



Legislation Text

File #: 021798, Version: 1

021798

SUBSTITUTE 1

021584

THE CHAIR

A substitute charter ordinance relating to military service credit under the employees' retirement system.

The global pension settlement allows employees who retired prior to December 31, 2002, one year of creditable year of service for each ~~three~~ 3 years of active military service prior to enrollment in the retirement system to a maximum of 3 years of creditable service. The added service credit is taken into account for purposes of determining the amount of the service retirement allowance but not for any other purpose, including determining eligibility for a service retirement allowance or eligibility for additional imputed service credit. This charter ordinance removes the sunset to permit fire department nonrepresented management employees who retire on a service retirement on or after January 1, 2003 to receive additional creditable service for military service prior to enrollment in the retirement system.

The Mayor and Common Council of the City of Milwaukee do ordain as follows:

Part 1: Section 36-04-1-c of the charter is amended to read as follows:

36-04. Creditable Service

1. SERVICE CREDITED. c. The board shall allow one year of creditable service for each 3 years of active military service prior to enrollment in the retirement system to policemen represented by the MPA and firemen represented by Local 215, IAFF, who participate in the combined fund and who retire on a service retirement allowance between January 1, 1998 and December 31, 2002, and policemen represented by the MPSO, general city employees who participate in the combined fund and who retire on a service retirement allowance between January 1, 1999 and December 31, 2002, and non-represented firemen or policemen who participate in the combined fund and who retire on a service retirement allowance between January 1, 2000 and December 31, 2002, and policemen represented by the MPA, firemen represented by Local 215, IAFF, >>nonrepresented firemen<< and general city management and nonrepresented employees, who participate in the combined fund and who retire on a service retirement allowance on or after January 1, 2003. The creditable service awarded under this par. shall not exceed 3 years. To be eligible the member must be honorably discharged from the armed forces of the United States. To be eligible for inclusion in the calculation, a period of active military service must be a period of not less than 90 consecutive days spent in the active service of the armed forces of the United States and meet the requirements of 10 U.S.C. § 101 (d)(1). If a member has accumulated less than 3 years of active military service, the member shall be allowed additional months of service credit on a pro rata basis calculated as the product of the full months of active military service under this par. multiplied by a fraction, the numerator of which is one and the denominator of which is 3. The additional service credit earned under this par. shall be taken into account for purposes of determining the amount of the service retirement allowance, but shall not

be taken into account for any other purpose including, but not limited to determining eligibility for a service retirement allowance under s. 36-05-1-d or f, a deferred retirement allowance under s. 36-05-6-b-2 or 6-d-2, an early retirement allowance under s. 36-05-6-b-3 or 6-c, or eligibility for additional imputed service credit under sub. 4.

Part 2. This is a charter ordinance and shall take effect 60 days after its passage and publication, unless within such 60 days a referendum petition is filed as provided in s. 66.0101(5), Wis. Stats., in which event this ordinance shall not take effect until submitted to a referendum and approved by a majority of the electors voting thereon.

APPROVED AS TO FORM

Legislative Reference Bureau
Date:_____

IT IS OUR OPINION THAT THE ORDINANCE
IS LEGAL AND ENFORCEABLE

Office of the City Attorney
Date:_____

Employee RElations
1128-2003-1076:66198
4/6/2003
1128-2003-1076

LRB03155-1
BJZ/cac
4/7/2003