



**Title:** *Law Enforcement Separation Allowance*

**I. Introduction**

The City's Personnel Policy in Article VI Section 11 discusses the various requirements for Law Enforcement Separation Allowance. The City will follow the various applicable North Carolina General Statutes concerning this allowance. The purpose of this supplemental is to provide guidance to ensure uniform application of this policy.

**II. Scope**

This supplemental applies only to retiring sworn law enforcement officers.

**III. Procedure and Form**

The City requires a minimal of a 120 day notice to process all retirements. Prior to a retirement meeting with the employee, Finance shall complete the benefit calculations.

During the retirement process, Human Resources will discuss the benefit, eligibility, and termination requirements of the Law Enforcement Special Separation Allowance.

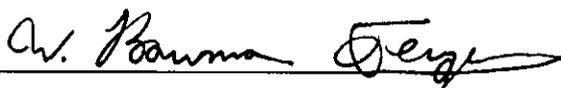
To ensure that this benefit has been reviewed, Human Resources will use the following Sworn Law Enforcement Officers' Special Separation Verification and Information Form to review the benefits of this program.

If there are any salary adjustments after this form is completed, Finance shall recalculate the benefit and notify Human Resources immediately. Human Resources will notify the officer of the new benefit amount.

**Attachments**

Sworn Law Enforcement Officers' Special Separation Verification and Information Form

This policy is being instituted by City Management in accordance with Article I Section 8. Departmental Rules and Regulations and this Law Enforcement Separation Allowance are a supplement to the Personnel Policy of the City of Hendersonville.

  
\_\_\_\_\_  
**W. Bowman Ferguson, City Manager**

2/3/09  
\_\_\_\_\_  
**Date**

CITY COUNCIL:

# CITY OF HENDERSONVILLE

*"The City of Four Seasons"*

OFFICERS:

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City Attorney  
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City Clerk

## SWORN LAW ENFORCEMENT OFFICERS' SPECIAL SEPARATION ALLOWANCE VERIFICATION AND INFORMATION FORM

Name: \_\_\_\_\_ Employee Number: \_\_\_\_\_

Address: \_\_\_\_\_ Telephone #: \_\_\_\_\_

\_\_\_\_\_ Date of Birth: \_\_\_\_\_

I affirm that my retirement date is, or is expected to be: \_\_\_\_\_ and, at the time of my retirement, my age will be \_\_\_\_\_ and that I will become 62 years of age on \_\_\_\_\_.

I understand that it is my responsibility or, in the event of my death, the responsibility of my surviving spouse, beneficiary or estate administrator, to inform the Human Resources Department of any circumstance that may affect my eligibility to receive this Law Enforcement Separation Allowance.

I further understand and agree that any overpayment resulting from a failure to notify the City of Hendersonville's Human Resources Department of any circumstance affecting my eligibility will be reimbursed to the City of Hendersonville.

I further understand and agree that this allowance shall terminate at death, or on the last day of the month prior to which I become 62 years of age, or upon the first day of re-employment in a sworn position by any federal, state, or local law enforcement department, agency or institution, whether in North Carolina or elsewhere in a job schedule for 1000 or more hours per year.

I may be required to re-certify my eligibility periodically by completing and returning this, or a similar Special Separation Allowance Verification Form, provided to me by the City of Hendersonville's Human Resources Department.

**SWORN LAW ENFORCEMENT OFFICERS' SPECIAL SEPARATION ALLOWANCE VERIFICATION  
AND INFORMATION FORM**

Benefit Calculation: In Accordance With N.C. General Statute 143-166.41(a).

Base Annual Salary \$ \_\_\_\_\_ X .0085 = \$ \_\_\_\_\_

X Creditable Years of Service \_\_\_\_\_ = Annual Separation Allowance  
\$ \_\_\_\_\_

÷ 12 = Gross Monthly Benefit \$ \_\_\_\_\_

Note: Your gross monthly benefit is subject to all standard deductions, such as, FICA, Federal and State Income Tax and you will be issued a W-2 in January following any year in which you received the Special Separation Allowance. The payment will be made monthly.

**Eligibility Requirements:**

1. Must have completed five (5) years of continuous service as a sworn law enforcement officer immediately preceding your application for retirement.  Yes  No (Must answer Yes to qualify). **And,**
2. Have completed 30 or more years of creditable service,  Yes  No; **Or**
3. Have attained 55 years of age and completed five or more years of creditable service;  Yes  No; **And**
4. Have not attained 62 years of age  Yes  No (Must answer Yes to qualify).

"Creditable Service" means at least 5 years of continuous service as a law enforcement officer immediately preceding a service retirement as defined in N.C.G.S. 143-166(a)(3).

**Benefit Termination:**

Your Special Separation Allowance payments will stop at the first occurrence of:

1. Your death; or
2. The last day of the month in which you attain 62 years of age; or

3. The first day that you become re-employed in a sworn position by any federal, state, or local law enforcement department, agency, or institution, whether, in North Carolina or elsewhere in a job scheduled for 1000 or more hours per year.

**ACKNOWLEDGEMENT:**

I have read, understand and agree to comply with the statements contained within the Law Enforcement Officers' Special Separation Allowance Verification and Information Form.

\_\_\_\_\_  
Employee's Signature

\_\_\_\_\_  
Today's Date

\_\_\_\_\_  
Human Resources

\_\_\_\_\_  
Today's Date

