

IN THE COUNTY LEGISLATURE OF JACKSON COUNTY, MISSOURI

AN ORDINANCE amending subsection 1503.14, Jackson County Code, 1984, relating to the Employees' Pension Plan.

ORDINANCE NO. 5623, May 10, 2022

INTRODUCED BY Crystal Williams, County Legislator

WHEREAS, on April 4, 2005, the Legislature adopted Ordinance 3617 relating to the Employee's Pension Plan ("the Plan") for the purpose of bridging Credited Service for employees who had Breaks in Continuity of Employment prior to October 1, 2004; and

WHEREAS, the Plan's Board of Trustees believes that Ordinance 3617, as written, is susceptible to a misinterpretation whereunder certain employees employed as of October 1, 2004, would be exempt from the effects of Breaks in Continuity of Employment that occur after October 1, 2004; and

WHEREAS, the Plan Board of Trustees recommends a revision to the Plan to clarify the intent of Ordinance 3617; and

WHEREAS, the proposed revision is in the best interest of the health, welfare, and safety of the citizens of Jackson County; now therefore,

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

Section A. Enacting Clause. Section 1503.14 of the Jackson County Code, 1984, is hereby amended to read as follows:

1503.14 Credited Service.

The term "Credited Service" shall mean the number of years and months of employment for which a Member is given credit for the purpose of calculating his Monthly Retirement Income or Spouse Death Benefit under this Plan. As of any date, "Credited Service" shall be equal to the sum of the years and months calculated under subsections (a), (b) and (e) hereof, subject to the provisions of subsections (c) or (d) hereof, if applicable.

1503.14.1 For any period of employment prior to January 1, 1967, three-fourths (3/4) of the number of years and completed months of the Member's continuous employment for the Employer as an Employee from his last date of hire as an Employee to December 31, 1966.

1503.14.2 For any period of employment after December 31, 1966, the number of years and completed months of the Member's continuous employment for the Employer as an Employee from the later of (i) January 1, 1967, and (ii) his last date of hire as an Employee to the date of his termination of employment.

1503.14.3 For the purposes of this Plan the following periods of employment shall be considered "continuous employment" but shall not be recognized as Credited Service:

i. a break in continuity of employment of not more than two (2) years; provided the Employee returns to work for at least twelve (12) months;

ii. any period of employment during which the Employee was not compensated by the Employer, except that any such period during which an employee was absent on approved leave without Compensation while serving on active military duty in Operation Desert Storm, or between September 11, 2001 and December 31, 2006, shall be recognized as Credited Service;

iii. any period of employment excluded pursuant to section 1506 hereof;

iv. any period of employment prior to January 1, 1977, during which the Employee was eligible to participate in the Prior Plan but refused to make the Employee contributions required thereunder;

v. a break in the continuity of employment prior to April 1, 1967, of more than two (2) years; provided:

A. the Employee was employed by the Employer as an Employee on April 1, 1967; and

B. the Employee completes twenty-five (25) years of employment as an Employee by his Normal Retirement Date (including for this purpose any break in the continuity of employment occurring prior to April 1, 1967).

vi. a break in the continuity of employment of more than two (2) years; provided:

A. the reemployed Employee terminated Vested in the plan, or is a Retired Member of the Plan, or had completed fifteen (15) years of service during his prior employment; and,

B. the Employee accrues sufficient Service during his period of reemployment to become Vested in the Plan.

1503.14.4 Notwithstanding any other provision contained in this section, no Member shall receive credit for any period of employment by the Jackson County Law Library, Inc., prior to January 1, 1993.

1503.14.5 Notwithstanding any other provision contained in this section, any Member who is employed on October 1, 2004, and is vested or becomes vested on or after that date shall receive Credited Service for any period of Employment

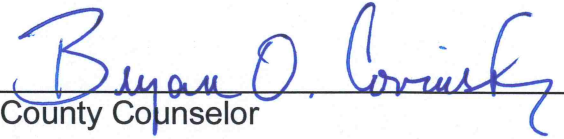
with the Employer that took place prior to October 1, 2004, for which the Member has not previously received Credited Service.

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

APPROVED AS TO FORM:



Chief Deputy County Counselor



County Counselor

I hereby certify that the attached ordinance, Ordinance No. 5623 introduced on May 10, 2022, was duly passed on May 23, 2022 by the Jackson County Legislature. The votes thereon were as follows:

Yeas 8

Nays 0

Abstaining 0

Absent 1

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

5.23.2022

Date



Mary Jo Spino, Clerk of Legislature

I hereby approve the attached Ordinance No. 5623.

5.24.22

Date



Frank White, Jr., County Executive