



EMPLOYEE RELATIONS BULLETIN

Date: June 1, 1987

To: All Management Representatives

Subject: CHANGES IN RETIREMENT PROVISIONS FOR ACTIVE
CITY EMPLOYEES' RETIREMENT SYSTEM (CERS)
MEMBERS AGE 70 OR OLDER

An ordinance (effective June 6, 1987) has been adopted equalizing provisions for members of CERS age 70 or older with provisions for all other members. The ordinance, which complies with recent amendments to the federal "Age Discrimination in Employment Act", changes provisions contained in Charter Section 508.

The ordinance provides that members 70 years of age and older shall be:

- 1) entitled to continue to receive service credit. Previously employees who had completed 15 years of City service ceased receiving service credit upon attainment of age seventy (70). Members previously denied credit will receive it retroactively to their seventieth birthday.
- 2) no longer subject to medical fitness examinations as a condition of continued membership in CERS. (Work fitness examinations, however, may be requested if deemed necessary by appointing authorities in accordance with Civil Service Rule 13.)
- 3) subject to the same length of service requirements as all other members, except, however, a person who became a member prior to the effective date of this ordinance shall be entitled to retire at age seventy (70) or more regardless of length of City service.

Departments are advised to notify employees affected by these changes.

RAM:tm
Attachment

An Ordinance amending Chapter 10 of Division 4 of the Los Angeles Administrative Code by adding a new Section 4.1020.1 thereto.

The new Section 4.1020.1 of the Los Angeles Administrative Code is to create conformance of certain provisions governing the City Employees' Retirement System with the requirements of the federal "Age Discrimination in Employment Act of 1967" as amended in 1986, and will equalize the terms and conditions concerning the retirement of City employees age 70 and older to those governing other members of the City Employees' Retirement System.

THE PEOPLE OF THE CITY OF LOS ANGELES

DO ORDAIN AS FOLLOWS:

Section 1. Section 4.1020.1 is hereby added to Chapter 10 of Division 4 of the Los Angeles Administrative Code, to read:

Sec. 4.1020.1. Service Retirement; Modification of Provisions Governing Members 70 Years of Age or Older

(1) A person who became a member of the City Employees' Retirement System prior to the effective date of this section shall continue to be entitled to retire at age seventy (70) years or more regardless of length of City service. A person who has ceased to be a member but has previously exercised an election to receive a vested right retirement allowance as described in Section 508 B of the City Charter or who continues to have the right to make such an election on account of City service accumulated prior to the effective date of this section, shall be entitled to retirement at age seventy (70) or more regardless of length of City service.

(2) Members who are seventy (70) years of age or older shall be entitled to City service credit the same as other members of the City Employees' Retirement System. Those members age seventy (70) or older who were not previously entitled to receive service credit by virtue of the provisions of paragraph (c) of subsection A of Section 508 of the City Charter, shall be entitled to receive credit for such City service if they are members on the effective date of this section.

(3) Members seventy (70) years of age or older shall not be subject to medical fitness examinations as a condition of membership or continued membership in the City Employees' Retirement System, unless such examinations are uniformly and equally required of all similarly situated members who are employees in a particular civil service class or duty assignment regardless of their age.

Sec. 2. The City Clerk shall certify to the passage of this ordinance and cause the same to be published in some daily newspaper printed and published in the City of Los Angeles.

I hereby certify that the foregoing ordinance was introduced at the meeting of the Council of the City of Los Angeles of MAR 25 1987 and was passed at its meeting of APR 28 1987 by a vote of not less than two-thirds of its members.

Approved MAY 1 1987

ELIAS MARTINEZ, City Clerk

By Edward W. Colson
deputy