

**ARTICLE 142**  
**PENNSYLVANIA MUNICIPAL RETIREMENT SYSTEM**

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**142.01 ESTABLISHMENT OF PMRS**

As of the effective date of this Ordinance, membership in the Officers and Employees Retirement Pension System shall be closed and all officers and employees not members as of that date shall be ineligible for membership. Officers and employees hired on or after the effective date of this Ordinance shall be bound by the provisions of the Pennsylvania Municipal Retirement Law, as set forth hereafter. (12473 §2 8/5/81)

**142.02 BENEFITS**

A. Effective June 18, 1976, the City of Allentown hereby elects to join the Pennsylvania Municipal Retirement System under Article II - Municipal Employees, established by the Pennsylvania Municipal Retirement Law, Act 15, 1974, as amended, and does hereby agree to be bound by all the requirements and provisions of the said Pennsylvania Municipal Retirement Law and the amendments thereto and to assume all obligations, financial and otherwise, placed upon member municipalities by said Pennsylvania Municipal Retirement Law and the amendments thereto.

B. Effective August 26, 1981, the City of Allentown hereby elects to transfer its membership in the Pennsylvania Municipal Retirement System, established by the Pennsylvania Municipal Retirement Law, Act 15, 1974, as amended, from Article II to Article IV under this Act. The City of Allentown does hereby agree to be bound by all the requirements and provisions of the said Pennsylvania Municipal Retirement Law and the amendments thereto and to assume all obligations, financial and otherwise, placed upon member municipalities by said law. The City of Allentown agrees to the outline of benefits set forth in the letter from the Pennsylvania Municipal Retirement Board addressed to the City of Allentown, dated July 15, 1981, upgrading the benefits in the Pennsylvania Municipal Retirement System from Article II to Article IV. The passage and adoption of the amendments to this Ordinance by the City of Allentown is an official acceptance of said benefits. (12473 §2 8/5/81)

C. Effective January 1, 1990, the City of Allentown hereby elects to modify the benefits it provides its members through the Pennsylvania Municipal Retirement System, established by the Pennsylvania Municipal Retirement Law, Act 15, of 1974, as amended, by amending its contract with the System under the provisions of Article IV of the Act.

The City of Allentown does hereby agree to be bound by all the requirements and provisions of the said Pennsylvania Municipal Retirement Law and the amendments thereto and to assume all obligations, financial and otherwise, placed upon member municipalities by said law.

The City of Allentown agrees that the System shall provide the benefits set forth in the agreement between the Board and the City of Allentown, dated November 14, 1989, as amended by Addendum dated May 8, 1990. (12947 §2 12/14/89; 12975 §2 6/20/90).

D. Effective January 1, 1996, the City of Allentown hereby elects to upgrade the benefits it provides its members through the Pennsylvania Municipal Retirement System, established by the Pennsylvania Municipal Retirement Law, Act 15 of 1974, as amended, by amending its contract with the System under the provisions of Article IV of the Act. The City of Allentown agrees that the system shall provide the benefits set forth in the agreement between the Board and the City of Allentown, in accordance with the SEIU contract signed, March 3, 1995. (13394 §1 5/2/96)

E. Effective January 1, 1998, the City of Allentown hereby elects to upgrade the benefits it provides its members through the Pennsylvania Municipal Retirement System, established by the Pennsylvania Municipal

Retirement Law, Act 15 of 1974, as amended, by amending its contract with the System under the provisions of Article IV of the Act. The City of Allentown agrees that the System shall provide the benefits set forth in the agreement between the Board and the City of Allentown, changing the normal retirement age from sixty (60) to fifty-five (55) years of age. (13640 §2 2/5/98)

F. Effective January 1, 2002, when the Pennsylvania Municipal Retirement Board shall notify the City that an award of "Excess Interest", as defined by the Pennsylvania Municipal Retirement Law, has been made to the City's pension plan administered by that Board, the City shall allocate the award to the various accounts maintained within the plan (municipal, active member and retiree reserves) on an equal percentage basis based upon the various account balances as of the date of the award. Within the active member accounts, the award shall be applied on an equal percentage basis to the active member's individual account balance. Within the retiree accounts, the award shall be applied so as to increase the benefit on an equal percentage basis. (14055 §1 10/14/02)

#### **142.03 PAYMENT**

Payment for prior service as set forth in Section (b) hereof shall be made by the City of Allentown in accordance with the Pennsylvania Municipal Retirement Law and may be spread over a period of thirty (30) years if the City of Allentown so elects and with the approval of the Pennsylvania Municipal Retirement Board.

Payment for any obligation established by the adoption of this Ordinance and the agreement between the System and the City of Allentown shall be made by the City in accordance with the Pennsylvania Municipal Retirement Law and Act 205 of 1984, the Municipal Pension Plan Funding Standard and Recovery Act. (12947 §2 12/14/89)

#### **142.04 MEMBERSHIP BY ELECTED OFFICIALS**

Membership in the Pennsylvania Municipal Retirement System for elected officials shall be optional. The election by elected officials to join the system must be made within one (1) year after such officials first enter the service of the City. Employees hired on a temporary or seasonal basis or paid on a per diem or fee basis shall not be eligible for membership in the System. (12947 §2 12/14/89) (Ed Note: Section 204 of the Charter makes Council ineligible for this benefit.)

#### **142.05 ELECTION BY MEMBERS OF OFFICERS' AND EMPLOYEES' RETIREMENT SYSTEM**

Employees who are members of the Officers' and Employees' Retirement System shall have the voluntary option to terminate their membership in the Officers' and Employees' Retirement System and to enter the Pennsylvania Municipal Retirement System. This transfer into the Pennsylvania Municipal Retirement System when elected by any employee is irrevocable, and the employee who transfers membership will have no right to seek reinstatement of membership in the Officers' and Employees' Retirement System in the future. This voluntary option to transfer membership into the Pennsylvania Municipal Retirement System must be exercised no later than January 1, 1982. (12947 §2 12/14/89)

#### **142.06 APPLICATION OF STATE LAW**

The City hereby elects to extend the provisions of Section 209 of the Pennsylvania Municipal Retirement Law, Act 15 of 1974, so that contributors to the Retirement System shall have the options and enjoy the protections set forth in Subsections (b) and (c) of Section 209 of the Pennsylvania Municipal Retirement Law, and Section 209 is hereby incorporated and made a part hereof by reference hereto. (12947 §2 12/14/89)