

Andover Retirement Board Supplemental Regulations

MEMBERSHIP:

- **July 1, 2021:**

Any individual hired on or after **July 1, 2021** and who is permanently employed by the Town of Andover, Andover Public Schools, the Andover Housing Authority or the Andover Retirement Board shall become a member of the Andover Retirement System. For the purpose of this regulation, “permanently employed” shall be defined as all exempt salaried employees who work at least 30 hours per week, non-exempt employees who are regularly scheduled to work at least 30 hours per week and elected officials who opt into the System within 90 days of assuming office. In addition to the foregoing, an individual must be employed in a position with an annual salary of at least \$5,000 per year in regular compensation to be eligible for membership. Any employee hired after the effective date of this regulation who does not meet the definition of permanent shall not be eligible for membership.

- **April 27, 2011:**

Any individual who is permanently employed twenty (20) or more hours per week by the Town of Andover, Andover Public Schools, the Andover Housing Authority or the Andover Retirement Board shall become a member of the Andover Retirement System (“System”). In addition to the foregoing, an individual or elected official must earn at least \$5,000 per year in regular compensation to be eligible for membership. Elected officials are not required to satisfy the 20 hour per week minimum criteria.

- ***This regulation has been superseded by the July 1, 2021 regulation.***

- **January 5, 2000:**

The Board voted to give members who are eligible to purchase active duty military service a choice of when to begin their military buyback, just as regular municipal make-ups are handled. PERAC’s guidelines require the member to apply for permission to do the makeup within the 180-day window, but nothing in the law requires the member to begin payment at that time.

- **October 30, 1996:**

Retirement Board voted to accept Veterans buyback – Chapter 71 of the Acts of 1996, with the following stipulations: the buyback must be completed (paid in full) within 5 years, the minimum payment per week will be \$10, and no interest will be charged

Andover Retirement Board Supplemental Regulations

MEMBERSHIP (continued):

- **September 29, 1995:**

Retirement Board voted to place emergency fire/police signal operators to Group 2 (dispatchers)

- **June 28, 1991:**

Retirement Board voted that effective 09/01/1991 any employee working 20 hours or more per week in a permanent position (except seasonal and substitutes) will have mandatory retirement deductions taken from day one of their employment; any employee working less than 20 hours per week would have mandatory OBRA (or social security) deductions taken.

This regulation has been superseded by the April 27, 2011 regulation.

- **October 29, 1970:**

Retirement Board voted to grant membership to crossing guards

This regulation has been superseded by the April 27, 2011 regulation.

Andover Retirement Board Supplemental Regulations

CREDITABLE SERVICE:

- **June 1, 2021:**

PURCHASE OF PAST SERVICE RENDERED

Any individual who is employed by an Andover Retirement System ("System") member unit on the date of this regulation's approval – June 1, 2021 – and who previously rendered service in the Town of Andover, in a member unit of the System or as an Andover Retirement Board ("Board") employee and who was not eligible to participate in the System at the time the service was rendered, shall be eligible to purchase such past service rendered, in monthly increments, consistent with the provisions of MGL, Chapter 32, §4(2)(c). Creditable service will be pro-rated based on 20 hours per week being the equivalent of a full week of service, or 86.67 hours to be a month of service.

Any individual who becomes an employee after the effective date of this regulation – June 1, 2021 – (herein after referred to as a "new" member") will **not**, upon becoming a System member, be eligible to purchase past non-membership service pursuant to MGL, Chapter 32, §4(2)(c).

Members of the system who previously rendered service in another governmental unit in the Commonwealth of Massachusetts in a temporary, provisional, or substitute position, and who were not eligible to participate in the retirement system which has jurisdiction over said governmental unit, shall be eligible to purchase such past service consistent with the provisions of MGL, Chapter 32, §3(5), and such service shall be pro-rated based on 35 hours being the equivalent of a week of service, and 151.67 hours being the equivalent of a month of service. Any member who was a member-in-service on the date of this regulation's approval – June 1, 2021 – but whose employment subsequently terminates and who later reinstates in the System will be treated as a new member.

Andover Retirement Board Supplemental Regulations

CREDITABLE SERVICE (continued):

- **October 14, 2009:**

- FURLOUGH AND/OR SALARY REDUCTION DUE TO BUDGET RESTRICTIONS

- Members in service of the Andover Contributory Retirement System shall receive a full year of creditable service for each calendar year in which the member receives regular compensation as an employee, provided that the employee is not removed from the payroll in excess of thirty (30) days in the aggregate, irrespective of whether those days are consecutive or not.
 - Members in service of the Andover Contributory Retirement System who receive a reduction in compensation in lieu of or in addition to being furloughed for not less than 30 days shall have their retirement calculated based on the rate of regular compensation which was in effect immediately preceding the furlough or reduction in compensation.

Members in service of the Andover Contributory Retirement System who have their hours of employment reduced will be considered to be furloughed employees, and thus their regular compensation for the purpose of retirement will be calculated by using the rate of regular compensation in effect prior to the reduction in hours.

- **October 31, 1972:**

- Retirement Board voted to grant a full year of creditable service for each year of service performed by an employee working in a permanent part time position of 20 hours or more per week

Andover Retirement Board Supplemental Regulations

REGULAR COMPENSATION:

- **July 18, 2006:**

Retirement Board voted not to take retirement deductions from the following payments (effective dates are noted, if applicable):

Andover Independent Employees Association (AIEA):

Effective immediately:

Tuition Reimbursement

Education Incentive (one time payments – not regular and recurring)

Effective 07/01/2007:

15% longevity increase for 26-week period

American Federation of State, County, and Municipal Employees (AFSCME):

Effective for contract covering the periods July 1, 2004 through June 30, 2007:

15% longevity increase for 8-week period

Andover Public Safety Emergency Signal Operators/Communicators (Dispatchers):

Effective for contract covering the periods July 1, 2004 through June 30, 2007:

15% longevity increase for 16-week period for members w/ 30 or more years service

15% longevity increase for 8-week period for member w/ less than 30 years service

Town of Andover Department Heads (Dept Heads):

Effective 07/01/2007:

15% longevity increase for 52-week period

International Association of Firefighters, Local 1658, AFL-CIO (Firefighter):

Effective 07/01/2007:

15% longevity increase for 52-week period

Andover Retirement Board Supplemental Regulations

REGULAR COMPENSATION: (continued)

- **July 18, 2006:**

Retirement Board voted not to take retirement deductions from the following payments (effective dates are noted, if applicable) continued from previous page:

Andover Police Patrolmen's Union (APPO):

Effective 07/01/2007:

15% longevity increase for 52-week period

Andover Police Superior Officers Association (Superior Officers):

Effective 07/01/2007:

15% longevity increase for 52-week period

- **September 30, 1997:**

Retirement Board voted to take retirement deductions from minutes takers salary (as long as it is not paid as overtime and the work is regular and recurring)

- **April 30, 1996:**

Retirement Board voted to take retirement deductions from employees doing fire alarm service

- **December 29, 1995:**

Retirement Board informed via PERA memo to take retirement deductions from car allowance and clothing allowance

This regulation has been rendered null and void by the Pelonzi and O'Brien cases and was rescinded by Retirement Board vote on 5/21/2013

- **June 29, 1995:**

Retirement Board voted not to take retirement deductions on sick days sold back at end of year

Andover Retirement Board Supplemental Regulations

MISCELLANEOUS:

- **January 22, 2024:**

- ELECTRONIC SIGNATURES

- Electronic Signatures are permitted for forms relating to the business of the Retirement Office, with the exception of the following:

- Application for Superannuation Retirement

- Application for withdrawal of accumulated deductions

- Application for Disability

- Biennial Affidavits

- Option Selection Form

Electronic signatures will be accepted through email, fax, and the Town of Andover's internal data sharing file (Incoming Retirement Forms) via a scanned document. Digital signatures will only be accepted on forms that originate from within the Retirement Office and/or forms prescribed by PERAC. Upon completion, the forms will be recorded, maintained and secured in accordance with the internal controls of the Andover Retirement System. In accordance with the provisions of 840 CMR 28.01 and 840 CMR 28.02(c), the Board will institute and maintain appropriate security procedures for the execution of the foregoing forms by way of electronic signatures as authorized herein to verify that an electronic signature, digital signature, record or performance is that of the specific person executing the forms or for detecting changes or errors in the information in an electronic or digital record.

Nothing contained herein compels the use of electronic signatures if a member or beneficiary wishes to use a "wet signature" in lieu of an electronic signature for execution of the forms set forth herein. The Retirement Board reserves the right to accept or reject any forms containing electronic or wet signatures.

- **August 14, 2009:**

- GROUP CLASSIFICATION

- Full-time employees who serve as full-time public safety dispatchers for the Town of Andover are considered by the Retirement Board to be performing updated duties of Fire and Police Signal Operators, as listed in G.L. c. 32, § 3(2) (g) Group 2, provided that no member who attains age sixty-five (65) while classified in Group 1 may thereafter be classified in Group 2.

This Supplemental Local Rule re-affirms the Andover Retirement Board's prior determination that its public safety dispatchers are classified as members of Group 2 and re-affirms its prior decision and will perform all calculations based upon the timing of the creation of its prior policy.

- **December 17, 2007:**

Any documents held in the retirement office that are scheduled for destruction which contain confidential information (ie, SSN, date of birth, etc) will be shredded before discarding or recycling.

- **February 22, 2006:**

Monthly premiums for a retiree and/or survivor's health insurance will be deducted from his/her gross monthly retirement check automatically unless their monthly check does not cover the full premium for their health insurance, in which case, the person will be billed monthly

- **February 23, 2001:**

The spouse of any married employee retiring under Mass General Laws chapter 32 must sign the acknowledgment of his or her retiring spouse's option choice in the presence of an Andover Contributory Retirement System Board member or staff.
