

Breaks in Service

The following policy discusses service credit in different scenarios for former employees of the City of Stamford (hereafter "City") who are later rehired by the City.

Service Credit for Retirement Plans

- ◆ Generally, if a former employee of the City is later re-hired and that particular employee was previously vested in a City Retirement Plan (vesting rules for each plan are set forth in the applicable plan document), upon re-hire, he/she remains vested, regardless of any breaks in service.
- ◆ If any employee leaves the City and is not vested in a City Retirement Plan, prior vesting credit is restored upon rehire if the time away from the City is less than five (5) years, and the individual has not received a return of contributions. An employee's prior service will be counted for vesting purposes after he/she has completed an hour of service. For example, if an employee is employed by the City for four (4) years, left the City for three (3) years or less (and did not receive a return of contributions), and is then re-employed by the City, he/she would receive the prior four (4) years credit on the first day that he/she returned to work for the City. If an employee is employed by the City for three (3) years or less, left the City for more than three (3) years and is then re-employed by the City, he/she would not be given credit for any prior service and his/her pension benefits will be forfeited.

All Other Service Credit

In general, a regular full-time and part-time employee shall accumulate service credit for purposes of vacation and severance (if any) from the original date of employment with the City as long as service is continuous. Continuous service credit will accumulate for any period of any approved paid absence providing the employee returns to work prior to or at the expiration of the approved absence. Continued service credit will not accumulate during unpaid leaves of absence over 30 days that are not covered under the Family Medical Leave Act

The following are the rules with respect to the restoration of service credit with respect to vacation and severance (if any) where a former City employee is later rehired by the City:

- If a former City employee is rehired, he/she will accumulate continuous service credit from the date of rehire. In addition, the period of previously accumulated service credit lost by the break in service will be restored so long as the break in service is less than the original period of continuous employment; provided, however, no previous credit will be restored in the event that the break in service is equal to or exceeds five (5) years. Such employee will not be given service credit for the period of time between termination and the date of rehire. Any service credit will be adjusted upon rehire.
- For example, if an employee of the City leaves on March 31, 2009, with three (3) years of continuous service and is subsequently rehired on March 28, 2012, the employee will receive credit for three years (3) of prior service upon rehire and

will have a service date of March 31, 2009. As a further example, an employee of the City leaves on March 31, 2009 with one year of service and is rehired on April 5, 2011 will not be given credit for prior service because his/her break in service was greater than his/her prior service with the City.

If an employee was previously paid severance upon termination of employment and that employee is subsequently rehired, that employee will not receive credit for prior service for severance purposes regardless of the length in the break of service.

It is the responsibility of an employee to notify Human Resources if he/she believes that he/she has prior service for which he/she should receive credit. Subsequent to receiving appropriate documentation of service, Human Resources shall adjust an employee's service credit, so that an employee receives the benefit from additional service in the calendar year that such prior service is proven. Under no circumstances will benefits be granted retroactively for prior calendar years.

In the event that an employee has a break in service that is less than six (6) months and at the time of his/her rehire has at least 1,000 hours of service within the preceding twelve (12) month period the City will treat the break as if it were a leave of absence.