

City of Philadelphia



(Bill No. 080930)

AN ORDINANCE

Amending Title 22 of The Philadelphia Code, entitled “Public Employees Retirement Code,” by amending Section 22-202, entitled “Membership after Transfer of Employment,” by allowing any police or fire employee, appointed to the position of Commissioner or Deputy Commissioner of the Police or Fire Departments, to retain membership in the retirement plan covering such member’s prior employment, all under certain terms and conditions.

WHEREAS, A large number of police and fire employees have given years of dedicated service to the City; and

WHEREAS, Some of those employees have been appointed to the position of Commissioner or Deputy Commissioner of the Police and Fire Departments; and

WHEREAS, Such appointments require those police and fire employees to transfer to the retirement plan of the division to which they have transferred; thereby depriving them of the rights and related benefits of their previous retirement plan; and

WHEREAS, Council wishes to rectify this discrepancy by allowing any police or fire employee, appointed to the position of Commissioner or Deputy Commissioner of the Police or Fire Departments, to retain membership in the retirement plan covering the member’s prior employment; now, therefore

THE COUNCIL OF THE CITY OF PHILADELPHIA HEREBY ORDAINS:

SECTION 1. Section 22-202 of The Philadelphia Code is hereby amended to read as follows:

TITLE 22. PUBLIC EMPLOYEES RETIREMENT CODE.

* * *

CHAPTER 22-200. MEMBERSHIP.

* * *

§ 22-202. Membership after Transfer of Employment.

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(1) Transfers between divisions. After transferring employment between divisions, a member's retirement rights and related benefits are determined solely by the provisions of the appropriate plan of the division into which the member has transferred. Credited service under the plan of the member's previous division is automatically transferred as credited service to the appropriate plan of the member's new division except in the following cases:

* * *

(e) If any member of *Plan A*, *Plan B*, Plan D, Plan J or Plan X of the Retirement System is appointed Commissioner or Deputy Commissioner of the Fire or Police Department, the member shall retain membership in the plan covering the member's prior employment.

* * *

SECTION 2. This Ordinance shall become effective immediately.

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 April 23, 2009. The Bill was Signed by the Mayor on April 29, 2009.



Patricia Rafferty
Chief Clerk of the City Council