

# **THE BYLAWS OF THE WICHITA FIREMEN'S RELIEF ASSOCIATION**

## **RELIEF FUND**

### **SECTION I**

#### **PURPOSE AND MEMBERSHIP**

The foremost purpose of this fund is to provide "on duty" benefits to its members. These benefits as explained in the Bylaws are for the benefit of the firefighters, or their beneficiaries in case of death.

Members of the Relief Fund shall be composed of the regularly appointed members of the Wichita Fire Department.

### **SECTION II**

#### **AMENDMENTS**

The Relief Fund By-Laws may be adopted, amended and repealed by a majority vote at a regular Association meeting. The President maintains the authority to call for a ballot box vote on all motions brought to a regular Association meeting.

### **SECTION III**

#### **BENEFITS - PROCEDURE FOR DISBURSEMENT REQUEST**

The Board of Directors will review all requests for benefits, and may consider information including, but not limited to, the following to determine if the request is based on occupation or non-occupational illness or injury: an attending physician's report provided by the member; an investigation by the Board of Directors; consultation with the attending physician; consultation with physicians whom the Board of Directors may call for consultation; consultation with any person having information regarding the illness or injury, or reviewing any accident or incident report.

All bills and statements must be presented to the Board of Directors in the manner hereinafter provided.

Any bills or transactions requiring an expenditure amount greater than \$300.00 presented at a regular meeting without the Board of Directors and Supervisory Committee's prior recommendation will require a ballot box vote of the membership for approval.

Hospitalization, treatment, and all drugs must be prescribed by the attending physician. All statements must show for what cause the member received service and date of the service provided. All statements for drugs must show for what service connected disease, illness, or injury the drug was prescribed, have a prescription number, and show the date of service. Statements including accident/incident reports, physician statements or any evidence that such disease, illness, or accident was a result of the activities of a firefighter on duty must support all statements submitted for medical services. All statements must be submitted to the Board of Directors within one hundred eighty (180) days from the end of the year of service.

All recommendations made on the requests for benefits reviewed by the Board of Directors will be presented to the Supervisory Committee for recommendation and presented to the membership of the Association for a vote.

#### **SECTION IV**

##### **BENEFITS – VISION**

All recommended occupational vision care benefits will not exceed \$500.00 each year. Any member claiming occupational vision care benefits must have completed five (5) years of employment with the department and is required to have the attending physician/optometrist complete information as to the cause of the condition requiring treatment.

#### **SECTION V**

##### **BENEFITS – DISABLED MEMBERS**

Any member that is retired who continues to suffer a disability because of their duties as a firefighter may petition the WFRM for payment of any duty related medical benefits. This amount cannot exceed 5% of a current top step Firefighters pay annually. Requirements for such consideration include:

1. The WFD disabled retiree must initially have on file or provide documentation from a physician or have a Fire Department accident/incident report documenting the medical expenses are for services for a duty related illness or accident.
2. The WFD disabled retiree must provide a PAID receipt for the service received, and complete an Association reimbursement form within one hundred eighty (180) days from the end of the year of service.
3. Occupational (fire service) vision care benefits shall be identical to active members' benefits.

The WFRA Board of Directors and the Supervisory Committee will recommend approval or disapproval of all submitted bills, or parts thereof at each regular monthly meeting.

## **SECTION VI**

### **DEATH BENEFITS**

The Association shall pay a funeral benefit not to exceed \$10,000.00 upon the death of a active member who is killed in the discharge of his/her duties as a firefighter. The benefit will be paid to the mortuary/funeral home on behalf of the deceased.

The Association shall pay the beneficiary or beneficiaries of a member a total gratuity of \$5000.00 if said member is killed in the discharge of such member's duties as a firefighter.

The aforementioned benefits are separate from any Insurance benefits received for such purposes.

## **SECTION VII**

### **INSURANCE**

Insurance coverage's approved by the State Insurance Commissioner may be carried by the Association in a reliable company on members of this Association in types of coverage and such principal amounts as may be determined by a vote of the members in a regular or special meeting of the Association.

The Association shall be the beneficiary named in all insurance policies so purchased. The Officers of the Association are charged with the duty of paying any death benefit claims received to the beneficiary on file with the Association.

The percentage of the total premiums of the insurance policies to be paid from the Relief Fund for twenty-four (24) hour coverage and the percentage to be paid from the Firefighter's for twenty-four (24) hour coverage shall be based according to the requisitions promulgated under the Firefighter's Relief Act. (K.A.R. Section 40-10-06)

In the event any active member of the Association is deemed uninsurable, either partially or in whole, due to settlement between the member, the Association, and the insurance carrier, the members medical and disability benefits shall be established in a separate benefit schedule and provided to such member.

All indemnities received by the Association from any insurance company, whether from occupational or non-occupational causes, shall be deposited into the Relief Fund, and paid out of such fund as determined by vote of the membership at a regular Association meeting unless otherwise stated.

## **SECTION VIII**

### **DISABILITY BENEFITS**

In cases of disability, any benefits paid to the Wichita Firemen's Relief Association may be paid to the member, provided however that such payment not commence prior to the termination of all leave with pay benefits unless off-duty income is claimed.

In any case, the total monthly compensation paid to a member from the Association shall not cause the member's monthly on-duty compensation to exceed his/her total income at retirement, after integration of Worker's Compensation (if applicable), the member's pension, and social security.

Cost of living increases may be given annually in the amount of 2% until the member is receiving 100% of the benefit paid to the Association by the insurance carrier as long as the guidelines in the preceding sentence of this section are adhered to. In any case no member will receive more benefits than the Association receives from any insurance company.

## **SECTION IX**

### **AD&D INSURANCE POLICY**

In the event of a specific loss sustained by a member of the Association from occupational injury, such as the loss of a leg, an arm, or an eye, etc., the Association shall pay to such injured members the amount received by the Association. Upon making such payments to the injured member the Association shall be relieved of any further responsibility to such member for the specific loss.

## **SECTION X**

### **INSURANCE DEATH BENEFITS**

In the event of the death of any active Association member, the Association shall pay to the beneficiary, previously designated by the deceased member and on file with the Secretary-Treasurer of the Association, such amount as the Association receives from the insurance company on account of the death of such member. Payments to be made on the recommendation of the Board of Directors and the Supervisory Committee and approved by a vote of the body.

## **SECTION XI**

### **REVIEW OF INSURANCE POLICIES**

The Board of Directors will periodically review all insurance policies held by this Association and determine if any changes and/or additions are deemed necessary. It will also be the responsibility of the Board of Directors to appoint an “insurance committee” to solicit additional insurance policies if deemed necessary and or practical. If a committee is not established the Board of Directors will assume the responsibilities. The amount and type of insurance provided will be appropriate according to the amount of funds held by this Association as recommended by the Board of Directors and the Supervisory Committee and approved by the membership.

## **SECTION XII**

### **TRANSFER OF INSURANCE POLICIES**

Updated 09/20/10

All transferable insurance policies shall be transferred to any member terminating employment with the Wichita Fire Department providing that member has completed ten years of service with the Wichita Fire Department, and has been covered under such policy for a period of not less than five years. Any member that suffers a total and permanent disability or death, or a member who retires under the retirement plan in effect for the Wichita Fire Department, shall, upon termination of employment, be entitled to any benefits or coverage available to an individual member under the provisions of the contract in compliance with the Relief Act.

Any member that does not meet the 10/5 requirement the member is entitled to his/her proportionate share. (Example, if the member paid 15% of the premiums then he/she would be entitled to 15% of the cash value.) The cash value (if any) remains in possession of the WFRA, however the member can pay the cash value amount to the WFRA and can then be eligible for transfer of ownership of the policy.

## **SECTION XIII**

### **WORKER’S COMPENSATION COVERAGE**

Members that suffer service connected injuries or illnesses may be required to file Worker’s Compensation claims unless the membership has elected out of Worker’s Compensation coverage.

A majority vote by the membership is required to elect out from Worker’s Compensation coverage or to elect under Worker’s Compensation coverage.

All Relief Fund benefit schedule changes shall be established before any election in or out of Worker's Compensation.