

Sec. 145.032. (A) NOTWITHSTANDING SECTION 145.03 OF THE REVISED CODE, ANY EMPLOYEE OF THE HAMILTON COUNTY DEPARTMENT OF AIR POLLUTION CONTROL ON JANUARY 1, 1980, WHO WAS IN THE EMPLOY OF THE CITY OF CINCINNATI IN THE DIVISION OF AIR POLLUTION CONTROL AND WAS EMPLOYED BY THE CINCINNATI CITY MANAGER, AND WHOSE SALARY WAS PAID BY THE CITY OF CINCINNATI AND WHO WAS A CONTRIBUTING MEMBER OF THE CITY OF CINCINNATI RETIREMENT SYSTEM PRIOR TO THAT DATE, MAY CHOOSE TO BE EXEMPT FROM COMPULSORY MEMBERSHIP IN THE PUBLIC EMPLOYEES RETIREMENT SYSTEM AND TO CONTINUE CONTRIBUTING MEMBERSHIP IN THE CITY OF CINCINNATI RETIREMENT SYSTEM ON

AND AFTER THAT DATE, BY FILING A WRITTEN REQUEST FOR EXEMPTION FROM THE PUBLIC EMPLOYEES RETIREMENT SYSTEM, WHICH REQUEST SHALL BEAR THE SIGNATURE OF THE EMPLOYEE, WITH THE PUBLIC EMPLOYEES RETIREMENT BOARD, PROVIDED THAT EXEMPTIONS PERMITTED BY THIS DIVISION ARE CONTINGENT UPON THE FOLLOWING:

(1) THE ADOPTION OF AN AGREEMENT BETWEEN THE BOARD OF COUNTY COMMISSIONERS OF HAMILTON COUNTY AND AUTHORIZED REPRESENTATIVES OF THE CITY OF CINCINNATI RETIREMENT SYSTEM THAT PROVIDES SUCH EMPLOYEES WITH THE OPTION TO CONTINUE CONTRIBUTING MEMBERSHIP IN THAT RETIREMENT SYSTEM ON AND AFTER JANUARY 1, 1980, UPON A COMPLIANCE WITH THE REQUIREMENTS OF THIS SECTION;

(2) THE FILING OF THE REQUEST FOR EXEMPTION WITHIN THIRTY DAYS OF THE EFFECTIVE DATE OF THE AGREEMENT.

(B) NO EMPLOYEE CONTRIBUTIONS SHALL BE DEDUCTED FROM THE EARNABLE SALARY OR COMPENSATION OF, OR PAID TO THE PUBLIC EMPLOYEES RETIREMENT SYSTEM ON ACCOUNT OF, ANY EMPLOYEE OF THE HAMILTON COUNTY DEPARTMENT OF AIR POLLUTION CONTROL WHO, UPON COMPLIANCE WITH DIVISION (A) OF THIS SECTION, IS EXEMPT FROM COMPULSORY MEMBERSHIP IN THE PUBLIC EMPLOYEES RETIREMENT SYSTEM

SECTION 4. This act is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, and safety. The reason for the necessity is that its enactment into law at the earliest possible time will afford the Board of County Commissioners of Hamilton County and the authorized representatives of the City of Cincinnati Retirement System sufficient time to negotiate and, if they so determine, to enter into an agreement authorized by Section 5 of this act. Therefore, this act shall go into immediate effect.

Emergency

Effective Dec. 27, 1979

SECTION 5. The Board of County Commissioners of Hamilton County shall negotiate with authorized representatives of the City of Cincinnati Retirement System with an end to entering, and may develop and enter, into an agreement which shall provide employees of the Hamilton County Department of Air Pollution Control on January 1, 1980, who were in the employ of the City of Cincinnati in the Division of Air Pollution Control and were employed by the City of Cincinnati and whose salary was paid by the City of Cincinnati and who were contributing members of the City of Cincinnati Retirement System prior to January 1, 1980, with the option to continue membership in said retirement system on and after that date, by complying with the requirements of section 145.032 of the Revised Code, and also require the Board of County Commissioners to deduct and transmit employer and employee contributions to that retirement system for employees exercising such option.

If an agreement is entered into between the Board of County Commissioners of Hamilton County and the authorized representatives of the City of Cincinnati Retirement System on or after January 1, 1980, then any employee who chooses to be exempt from compulsory membership in the public employees retirement system by complying with section 145.032 of the Revised Code, shall receive a refund from the public employees retirement system of any moneys deducted from his earnable salary or compensation and paid to that retirement system prior to the employee's filing his request for exemption.

Each employee of the Hamilton County Department of Air Pollution Control ~~who~~, prior to January 1, 1980, was a contributing member of the City of Cincinnati Retirement System, and who becomes a member of the public employees retirement system shall, in computing years of service, be given full credit for the time served in the employ of the City of Cincinnati, provided, that for each year of such service purchased, the member pays into the public employees retirement system, not later than January 1, 1981, the amount that the member would have paid through regular salary deductions had the member been a member of the public employees retirement system during the period of his prior employment with the City of Cincinnati, with interest compounded annually thereon at a rate to be determined by the Public Employees Retirement Board.

Upon receiving payment in full from the member, the Public Employees Retirement System shall certify in writing to the City of Cincinnati the years of service for which the member is purchasing credit under this section. Notwithstanding the provisions of section 145.44 of the Revised Code, the City of Cincinnati shall pay to the Public Employees Retirement System the amount the employer would have paid had the member been a member of the Public Employees Retirement System during the period of his prior employment with the City of Cincinnati plus interest compounded annually thereon at a rate to be determined by the Public Employees Retirement Board.

A member is ineligible to purchase under this section service credit that is used in the calculation of any retirement benefit currently being paid or payable in the future to the member from the City of Cincinnati Retirement System.

Emergency

Effective Dec. 27, 1979