

part, and is unable to engage in his regular occupation as an employee or to be employed by the County in some other position for which he is suited by, or which is appropriate to, his training and experience.

(2) he has exhausted all sick leave and any accident and sickness benefits from programs exclusive of federal Social Security, to which the County makes contributions.

(3) he was making participant's contributions to this plan immediately prior to his date of disability.

(4) he is not eligible for non-service connected disability retirement.

(5) such disability is the result of injury compensable under the State of Maryland's Workmen's Compensation Laws and claim is filed with the Workmen's Compensation Commission.

(c) Total and permanent disability shall exclude disability resulting from or consisting of chronic alcoholism, addiction to narcotics, engaging in a felonious criminal act for which he is found guilty, a willful effort on his part to bring about the injury or illness to himself or any other person, or service in the armed forces of any country.

(d) A participant will cease to qualify for a non-service connected disability pension if he is no longer eligible for disability benefits under the provisions of the Social Security Act, or if he refuses to submit a report of his total earnings when requested by the County in accordance with subsection (f) below. Notwithstanding anything to the contrary, this subsection shall not be applicable to any participant once he has attained normal retirement age.

(e) (1) A participant will cease to qualify for a service connected disability pension if:

(i) The Personnel Officer determines on the basis of a medical examination by a physician or physicians selected by the Personnel Officer that he is no longer totally and permanently incapacitated for duty or has sufficiently recovered but refuses to resume his regular occupation as an employee or to be re-employed by the County in some other position for which he is suited by, or which is appropriate to, his training and experience, or

(ii) he refuses to undergo a medical examination requested by the Personnel Officer, provided he may not be required to undergo a medical examination more often than once a year, or

(iii) he refuses to submit a report of his total earnings when requested by the Personnel Officer in accordance with subsection (f) below.

(2) This subsection shall not be applicable to any participant once he has attained normal retirement age.

(f) If a participant who is found to be totally and permanently disabled subsequently engages in an occupation or employment for remuneration or profit, other than for purposes of rehabilitation as approved by the Personnel Officer, such an occupation or employment shall be considered as gainful employment. In order for any disability pension to be paid under this plan when the participant is engaged in gainful employment, the participant will be required to report his total earnings from such gainful employment received during the preceding calendar year and provide the Personnel Officer with documents satisfactory to the Personnel Officer that will substantiate the earnings being reported. These