

## **Rule 513-7-1-.04. Qualification for Membership and Creditable Service**

- (1) To qualify for initial membership in the Pension Fund, an individual must meet one of the following,
  - (a) Be a firefighter who,
    - (1) Is a permanent compensated employee of a compliant fire department;
    - (2) Works at least 20 hours per week on average (1040 hours annually); and,
    - (3) Is state certified or is a candidate for state certification by the Georgia Firefighter Standards and Training Council,
  - (b) Be a Volunteer firefighter who,
    - (1) Is enrolled as a firefighter with a compliant volunteer fire department; and,
    - (2) Has the principal responsibility of preventing or suppressing fires,
  - (c) Be a full-time employee of the Pension Fund working an average of 30.5 hours per week.
- (2) Employees who are not state certified through the Georgia Firefighter Standards and Training Council and whose only function is the performance of emergency medical services are not eligible for membership.
- (3) No person under a sentence of confinement shall be eligible for active membership in the Fund, nor shall any member of the Fund earn creditable service during a time period in which the member is incarcerated under a sentence of confinement.
- (4) Any individual who does not qualify for membership under (1) above, or who does not have and principally perform the duties of a firefighter shall not be eligible for initial or continued membership in the Georgia Firefighters' Pension Fund, even though the individual is employed by a fire department in some other capacity, unless prior to July 1, 2006 as an employee of a full-time fire department, the individual principally performed within that fire department a support function set forth in subpart (5) (a, b and c).
- (5) Current members of the Pension Fund who do not meet the initial membership requirements specified in paragraph (1) above, and who were admitted to the Fund prior to July 1, 2006 may remain in the Fund and continue to earn creditable service so long as there is no break in eligibility based on qualifying employment listed below,
  - (a) Clerical services for administration of the department performed by personnel within the fire department;
  - (b) Communication services for fire suppression and fire prevention activities performed by personnel within the fire department; and,

- (c) The maintenance and repair of firefighting equipment and apparatus performed by personnel within the fire department.

In the event of a transfer from one department to another, no more than 30 calendar days may lapse where the member is not eligibly employed by a department.

- (6) The Board may require evidence of qualification for initial or continued membership in the Georgia Firefighters' Pension Fund and of the performance of creditable service certification by the applicant or member and by the Chief of the department as to the roster of the department, showing the position held and the duties of the position held.
  - (a) For membership which requires state certification the Board shall verify through the Georgia Firefighter Standards and Training Council, department records, and other means, that qualifications are met.
  - (b) For volunteer firefighters, the Board shall require annual affidavits from department chiefs that training and attendance requirements set forth in 513-7-1-.08 are met.
  - (c) For part-time firefighters, the Board shall require annual affidavits from the department chiefs that requirements in 513-7-1-.08 are met.
  - (d) For all others, the Board shall require an initial job description and periodically, on request, reaffirmation of fire support duties through inquiries of the employing fire department.
- (7) Creditable service may be earned by qualifying firefighters serving in a public fire department that serves a designated district provided all of the following are met;
  - (a) The fire department is financed by public appropriation or subscription and is not privately owned; and,
  - (b) The fire department has a current certificate of compliance issued by the Georgia Firefighter Standards and Training council; and,
  - (c) The fire department has been issued an ISO rating as a Class 9 or better under the current approved ISO rating schedule, or a rating determined to be substantially equivalent according to O.C.G.A. 47-7-61(a)(2).
  - (d) A volunteer fire department shall offer no less than 8 (eight) hours of department drills or meetings in at least 10 (ten) months of a calendar year for any member of the department to earn creditable service for that year.
- (8) Credit for prior eligible service may be granted if the member satisfied the requirements for membership and creditable service in 513-7-1-.04 at the time such service was rendered. For the member to be eligible for the purchase of prior eligible service the department with which credit is being claimed must have met the requirements set forth above in 513-7-1-.04 (7).

A member shall be entitled to credit for up to ten years of prior eligible service, provided that such person satisfies the following requirements;

- (a) The member must file with the Board an application for such credit on forms prescribed by the Board,
- (b) Submit required documentation verifying that creditable service was earned; and,
- (c) Pay to the fund an amount sufficient to grant requested creditable service without creating any actuarially determined accrued liability against The Fund. This amount will be determined and provided by Fund Staff, based on the most recent tables provided by the actuary retained by the Board.

**Cite as Ga. Comp. R. & Regs. R. 513-7-1-.04**

**Authority:** O.C.G.A. § [47-7-23](#).

**History.** Original Rule entitled "Qualification for Membership and Creditable Service" adopted. F. Dec. 23, 1985; eff. July 30, 1981, as specified by the Agency.

**Amended:** F. Nov. 20, 1990; eff. Dec. 10, 1990.

**Amended:** F. Aug. 22, 1994; eff. Sept. 11, 1994.

**Amended:** F. Dec. 29, 1999; eff. Jan. 18, 2000.

**Amended:** F. Feb. 5, 2001; eff. Feb. 25, 2001.

**Amended:** F. Aug. 20, 2009; eff. Sept. 9, 2009.

**Amended:** F. Oct. 29, 2013; eff. Nov. 18, 2013.

**Amended:** F. Aug. 10, 2015; eff. Aug. 30, 2015.

**Note:** Correction of non-substantive typographical error by addition of " **Amended:** F. Aug. 10, 2015; eff. Aug. 30, 2015" to Rule History. Effective Aug. 30, 2015.

**Amended:** F. July 12, 2018; eff. Aug. 1, 2018.