

**BOARD OF TRUSTEES OF THE
EMPLOYEES' RETIREMENT SYSTEM OF THE
CITY OF BALTIMORE**

**POLICY GOVERNING THE RECEIPT OF PENSION BENEFITS
BY SURVIVING SPOUSES OF DECEASED RETIREES**

Adopted December 16, 1999.

Amended July 8, 2005 and March 19, 2015.

In order to be eligible for "surviving spouse death benefits" pursuant to Sections 6, 9, or 22 of Article 22 of the Baltimore City Code, a widow/er, whose deceased spouse was a member of the Employees' Retirement System of the City of Baltimore or the Elected Officials' Retirement System of the City of Baltimore ("Retirement Systems"), must meet the following criteria:

1. A widow/er must annually return a completed Widowhood Certification form to the Retirement Systems, verifying that s/he has not remarried in the last year. Such form will be mailed to the widow/er by or before January 30 of each year. If the widow/er does not receive his/her form by January 30, s/he should contact the Retirement Systems immediately.
2. The Widowhood Certification forms may be submitted by a widow/er's legal representative or guardian, if applicable. In the event a legal representative or guardian does complete such forms, s/he also **must** have on file with the Retirement Systems a current copy of her/his power of attorney papers or guardianship papers.
3. All Widowhood Certification forms **must** be notarized.
4. Such forms must be received by the Retirement Systems by April 1 of every year. If a form has not yet been submitted, the widow/er will be mailed a reminder no later than March 15. Should the Retirement Systems not be in receipt of a signed and notarized Widowhood Certification form by April 1, in the discretion of the Executive Director/CIO the widow/er's benefits may be suspended until such form has been received. If, by June 1, the Retirement Systems still have not received this form, notice may be sent to the widow/er scheduling a date at which time the Board of Trustees will determine whether the widow/er's benefits should be terminated permanently.
5. Upon receipt of a Widowhood Certification form which states that a widow/er has remarried, the Retirement Systems shall cease all benefit payments to the widow/er.

6. If a widow/er should submit false documentation as to her/his state of matrimony, s/he shall be responsible to repay to the Retirement Systems any monies received as a result of the false claim. The Retirement Systems may use any legal method to recoup these monies.

7. The Board confers to the Executive Director/CIO the discretion to waive timely receipt of a properly executed and notarized Widowhood Certification Form in cases of old age, incapacity or infirmity of a widow/er, or as appropriate.