

IN THE COUNTY LEGISLATURE OF JACKSON COUNTY, MISSOURI

AN ORDINANCE repealing sections 1511. and 1516., Jackson County Code, 1984, relating to the Jackson County Employees' Pension Plan and enacting, in lieu thereof, two new sections relating to the same subject.

ORDINANCE NO. 5185, November 26, 2018

INTRODUCED BY Dennis Waits and Garry Baker, County Legislators

WHEREAS, the Legislature has determined that it is in the best interests of the health, welfare and safety of the citizens of Jackson County that the Jackson County Employees Pension Plan be amended to provide that a rehired member of the Plan may return to active County service after reaching the normal retirement age of 65 without forfeiting his or her right to continue to receive his or her earned pension benefit; now therefore,

BE IT ORDAINED by the County Legislature of Jackson County, Missouri, as follows:

Section A. Enacting Clause. Sections 1511. and 1516., Jackson County Code, 1984, are hereby repealed and two new sections enacted in lieu thereof, to be known as sections 1511. and 1516., to read as follows:

1511. Pension Income, Basic Form.

The basic form of Monthly Pension Income (to which the formula indicated in section 1512 applies) shall be a monthly income commencing on the Member's Disability, Early, Normal or Late Retirement Date or the date specified in section 1530 and continuing for

his lifetime thereafter, with sixty (60) payments guaranteed. The Member must certify at the time of the application for benefits that the Member has a present intent to retire and no intent to return to employment with the County as a full-time Employee. Prior to his Disability, Early, Normal or Late Retirement Date, or the date specified in section 1530, the Member may elect, in a written application provided by the Board of Trustees, Pension Plan Administration Committee, and subject to the Committee's approval, to receive his Monthly Pension Income in one of the alternative forms listed below; provided, however, that in the case of a Disabled Member whose Disability Retirement Date is prior to the date such Disabled Member attains age 55, the Disability Payments provided for in section 1515 shall be paid in the basic form provided for in this section 1511 and shall not be paid in any of the alternative forms specified in subsections 1511.1 and 1511.2. Each of the alternative forms shall be the Actuarial Equivalent of the Monthly Pension Income payable under the basic form and shall commence as of the Member's Disability, Early, Normal, or Late Retirement Date or the date specified in section 1530. Notwithstanding the foregoing provisions of this section 1511, a Disabled Member whose Disability Retirement Date precedes such Disabled Member's attainment of age 55 and who is receiving Disability Payments in the basic form, may elect, not later than 60 days after attaining age 55, in a written application provided by the Pension Plan Administration Committee, and subject to the Committee's approval, to receive his remaining Monthly Pension Income in one of the alternative forms listed below. Such alternative form shall be the Actuarial Equivalent of the Monthly Pension Income then being received by the Disabled Member.

1516. Pension Income, Effect of Reemployment.

1516.1 If a Retired Member is reemployed by the Employer as an Employee as defined in section 1503.28 of this chapter, before his normal retirement age of 65 as provided in section 1503.39(b) of this chapter, his Monthly Pension Income payments shall be suspended during any such period of reemployment. [If a Retired Member is reemployed by the Employer and is not an Employee as defined in section 1503.28, his Monthly Pension Income payments shall be suspended if the Employee receives payments from the Employer equal to the maximum amount allowed for the retention of Social Security benefits for individuals at age 65. The Monthly Pension Income payments will be suspended until the amount of the suspended payments equals the amount of payments received in excess of the amount of Social Security benefits allowed at age 65.] A reemployed Retired Member reemployed before age 65 shall accrue additional benefits during such period of reemployment the same as any rehired Employee.

1516.2 If Retired Member is first reemployed by the Employer as an Employee as defined in section 1503.28 of this chapter, after age 65, then his Monthly Pension Income payments shall not be suspended, and he shall continue to accrue additional benefits during such reemployment in the same manner as any rehired Employee, but his Monthly Pension Income amount will be recalculated each Plan Year in accordance with subsection 1516.3 of this section.

1516.3 The benefit calculation, for a Retired Member who is a rehired Employee as provided in subsection 1516.2 of this section, and who earns additional years of Credited Service, will be based on the Employee's then Attained Age, will include any years of Credited Service earned after the date of reemployment, and will be reduced by the Actuarial Equivalent of any Monthly Pension Income payments made prior to age 65. The amount of such reduction shall be calculated by dividing the amount of the Retired Member's payments prior to age 65 by a factor that corresponds to the Retired Member's Attained Age when payments resume. In no event will the new Monthly Pension Income payment, after recalculation, be less than the prior year's Monthly Pension Income payment.

Effective Date: This ordinance shall be effective immediately upon its signature by the County Executive.

APPROVED AS TO FORM:

[Signature]
Chief Deputy County Counselor

[Signature]
County Counselor

I hereby certify that the attached Ordinance, Ordinance No. 5185 introduced on November 26, 2018, was duly passed on December 3, 2018 by the Jackson County Legislature. The votes thereon were as follows:

Yeas 6

Nays 3

Abstaining 0

Absent 0

This Ordinance is hereby transmitted to the County Executive for his signature.

12.3.18
Date

[Signature]
Mary Jo Spino, Clerk of Legislature

I hereby approve the attached Ordinance No.5185.

Date

RETURNED UNSIGNED BY
COUNTY EXECUTIVE 12/17/18 - 4:15 P.M.

Frank White, County Executive