injury suffered

in the line of duty which has been determined by Sarasota County or a court of competent jurisdiction to be compensable under Florida's Worker's Compensation law.

**Suitable Employment:** An available position within Sarasota County Government to which the employee is appointed based upon the ability to meet all minimum qualifications and performance expectations. The appointment must be within the physical limitations as approved by the treating physician or physicians requested to perform an independent medical evaluation as stipulated above. Compensation for said position will be at an annual pay rate which is no less than the annual pay, including longevity and specialty pays, earned by the employee at the time he reached maximum medical improvement. The County agrees to maintain the employee in a Temporary Light Duty capacity during the "Determination Process" to offer suitable employment at no loss of pay.

### **Eligibility Conditions**

Employee must:

- For Employees hired *before* July 1, 2011, have reached normal retirement: age (55) with at least 10 years of service; age 52 and at least 25 years of employment (which can include up to 4 years of military service); or 25 years of continuous employment regardless of age; or 30 years of employment regardless of age (which can include up to 4 years of military service);
- For Employees hired *on or after* July 1, 2011, have reached normal retirement: age (60) and at least 10 years of service;
- have previously been employed by the Sarasota County Fire Department as a full-time certified firefighter, EMT or paramedic and suffered a permanent curtailment of such employment due to disability;
- have continued in the employment of Sarasota County from the time of the aforesaid disability until normal retirement age in a position other than as a certified firefighter, EMT or paramedic, which position earns regular class service credit in the Florida Retirement System;
- have commenced receiving retirement benefits from the Florida Retirement System which benefits must include, in part, credit for regular class service rendered subsequent to the onset of the employee's disability;
- have filed an application for benefits together with any other information, authorizations, releases, forms or documents required by the Board of Trustees for the Plan.
  - an employee could become disabled their first day on the job; accept a County transfer (suitable employment) elsewhere, until Normal Retirement Age is achieved, and be eligible for the disability benefit. The participant shall receive a supplemental disability benefit as described below.

### **Supplemental Disability Benefits**

The FRS special risk participant receives retirement benefits at a higher percentage rate than those classified in the regular class category. Once an employee becomes disabled and placed in the regular class category, the employee experiences a diminishment of retirement benefits. The Disability Fund makes said employee whole, restoring those diminished benefits as outlined below.

Coincident with an eligible participant's receipt of the participants first monthly retirement benefit from the Florida Retirement System paid on or after the participants normal retirement age as defined in this plan and on the first day of each month thereafter, the participant shall receive a supplemental disability benefit equal to the difference between I and II below:

- I. The FRS benefit the participant would have earned had the participant remained a special risk member of FRS from time of disablement until retirement, based upon average final compensation, including step increases, longevity and specialty pays, which would have been earned by the participant had the participant remained in the same classification from the time of disablement until retirement,
- II. The FRS calculated normal retirement benefit paid to the participant upon retirement.

In addition, this benefit increases each year by the same percentage and at the same time as the participant's monthly retirement benefit is increased by the FRS.

For eligible participants who are FRS Special Risk Members participating in the FRS Investment Plan, the following benefits shall be paid to such Participants:

Coincident with an eligible participant's eligibility to receive a retirement benefit from the Florida Retirement System paid on or after the participant's normal retirement age as defined in this Plan (which may be earlier than the normal retirement age for FRS regular class members) and on the first day of each month thereafter, the participant shall receive a supplemental disability benefit equal to the benefit the Participant would have earned had the Participant remained in the FRS Defined Benefit Plan as calculated by the Plan's actuary.

The following is a detailed explanation of how the disability benefits shall be paid to eligible participants who were FRS special risk at the time of the injury or illness which caused the disablement.

### **General Provisions**

All questions of the Plan provisions shall be decided by the Plan's Board of Trustees under the express authority granted to them by the Agreement and Declaration of Trust. The Trustees shall be the sole arbiter of questions of eligibility and the amounts of benefits.

### **Insufficient Assets**

When there are no longer sufficient assets to continue the benefits of the Plan, the Board of Trustees will have the right to amend the Plan's benefits, alter or postpone the method of paying benefits or take

other actions consistent with its obligation to maintain the maximum possible benefits within the limits of the Plan's resources.

## Termination

The plan may be terminated when:

- Contributions to the Plan are discontinued.
- When the last surviving participant entitled to receive benefits has died.
- With respect to an employee, when the employee ceases to be an eligible employee according to the Plan's Rules and Regulations.

## Questions & Answers

**Q.** How is a disability defined?

**A.** The terms "disablement", "disabled" and "disability" shall mean the permanent curtailment of employment by the Sarasota County Fire department as a full time certified firefighter, EMT or paramedic due to an illness or injury suffered in the line of duty which has been determined by Sarasota County or a competent jurisdiction to be compensable under Florida's Workers' Compensation law (Chapter 440, Florida Statutes.)

**Q.** What are the eligibility requirements for the disability benefit?

**A.** In order to receive a benefit under this plan, an employee must:

- Have reached normal retirement age (age 55 with at least 10 years of service or as may be applicable);
- Have previously been employed by SCFD as a full-time certified firefighter, EMT or paramedic and suffered a permanent curtailment of such employment due to disability;
- Have continued employment with Sarasota County from the time of the disability until normal retirement age (age 55 or age 60 if hired after July 1, 2011) in a position other than as a certified firefighter, EMT or paramedic, which position earns regular class service credit in the Florida Retirement System;
- Have commenced receiving retirement benefits from the Florida Retirement System which must include, in part, credit for regular class service rendered subsequent to the onset of the employee's disability;
- Have filed an application for benefits together with any other information, authorizations, releases, forms or documents required by the trustees.
- An employee has been transferred to another County department or division and has reached age 55 (or if hired after 7/1/11 age 60) with ten years of total credible service (with the County, the other division or department, or combined).
- or has retired from the other department or division due to a disability and received a disability benefit from the FRS.

**Q.** How does this disability benefit make up for the lost retirement benefits?

**A.** The participant shall receive a supplemental disability benefit equal to the difference between I and II below.

- I. The FRS benefit the participant would have earned had the participant remained a special risk member of FRS from time of disablement until retirement, based upon average final compensation, including step increases, longevity and specialty pays, which would have been earned by the participant had the participant remained in the same classification from the time of disablement until retirement,
- II. The FRS calculated normal retirement benefit paid to the participant upon retirement.

**Q.** What safeguards are in place to ensure there are sufficient funds should I become disabled and require this disability benefit?

**A.** There is a required biennial actuarial report to determine the County contributions of this defined benefit.



## **ADMINISTRATION OF THE HEALTH FUND**

The Health Fund is administered by a Board of Trustees which is responsible for overseeing the investment of Health Fund assets and application of the provisions of the governing documents Ordinances. The Board has authority over distribution of all health benefits and makes final decisions on claims and appeals. Five trustees comprise the Board: The Union President, if an employee or former employee of the Sarasota County Fire Department, and the Union District Vice-President for the Sarasota County Fire Department, shall automatically serve as Trustees. The remaining Trustees shall be participants in the Health Fund and members of the Union elected by the members of Local 2546 employed by the Sarasota County Fire Department. Health Fund assets are maintained and invested entirely separate from County assets and cannot be used for any purpose other than those specified in the Declaration of Trust.

The following individuals are members of the Board of Trustees of the Sarasota Firefighters Insurance Trust Fund:

Chairman Philip Vets

Secretary Johnny Rigney, Jr.

Matt Seiler

Matt Scarbrough

Robert Flynn

Special Advisor to the Board:

Martin Ferris- Founding Chairman

Legal counsel for the Board of Trustees is:

Pedro Herrera, Esquire  
Sugarman & Susskind, P.A.  
100 Miracle Mile, Suite 300  
Coral Gables FL 33134

CPA for the Board of Trustees is:

Walt Menzel, CPA, CMA  
Menzel & Bero, CPAs, PA  
727 Second Street Suite Three  
Sarasota, FL 34236

The Board of Trustees has presently engaged the Resource Centers to administer and process the claims of the Health Fund. They can be reached at:

Resource Centers  
4360 Northlake Blvd. Suite 206  
Palm Beach Gardens, FL 33410  
561-624-3277  
561-624-3278 Fax  
800-206-0116 Toll Free  
[www.ResourceCenters.com](http://www.ResourceCenters.com)

**SIGNATURES**

IN WITNESS WHEREOF, the Board of Trustees have caused this Summary Plan Description to be accepted and authorized for distribution to the membership on this 28th day of July, 2021.

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PHILIP VETS

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MATT SEILER

\_\_\_\_\_  
JOHN RIGNEY, JR.

\_\_\_\_\_  
ROBERT FLYNN

\_\_\_\_\_  
MATT SCARBROUGH

Witnessed By: \_\_\_\_\_