

# City of Philadelphia



(Bill No. 100225)

## AN ORDINANCE

Amending Title 22 of The Philadelphia Code, entitled "Public Employees Retirement Code," by further providing conditions under which a member of the Retirement System may purchase credited service for other governmental employment, under certain terms and conditions.

### *THE COUNCIL OF THE CITY OF PHILADELPHIA HEREBY ORDAINS:*

SECTION 1. Title 22 of The Philadelphia Code is hereby amended to read as follows:

#### TITLE 22. PUBLIC EMPLOYEES RETIREMENT CODE.

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#### CHAPTER 22-800. PURCHASE OF CREDITED SERVICE.

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#### §22-802. Purchase of Governmental Service.

(1) Allowable other governmental service. A member of the Retirement System may purchase credited service for other governmental employment which was full-time or its prorated equivalent (as determined by the Board) and which occurred prior to the member's current employment with the City, as follows:

(a) Service with the military (under a branch of the Armed Forces of the United States); or

(b) Service as a State employee of the Commonwealth of Pennsylvania, or as an employee of any of its agencies, instrumentalities or general purpose political subdivisions, or with the School District of Philadelphia; or

(c) Other service (including parental, medical, sabbatical, and similar leave) as an employee of the Government of the United States, any State or political subdivision thereof, or any agency or instrumentality of any of the foregoing; or of an association of employees who are described in the foregoing clause; or of an educational organization which is a public school which provides elementary or secondary education (through grade 12), as determined under State law.

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(2) Maximum purchase of service; limitation. Credited service which may be purchased for allowable other governmental employment is limited to a maximum of ten (10) years and will be permitted only with respect to service for which the member is not or will not be entitled to a vested pension from another employer. However, a member may purchase credit for prior military service for which the member is or will be entitled to a military pension, if that member's entitlement to a military pension is based in whole or in part upon service in the military reserves. A member in Plan D, Plan J or Plan X shall not be eligible to purchase such service credits unless the member had a minimum of five (5) consecutive years of credited service with the Retirement System. A member in Plan A, Plan B, Plan L, or Plan Y must file applications to purchase governmental service with the Board within one (1) year following date of employment for new employees, or within one (1) year following the effective date of this Title for members of the Plan on the effective date of this ordinance. Provided, however, that members of Plan A, Plan B, Plan L, or Plan Y who file beyond the one-year deadline, may make such purchase by paying the additional interest provided in Section 22-807. *Notwithstanding any other provision in this Title, for persons hired on or after July 1, 2010: service credits purchased pursuant to Section 22-802(1) by a member who holds a position that is both exempt from civil service and who is not entitled to be represented by a union shall not count toward the vesting requirements set forth in Section 22-301 unless and until the member has attained a minimum of five years of credited service with the Retirement System other than through the application of Section 22-802(1).* Application for purchase of credited service shall be made on forms provided by the Board and, in the case of an application for allowable military service, shall be accompanied by a certified copy of the applicant's military record plus proof of a discharge from the Armed Forces of the United States that is characterized as "honorable" or "under honorable conditions". Such discharge shall be a condition precedent to being entitled to the purchase of credited service with respect to military service.

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SECTION 2. This Ordinance shall take effect July 1, 2010.

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**Explanation:**

*Italics* indicate new matter added.

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CERTIFICATION: This is a true and correct copy of the original Bill, Passed by the City Council on June 10, 2010. The Bill was Signed by the Mayor on June 30, 2010.



Michael A. Decker  
Chief Clerk of the City Council