

# City of Philadelphia



(Bill No. 010595)

## AN ORDINANCE

Amending Title 22 of The Philadelphia Code, entitled "City of Philadelphia Public Employees Retirement Code," by providing that employees may purchase credited service for approved leaves of absence taken to participate in United Nations Peacekeeping or Police Missions, all under certain terms and conditions.

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

SECTION 1. Title 22 of The Philadelphia Code, entitled "City of Philadelphia Public Employees Retirement Code," is amended to read as follows:

#### TITLE 22. CITY OF PHILADELPHIA PUBLIC EMPLOYEES RETIRMENT CODE

\* \* \*

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

##### §22-801. Leaves of Absence Without Pay.

\* \* \*

(2) Leaves for more than ninety (90) days. If a member receives approval for a leave of absence without pay for a period of more than ninety (90) days, the member may neither contribute to the Retirement System nor accrue credited service for retirement and death benefits for the period of the leave of absence except in the following cases:

\* \* \*

(e) *The member is granted a leave of absence to serve in a United Nations International Peacekeeping or Police Mission.*

\* \* \*

(4) Time within which to make contributions. If a member makes contributions to the Retirement System for the period of an unpaid leave of absence, other than an unpaid leave of absence which is subject to USERRA, [or] 51 Pa. C.S. Ch.

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*73, or for service in a United Nations Peacekeeping or Police Mission*, the member must complete payments for credited service within ninety (90) days of the last day of the leave of absence. If a member does not complete payments within the prescribed time period, the member will not receive credited service for the period of the leave of absence. Provided, however, that members who file beyond the 90-day deadline may make such purchase by paying the additional interest provided in Section 22-807.

(5) Time within which to make contributions for USERRA service *or for service in a United Nations Peacekeeping or Police Mission*. If a member makes contributions to the Retirement System for a period of unpaid leave of absence and such leave of absence is subject to USERRA or 51 Pa. C.S. Ch . 73, *or the leave of absence was taken to serve in a United Nations Peacekeeping or Police Mission*, the member must complete the payments for credited service on or before the earlier of:

- (a) a period which is three times the duration of such leave of absence;
- or
- (b) five years.

If a member does not complete the required payments within the prescribed time period, the member will receive credited service for purposes of calculating retirement, death and disability benefits under Chapters 22-300, 22-400 and 22-500, respectively, in an amount equal to that portion of the required payments which is made within the prescribed time period. The member will receive credited service for purposes of determining vested status regardless of whether such payments are completed within the prescribed time period. Provided, however, that if a member does not complete the required payments within the prescribed time period, the member may purchase service credit for the remaining leave of absence service by paying the required payments, plus the additional interest provided in Section 22-807.

\* \* \*

SECTION 2. This Ordinance shall apply to leaves of absence which began on or after January 13, 1999.

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**Explanation:**

[Brackets] indicate matter deleted.  
*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 February 14, 2002. The Bill was Signed by the Mayor on February 27, 2002.



Marie B. Hauser  
Chief Clerk of the City Council