



CITY OF PROVIDENCE

7.9 ACCIDENTAL DISABILITY PENSION APPLICATION

Purpose

This policy establishes a process by which employees are duly informed of the time limit imposed by the City of Providence Code of Ordinances, Section 17-189(f), which provides for Accidental Disability Retirement and states that the application to accomplish such retirement must be filed within eighteen (18) months of the date of the accident.

Scope

Accidental disability applies to any employee who is a member of the Employee Retirement System of the City employees who are injured during the course of duty, and were injured at work.

Policy

1. Statutory Timeframe

- A. The Occupational Safety & Health Administration (OSHA) within the Department of People & Culture (DPC) is responsible for notifying applicable employees of the 18-month application time limit to apply for an accidental disability pension in accordance with the City of Providence Code of Ordinances. This ensures that employees are given adequate notice and the opportunity to apply for an accidental disability pension before the statutory deadline.
- B. Employees who have returned to full, unrestricted duty will not be subject to this notification process.
- C. The process is as follows:
 1. First Notification: Twelve (12) months from the date of injury, OSHA will send a certified letter to the employee's address of record and the attorney on record (if applicable) informing them of the 18-month deadline.
 2. Second Notification: At fifteen (15) months from the date of injury, OSHA will send a follow-up notice via first-class mail to the employee's address of record.
 3. Third and Final Notification: At seventeen (17) months from the date of injury, a final reminder will be mailed via first-class mail to the employee's address of record.

2. Application Process

- A. **Filing Deadline:** An application for accidental disability retirement must be submitted to the Retirement Office within **18 months** of the date of the qualifying incident.
- B. **Waiver for Late Applications:** If more than 18 months have passed since the incident, the applicant must first obtain a waiver through **City Council resolution**:
 1. A member of the City Council must **introduce a resolution** requesting to waive the 18-month rule.
 2. Once introduced, the ordinance is referred to the **Committee on Finance** for review.
 3. If approved by the Finance Committee, the ordinance proceeds to the **full City Council for passage**.
- C. **Documentation Requirements:** A completed application must include:
 1. The signed **accidental disability application form**.
 2. A **physician's statement** certifying that the employee is mentally or physically incapacitated for the performance of duty as a direct result of a work-related incident.
 3. An **official incident/injury report** documenting the event.
 4. Proof of age (birth certificate, passport, or other government-issued identification).
- D. **Medical Review:**



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1. Once a complete application is received, the Retirement Board will coordinate the required medical examinations with physicians certified in the relevant specialty, as required by ordinance.
2. The Board will then evaluate all submitted documents, including medical opinions, incident reports, and supporting evidence and render a decision.

3. **Compliance**

A. **Failure to Apply Within Required Timeframe**

Employees who fail to submit a completed Accidental Disability Pension Application within eighteen (18) months of the accident forfeit their eligibility for accidental disability retirement benefits, as mandated by Section 17-189(f) of the City Code.

B. **Incomplete or Inaccurate Applications**

1. Applications missing required documentation, containing false information, or otherwise deemed incomplete, will be returned to the applicant with instructions for correction.
2. Failure to provide the missing information within 30 calendar days of notification may result in automatic denial of the application.

C. **Enforcement Authority**

1. The Providence Retirement Board is responsible for enforcing compliance with this policy and has the authority to:
 1. Deny applications that do not meet eligibility or documentation requirements.
 2. Suspend review of incomplete submissions until deficiencies are corrected.
 3. Require independent medical examinations when necessary to verify claims.

D. **Appeals**

1. Employees whose applications are denied may submit a written appeal to the Providence Retirement Board within 30 calendar days of receiving the denial notice.
2. Appeals must include additional evidence or documentation supporting the employee's claim.
3. The decision of the Retirement Board shall be considered final, subject to applicable state and federal laws.

Related Policies:

Accident, Injury, and Illness Reporting Policy

Personal Protective Equipment (PPE) Policy

Americans with Disabilities Act (ADA) - Reasonable Accommodation Policy

HIPAA Policy

Related Information:

[City of Providence Code of Ordinances, Section 17-189\(f\)](#)