

No. 160

AN ACT

HB 237

Amending the act of May 28, 1915 (P.L.596, No.259), entitled "An act requiring cities of the second class to establish a pension fund for employes of said cities, and regulating the administration and the payment of such pensions," extending the benefits of the act to employes of credit unions maintained by and for city employes.

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows:

Section 1. Section 10, act of May 28, 1915 (P.L.596, No.259), referred to as the Second Class City Employe Pension Law, amended February 1, 1956 (P.L.990, No.309), is amended to read:

Section 10. The benefits conferred by this act shall apply to all persons employed in any capacity by or holding positions in the cities included in its provisions, which shall include all persons employed in any capacity by or holding position *in a credit union maintained by and for city employes* or in an authority created by said cities, or created by said cities jointly with another political subdivision or other political subdivisions or created by another political subdivision or other political subdivisions and joined by said cities, except where such authority has in effect its own pension or retirement plan, maintained without reference to the provisions of this act, in which case such authority's pension or retirement plan shall be exclusive and such authority's employes shall not be entitled to any rights under this act; and the words "city" or "cities," as used in sections three, four, five, six, seven, eight, ten, eleven, twelve and fourteen of this act shall be construed to mean "*credit union*," "authority" or "authorities" so created where appropriate: Provided, That this act shall not apply to employes of such departments, bureaus, or offices as are now protected by pension authorized by the laws of this State, and in force at the time of the passage of this act, and shall not apply to employes of a joint authority who are members of a pension fund established for the benefit of the employes of a political subdivision other than the city which is a member of the joint authority.

For the purposes of this act the solicitor and all employes of the office of the solicitor for delinquent real estate tax and water rate liens provided for by the act, approved the twenty-sixth day of May, one thousand nine hundred forty-three (Pamphlet Laws six hundred twenty-nine), shall be regarded as persons employed by or holding positions in the cities included in the provisions of this act, to the extent that they may, if they so desire, avail themselves of the benefits of the act

to which this is an amendment by paying to the board of pensions monthly the amount provided for by said act.

Section 2. The act is amended by adding a section to read:

Section 18. Every credit union, the employes of which are members of the pension fund as hereinabove provided for, shall pay to the board of pensions an amount sufficient to reimburse the board of pensions for the amount of benefits paid employes of such credit union as provided for by the act to which this amendment is a part after receiving credit for all contributions made to the pension fund by employes of such credit union: Provided, however, That where an employe of any credit union formerly worked for the city, the annual pension requirement or other benefits shall be prorated on the basis that the number of years such employe worked for the credit union bears to total years of service in city and credit union employment; and the credit union shall reimburse the board of pensions for that proportionate part of the pension or other benefits paid which the credit union service bears to the total; and the balance of annual pension requirements or other benefits shall be paid by such cities.

Every credit union employe shall have the option of joining or refusing to join the pension fund within twelve months after the effective date of this act or within twelve months of the date when the privilege of joining occurs, whichever is later. Any credit union employe shall receive full credit toward his pension under the act for each year of service as the employe of the credit union upon his producing proof satisfactory to the pension board of the number of years of his service as an employe of the credit union and upon his making back payments at the same rate as if he had been a city employe in a lump sum or by installments as may be determined by the board. If the employe is retired under this act before the back payments have been completed, the annuity shall be reduced by an amount equivalent to the unpaid back payments or deduction increases not anticipated.

Section 3. This act shall take effect immediately and shall be retroactive to January 1, 1975.

APPROVED—The 19th day of December, A. D. 1975.

MILTON J. SHAPP