

City of Providence

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

CHAPTER 1993-28

No. 623 **AN ORDINANCE** IN AMENDMENT OF AND IN ADDITION TO ARTICLES III AND VI OF CHAPTER 17 OF THE CODE OF ORDINANCES OF THE CITY OF PROVIDENCE ENTITLED: "OFFICERS AND EMPLOYEES" AS AMENDED.

Approved September 24, 1993

Be it ordained by the City of Providence:

SECTION 1. Chapter 17 of the Code of Ordinances of the City of Providence entitled "Officers and Employees" is hereby amended by deleting the following:

" No city employee shall be allowed to buy back time for pension purposes without the express approval of the city council, with the exception of purchasing military service."

and adding the following:

"No person shall be permitted to purchase credit in the retirement system for any period of service unless permitted pursuant to Section 17-188.1."

SECTION 2. Chapter 17 of the Code of Ordinances of the City of Providence entitled "Officers and Employees" is hereby amended by adding to Article VI thereof, the following:

"Section 17-188.1. **Service Creditable-Purchase of Service Credit**

(1) The city controller, pursuant to the authority of Section 17-183(5), shall be responsible for the determination, establishment and fixing of service creditable for previous service or military service and the cost of the purchase thereof as set forth in sub-sections (2), (3), (4) and (5) herein, for active members with a period of continuous service of at least one (1) year's duration. The city controller shall make a report monthly to the Employee Retirement Board and the City Council of all purchases of service credit made by any members.

(2) Any member who was on active duty in the armed services of the United States or in the merchant marine service of the United States during any period of one (1) year or more, may, by written

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notice filed with the city controller, pay into the retirement system within seven (7) years of his first becoming a member, a contribution equal to ten (10) per centum of his compensation earnable in his first year of creditable service multiplied by the number of years and fraction thereof in such armed service up to a maximum of four (4) years. Upon such payment, anything to the contrary notwithstanding, such amount shall become part of such member's accumulated contributions and the period of service in the armed forces or merchant marines on account of which such payment was made shall be added to his period of service since last becoming a member. The crediting of such service shall be both for the purpose of computing the amount of pension which may become payable under this article and for the purpose of determining such member's eligibility for the benefits payable hereunder, and the rights of any beneficiary claiming through him.

(3) Any member who has rendered service as a member prior to his last becoming a member and terminated such previous service may, by written notice filed with the city controller, elect to repay into the annuity savings fund an amount equal to the amount of such member's accumulated contributions which were withdrawn by such member on account of such member's last termination of membership, together with eight (8) per centum interest compounded annually thereon from his last termination of membership, to the date of repayment. Upon such repayment, anything to the contrary notwithstanding, such amount shall become part of such member's accumulated contributions and the period of service on account of which such payment was made shall be added to his period of service since last becoming a member. The crediting of such service shall be both for the purpose of computing the amount of pension which may become payable under this article and for the purpose of determining such member's eligibility for the benefits payable hereunder and the rights of any beneficiary claiming through him.

(4) Any employee or elected officer who is an active Class A member who returns to employment following a period of leave to which he is entitled under Federal or State law or a period of disability for which workers' compensation or similar payments are made, may,

by written notice filed with the city controller, elect to pay into the annuity savings fund an amount equal to eight (8) per centum of the base compensation which the employee or elected officer would have been paid had such employee or elected officer not taken such period of leave or disability together with eight (8) per centum interest compounded annually thereon from the date of the commencement of his period of leave or disability, to the date of repayment. Upon such payment, anything to the contrary notwithstanding, such amount shall become part of such member's accumulated contributions and the period of service on account of which such payment was made shall be added to his period of service since last becoming a member. The crediting of such service shall be both for the purpose of computing the amount of pension which may become payable under this article and for the purpose of determining such member's eligibility for the benefits payable hereunder and the rights of any beneficiary claiming through him.

(5) Any employee or elected officer who is an active Class B member who returns to employment following a period of leave to which he is entitled under Federal or State law or a period of disability for which workers' compensation or similar payments are made, may, by written notice filed with the city controller, elect to pay into the annuity savings fund an amount equal to 9.5 per centum (9.5%) of the base compensation which the employee or elected officer would have been paid had such employee or elected officer not taken such period of leave or disability together with eight (8) per centum interest compounded annually thereon from the date of the commencement of his period of leave or disability, to the date of repayment. Upon such payment, anything to the contrary notwithstanding, such amount shall become part of such member's accumulated contributions and the period of service on account of which such payment was made shall be added to his period of service since last becoming a member. The crediting of such service shall be both for the purpose of computing the amount of pension which may become payable under this article and for the purpose of determining such member's eligibility for the benefits payable hereunder and the rights of any beneficiary claiming through him.

(6) Any other employee or elected officer who is an active member and who had a period of continuous full time service of at least six (6) months' duration prior to his date of membership as a temporary city employee, or a CETA-financed city employee, may, by written notice filed with the city controller, elect to pay into the annuity savings fund and the pension accumulation fund an amount equal to the full actuarial value of the benefits payable under this article as of the date of payment, as computed by the actuarial advisor of the board, assuming such member shall retire on his normal retirement date based upon the assumptions used in the plan's actuarial valuation. Upon such payment, anything to the contrary notwithstanding, such amount paid into the annuity savings account shall become part of such member's accumulated contributions and the period of service on account of which such payment was made shall be added to his period of service since last becoming a member. The crediting of such service shall be both for the purpose of computing the amount of pension which may become payable under this article and for the purpose of determining such member's eligibility for the benefits payable hereunder and the rights of any beneficiary claiming through him.

(7) The city controller shall not permit the purchase of service credits in the retirement system for any period of employment as a seasonal or part-time employee or for service as a member on any part-time board or commission.

SECTION 3. Chapter 17 of the Code of Ordinances of the City of Providence entitled "Officers and Employees" is hereby amended by repealing from Article VI thereof sub-sections (10), (11), and (12) of Section 17-188."

SECTION 4. This Ordinance shall take effect upon its passage.

IN CITY COUNCIL
SEP 2 1993
FIRST READING
READ AND PASSED

Michael R. Clement CLERK

IN CITY COUNCIL
SEP 16 1993
FINAL READING
READ AND PASSED

James A. ... PRESIDENT
Michael R. Clement CLERK

APPROVED
SEP 24 1993
Vincent A. Cianci
MAYOR