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Alton Firefighters Win Battle For Pension Funding

Alton, Ill – May 5, 2008 – The Alton Firefighters Pension Fund and its Trustees reached a settlement with the City of Alton in its case to get full funding of the firefighters' pension plan. The settlement agreement, which will be entered by the Circuit Court as an Order and Judgment, requires the City of Alton and its City Council to comply with state law and properly fund the pension. The Pension Law in Illinois (40ILCS section 4-118) requires that annual contributions to a municipal pension fund be based on the recommendations of an impartial actuary from the Illinois Department of Financial and Professional Regulations of the state's Department of Insurance, or an independent actuary chosen by the City and/or the Pension Trustees.

According to a report made to the Alton City Council last year by AFPP's attorney, Daniel Tobben, "the City of Alton has underfunded contributions to the firefighters pension fund for many years, and certainly since 2000. The level of the contributions by the city and its firefighters is required by state law to be actuarially reviewed annually to determine the levels of contributions by the city in order to keep the pension fund solvent and meet the future obligations to retirees. The contribution is calculated by a state-employed actuary and also by an independent actuary." Now Alton must levy taxes or set its budget in order to generate money to support the pension fund in accordance with state statute, Tobben stated.

"This is a significant victory, not only for Alton firefighters, but for the municipal employees in the entire state of Illinois," Tobben said of the settlement. "Many municipalities heretofore have skirted the law by underfunding the pensions of their firefighters, police and other employees by contributing only what the City said it could afford, rather than the amount calculated by the actuaries, in accordance with applicable statutes. This order and judgment should alert cities that the days of discretionary pension funding are over."

Tobben is a partner with the Clayton-Mo.-based law firm Danna McKitrick, P.C.

About Danna McKitrick: Located in Clayton, Missouri, Danna McKitrick, P.C. delivers outstanding legal representation to businesses (emerging to national), insurers, government-related entities, and individuals throughout the Midwest. The firm is on the Web at www.dannamckitrick.com.

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