

1 FROM THE OFFICE OF JOSPEH J. CZARNEZKI

2 MILWAUKEE COUNTY CLERK

3 County Ordinance No. 11-13

4 File No. ORD 11-9

5
6 AN ORDINANCE

7 The County Board of Supervisors of the County of Milwaukee does ordain as
8 follows:

9
10 **SECTION 1.** Section 201.24(2.18) of the General Ordinances of Milwaukee County is
11 amended as follows:

12
13 **2.18. Normal retirement age.**

14
15 (1) Except as provided in subsections (2), (3), (4), (5) and (6), normal retirement age for
16 all other members shall be age sixty (60).

17
18 (2) Normal retirement age shall be age fifty-seven (57) for a member who is a deputy
19 sheriffs at the time his employment terminates.

20
21 (3) Normal retirement age shall be age sixty-four (64) for the following members
22 whose initial membership date in the retirement system began on or after January 1,
23 2010:

- 24 (a) a member ~~(a)~~ who is not covered by a collective bargaining agreement
25 and who is not an elected official at the time his employment terminates; or
26 (b) a member who is represented by the International Association of
27 Machinists and Aerospace Workers at the time his employment terminates; or
28 (c) a member who is represented by the Technicians, Engineers and Architects of
29 Milwaukee County at the time his employment terminates; or

30 (d) a member who is represented by the Association of Milwaukee County
31 Attorneys at the time his employment terminates. ~~and (e) whose initial~~
32 ~~membership in the retirement system began on or after January 1, 2010,~~ shall be
33 ~~age sixty-four (64). For all other members, normal retirement age shall be age~~
34 ~~sixty (60).~~
35

36 (4) Normal retirement age shall be age sixty-four (64) for a member who is
37 represented by the American Federation of State, County and Municipal Employees
38 District Council 48 at the time his employment terminates and whose initial membership
39 date is on or after August 1, 2011.

40

41 (5) Normal retirement age shall be age sixty-four (64) for a member who is
42 represented by the Federation of Nurses and Health Professionals or by the Milwaukee
43 Building and Construction Trades Council at the time his employment terminates and
44 whose initial membership date is on or after January 1, 2012.

45

46 **Section 2.** Section 201.24(4.1) of the General Ordinances of Milwaukee County is
47 amended as follows:

48

49 **Section 4.1. Normal retirement.**

50

51 (1) (a) A member shall be eligible for a normal pension if his employment is
52 terminated on or after he has attained age fifty-five (55) and has completed thirty (30)
53 years of service, or if his employment is terminated on or after he has attained normal
54 retirement age as defined in section 2.18. Deputy sheriffs shall be eligible to retire at
55 age fifty-seven (57) regardless of their number of years of service or at age fifty-five (55)
56 with at least fifteen (15) years of creditable pension service.

57 (b) Notwithstanding the provisions of subparagraph (a), a member of the
58 International Association of Machinists and Aerospace Workers whose initial
59 membership date is before January 1, 2012 shall not be eligible for a normal pension
60 until the member has attained normal retirement age as defined in section 2.18 and has
61 completed five (5) years of service.

62 (c) Notwithstanding the provisions of subparagraph (a), a member of the
63 Federation of Nurses and Health Professionals whose initial membership date is before
64 January 1, 2012 shall not be eligible for a normal pension until the member has attained
65 normal retirement age as defined in section 2.18 and has completed five (5) years of
66 service.

67

68 (2) Rule of 75. (a) A member who is not covered by the terms of a collective
69 bargaining agreement at the time his employment is terminated and whose initial
70 membership in the retirement system under section 201.24 began prior to January 1,
71 2006, retires on and after September 1, 1993, shall be eligible for a normal pension
72 when the age of the member when added to his years of service equals seventy-five
73 (75), but this provision shall not apply to any member eligible under section 4.5 nor to

74 any nonrepresented deputy sheriff who was hired as a deputy sheriff after December
75 31, 1993 and whose appointment to a nonrepresented position was first effective after
76 June 30, 2009.

77 (b) A member of the American Federation of State, County and Municipal
78 Employees District Council 48, of the Technicians, Engineers and Architects of
79 Milwaukee County, or of the International Association of Machinists and Aerospace
80 Workers, whose initial membership date is prior to January 1, 1994, shall be eligible for
81 a normal pension when the age of the member when added to his years of service
82 equals seventy-five (75), but this provision shall not apply to any member eligible under
83 section 4.5.

84 (c) A member of the Federation of Nurses and Health Professionals whose initial
85 membership date is prior to January 1, 1997 shall be eligible for a normal pension when
86 the age of the member when added to his years of service equals seventy-five (75), but
87 this provision shall not apply to any member eligible under section 4.5.

88 (d) A member of the Association of Milwaukee County Attorneys whose initial
89 membership date is prior to January 1, 2006 shall be eligible for a normal pension when
90 the age of the member when added to his years of service equals seventy-five (75), but
91 this provision shall not apply to any member eligible under section 4.5.

92 (e) A member of the Milwaukee Building and Construction Trades Council
93 whose initial membership date is prior to February 21, 2006 shall be eligible for a
94 normal pension when the age of the member when added to his years of service equals
95 seventy-five (75), but this provision shall not apply to any member eligible under section
96 4.5.

97

98 **Section 3.** Section 201.24(5.1) of the General Ordinances of Milwaukee County is
99 amended as follows:

100

101 **5.1. Normal pension.**

102 (1) A member, other than a member covered by the terms of a collective bargaining
103 agreement, a deputy sheriff or elected official, whose continuous membership began
104 prior to January 1, 1982 who meets the requirements for a normal pension shall receive
105 an amount equal to two (2) percent of his final average salary multiplied by the number
106 of his years of service rendered prior to January 1, 2010, other than as a member
107 covered by the terms of a collective bargaining agreement, a deputy sheriff or elected
108 official, and shall receive an amount equal to one and six-tenths (1.6) percent of his final
109 average salary multiplied by the number of his years of service rendered on and after
110 January 1, 2010, other than as a member covered by the terms of a collective
111 bargaining agreement, a deputy sheriff or elected official. A member, other than a
112 member covered by the terms of a collective bargaining agreement, a deputy sheriff or

113 elected official, whose continuous membership began after January 1, 1982, who meets
114 the requirements for a normal pension shall receive an amount equal to one and one-
115 half (1 1/2) percent of his final average salary multiplied by the number of his years of
116 service rendered prior to January 1, 2010, other than as a member covered by the
117 terms of a collective bargaining agreement, a deputy sheriff or elected official and shall
118 receive an amount equal to one and six-tenths (1.6) percent of his final average salary
119 multiplied by the number of his years of service rendered on and after January 1, 2010,
120 other than as a member covered by the terms of a collective bargaining agreement, a
121 deputy sheriff or elected official.

122

123 (2) (a) A member covered by the terms of a collective bargaining agreement, other
124 than a deputy sheriff, whose continuous membership began prior to January 1, 1982,
125 who meets the requirements for a normal pension shall receive an amount equal to two
126 (2) percent of his final average salary multiplied by the number of his years of service as
127 a collective bargaining agreement member other than a deputy sheriff.

128 (b) A member covered by the terms of a collective bargaining agreement, other
129 than a deputy sheriff, whose continuous membership began after January 1, 1982 who
130 meets the requirements for a normal pension shall receive an amount equal to one and
131 one-half (1 1/2) percent of his final average salary multiplied by the number of his years
132 of service as a collective bargaining agreement member other than a deputy sheriff.

133 (c) A member shall receive an amount equal to one and six-tenths (1.6) percent
134 of his final average salary multiplied by the number of his years of service, for service as
135 a member represented by AFSCME District Council 48, rendered on or after August 1,
136 2011.

137 (d) A member shall receive an amount equal to one and six-tenths (1.6) percent
138 of his final average salary multiplied by the number of his years of service, for service as
139 a member represented by the Technicians, Engineers and Architects of Milwaukee
140 County or by the International Association of Machinists, rendered on or after May 1,
141 2010.

142 (e) A member shall receive an amount equal to one and six-tenths (1.6) percent
143 of his final average salary multiplied by the number of his years of service, for service as
144 a member represented by the Association of Milwaukee County Attorneys, rendered on
145 or after June 1, 2010.

146 (f) A member shall receive an amount equal to one and six-tenths (1.6) percent
147 of his final average salary multiplied by the number of his years of service, for service as
148 a member represented by the Federation of Nurses and Health Professionals or by the
149 Milwaukee Building and Construction Trades Council, rendered on or after January 1,
150 2012.

151

152 (3) A member who is a deputy sheriff whose continuous membership began prior to
153 July 1, 1995, and who meets the requirements for a normal pension shall receive an

154 amount equal to two and five-tenths (2.5) percent of his final average salary multiplied
155 by the number of his years of service as a deputy sheriff. A member who is a deputy
156 sheriff whose continuous membership began on or after July 1, 1995 and who meets
157 the requirements for a normal pension shall receive an amount equal to two (2) percent
158 of his final average salary multiplied by the number of his years of service as a deputy
159 sheriff. Incumbents of positions of chief investigator or investigator authorized in the
160 office of the district attorney shall receive the same pension benefit as a deputy sheriff.
161 Incumbents of the positions of airport fire chief, assistant airport fire chief, and fire
162 fighter shall receive an amount equal to one and one-half (1 1/2) percent of their final
163 average salary multiplied by the number of years of service for all service in these
164 classifications prior to January 1, 1999, and two (2) percent of their final average salary
165 multiplied by the number of years of service in these classifications for all service after
166 December 31, 1998.

167

168 (4) A member who is an elected official whose continuous membership began prior to
169 January 1, 1982, and who meets the requirements for a normal pension, shall receive
170 an amount equal to two and one-half (2 1/2) percent of his final average salary
171 multiplied by the number of his years of service as an elected official. A member who is
172 an elected official whose continuous membership began after January 1, 1982, and who
173 meets the requirements for a normal pension, shall receive an amount equal to two (2)
174 percent of his final average salary multiplied by the number of his years of service as an
175 elected official. Regardless of when membership began, an elected official shall receive
176 an amount equal to one and six-tenths (1.6) percent of his final average salary
177 multiplied by the number of his years of service rendered on and after October 14, 2010
178 as an elected official.

179

180 (5) If a member has service in more than one (1) of the foregoing job capacities, his
181 pension shall be the sum of the amounts computed by multiplying his final average
182 salary by the product of the foregoing benefit percentage for each such capacity and his
183 service in each such capacity.

184

185 (6) If a member has service in one (1) or more of the foregoing job capacities as well
186 as service as an employe of the state who receives part of his wage or salary from the
187 county, his pension for service shall be equal to two and one-half (2 1/2) percent or two
188 (2) percent respectively of his final average salary paid by the county multiplied by the
189 number of years of service as an elected county or state official and two (2) percent or
190 one and one-half (1 1/2) percent respectively multiplied by the number of years of
191 service other than as an elected official.

192

193 (7) The pension payable to a member under the provisions of this section 5.1 shall not
194 exceed eighty (80) percent of his final average salary increased by the post-retirement
195 pension adjustment percentage in effect for each year of the member's continued
196 employment after having accrued sufficient service to have become subject to the
197 eighty (80) percent maximum percentage.

198

199 **SECTION 4.** Section 201.24(5.15) of the General Ordinances of Milwaukee County is
200 amended as follows:

201

202 Section 5.15. Recruitment and retention incentive effective January 1, 2001.

203

204 The provisions of this section shall apply to all members of the employees' retirement
205 system eligible to accrue pension service credit as of January 1, 2001, who are not
206 represented by a collective bargaining unit and file an application for retirement after
207 January 1, 2001. This section shall supersede any provisions of section 5.1 that may
208 conflict with this section. The provisions of this section shall not apply to any member of
209 the employees' retirement system who filed an application for retirement prior to January
210 1, 2001, which shall be effective on or after January 1, 2001. The provisions of this
211 section shall not apply to members of the employees' retirement system who, as of
212 January 1, 2001, are either eligible for a deferred vested retirement benefit under
213 section 4.5 or are receiving a retirement benefit, unless such members return to a status
214 eligible to accrue additional service credit on or after January 1, 2001. The provisions of
215 this section shall not apply to years of service earned on or after January 1, 2010, by a
216 member who, at the time the service is earned, is not covered by the terms of a
217 collective bargaining agreement, nor shall this section apply to service credit earned on
218 or after October 14, 2010 by a member who, at the time service is earned, is an elected
219 official, nor shall this section apply to service credit earned on or after the effective date
220 of sections 201.24(5.1)(2)(c) through (f).

221

222 (1) If membership in the employees' retirement system initially began on or after
223 January 1, 1982, the following recruitment and retention incentives shall apply:

224

225 (a) Except for a non-represented deputy sheriff whose membership began prior
226 to July 1, 1995, or whose appointment to a non-represented position was first effective
227 after June 30, 2009, and elected officials whose membership began on or after March
228 15, 2002, all pension service credit earned on and after January 1, 2001, shall be
229 credited in an amount equal to an additional 0.5 percent of the member's final average
230 salary. For each year of service credit earned after January 1, 2001, eight (8) years of

231 service credit earned prior to January 1, 2001, shall be credited at an additional 0.5
232 percent of the member's final average salary. The additional service credits under this
233 section 5.15(1)(a) shall not apply to any elected official whose membership began prior
234 to March 15, 2002, if such elected official consents irrevocably in writing filed with the
235 system to waive the right to receive such additional pension service credits.

236

237 (b) An employe shall not be eligible for a deferred vested pension if his/her
238 employment is terminated prior to his/her completion of five (5) years of service.

239

240 (2) Retention incentive bonus. If initial membership in the employees' retirement system
241 began prior to January 1, 1982, or July 1, 1995, for a nonrepresented deputy sheriff
242 whose appointment to a non-represented position was first effective prior to July 1,
243 2009, at the time of retirement, the member shall have their final average salary
244 increased by a bonus of seven and five-tenths (7.5) percent for each year of pension
245 service credit earned after January 1, 2001. The maximum bonus that shall be added to
246 an eligible member's final average salary shall not be more than twenty-five (25)
247 percent. This provision shall not apply to a member of the employees' retirement system
248 who became a member of the system prior to January 1, 1982, and as of January 1,
249 2001, is either eligible for a deferred vested benefit under section 201.24(4.5), or is
250 receiving a pension benefit, unless such member returns to a status whereby the
251 member is eligible to earn additional pension service credit on or after January 1, 2001.
252 The retention incentive bonus under this section 5.15(2) shall not apply to any elected
253 official who is otherwise eligible to receive such bonus if such elected official consents
254 irrevocably in writing filed with the system to waive the right to receive such retention
255 incentive bonus.

256

257 (3) Members who hold positions for which membership in the employees' retirement
258 system is optional and opt for such membership, shall have pension service credit
259 earned after January 1, 2001, credited at two (2) percent. However, such service credit
260 shall not result in a multiplier increase for service credit earned prior to January 1, 2001,
261 nor shall such service credit qualify the member for a retention incentive bonus.

262

263 The provisions of this section shall not apply to a member of the employees' retirement
264 system who is either eligible for a deferred vested benefit under section 201.24(4.5), or
265 is receiving a pension benefit as of January 1, 2001, unless such member returns to
266 active county employment and is eligible to earn additional pension service credit under
267 section 201.24.

268

269 **Section 5.** The provisions of this ordinance shall be effective upon passage and
270 publication.

271

272

273

Adopted by the Milwaukee County Board of Supervisors

274

July 28, 2011