



OPERATIONS ORDER

SUBJECT: SERVICE CREDIT PURCHASED PURSUANT TO CHAPTER 552 OF THE LAWS OF 2000	
DATE ISSUED:	NUMBER:
12-11-02	2-24, c.s.

1. As a result of a settlement of litigation between the Police Unions and the City of New York, the Board of Trustees of the Police Pension Fund (the PPF) has passed a resolution with regard to the purchase of prior service pursuant to Chapter 552 of the Laws of 2000.

2. As per Operations Order 11-2, dated 12/19/01, Chapter 552 of the Laws of 2000 afforded all uniformed members of the Article II Pension Fund, with a minimum of two (2) years of service, to "buy-back" any previous service while employed by the City or State of New York, or any political subdivision. The service was typically rendered prior to becoming a member of any retirement system and it was not required that the service be contiguous to or immediately preceding employment with the NYPD.

3. As a result of this settlement, the following types of prior service, once purchased, shall not only provide a monetary benefit, but shall also be credited as "good time" toward the 20 year service retirement requirement:

- a. Uniformed service of a police department, fire department, corrections department or sanitation department of the City of New York or the State of New York or any agency or political subdivision thereof; or
- b. Service as a peace officer as defined in §2.10 of the Criminal Procedure Law; or
- c. Service performed as a member of the New York State Policemen's and Firemen's Retirement System; or
- d. Service in the title of sheriff, deputy sheriff, marshal, district attorney investigator or other position specified in Appendix A and attached.

4. If the prior retirement service is not service in one of the above categories and therefore, not "allowable" police service, a member may still wish to "purchase" such service because of the additional monetary benefit it may provide.

5. The cost of this benefit for "up front" or "good time" shall be calculated at the member's assigned rate of contribution to the PPF plus 8.25% interest from the date of appointment to the date of calculation. All other time shall be calculated at 75% of the member's current assigned rate of contribution to the PPF plus 8.25% interest from the date of appointment to the date of calculation.

6. It is still the responsibility of the requesting uniformed members of the service to provide the Pension Fund with verifiable salary data and employment record history data from the former agency by which they were employed. In order to acquire this information, the member requesting the credit of this prior service should forward the attached form "Appendix B" to the agency concerned. The agency concerned will then complete the form and forward it directly to the PPF.

7. Upon receipt of the completed verified form from the agency concerned, the PPF will then calculate the cost to the member. Upon notification, the member will have thirty (30) days in

which to make payment. Members do have the option of utilizing funds from the Deferred Compensation (457) Plan to purchase this and any other service without penalty or taxes.

8. Any questions pertaining to the contents of this Order shall be directed to the Police Pension Fund at (212) 693-5100.

9. Commanding Officers shall ensure that the contents of this Order are brought to the attention of the members of their commands.

BY DIRECTION OF THE POLICE COMMISSIONER

DISTRIBUTION

All Commands

OPERATIONS ORDER NO. 2-24, c.s.

APPENDIX A

TITLE CODE

TITLE NAME

66 04800	Assnt Chief Investigations
02 52000	Assnt Chief of Audits & - Investigations
86 02850	Assnt Deputy Dir Parole Operations
92 01298	Assnt Deputy Supt State Police
87 53100	Campus Public Safety Officer 1
78 67000	Campus Safety Specialist
92 00901	Captain Bur of Criminal Investigation - State Police
87 14800	Captain Park Patrol
92 00900	Captain State Police
66 64070	Chief Insur Frauds Investigator
66 04900	Chief Investigations
78 15700	Chief Labor Standards Investigator
02 52600	Chief Of Audits & Investigations
87 55150	Chief Safety & Security Officer 1
87 55250	Chief Safety & Security Officer 2
66 24900	Chief Special Investigator
92 00600	Chief Technical Sergeant State Police
87 00300	Correction Lieutenant
87 00100	Correction Officer
87 00101	Correction Officer Spanish Language
87 00110	Correction Officer Trainee
87 00105	Correction Officer Trainee Spanish Language
87 00200	Correction Sergeant
87 23700	Deputy Supt For Correctional Facility 3
92 01800	Deputy Supt Of State Police
16 11740	Dir Div Law Enforcement
24 15700	Dir Investigations
16 33110	Environmental Conservation Investigator 1
16 33220	Environmental Conservation Investigator 2
16 33330	Environmental Conservation Investigator 3
16 33440	Environmental Conservation Investigator 4
16 16000	Environmental Conservation Officer
16 16010	Environmental Conservation Officer Spanish Lang
16 16001	Environmental Conservation Officer Trainee 1
16 16011	Environmental Conservation Officer Trainee 1 Sp L
16 16002	Environmental Conservation Officer Trainee 2
16 16012	Environmental Conservation Officer Trainee 2 Sp L
86 01100	Facility Parole Officer 1
86 01110	Facility Parole Officer 1 Spanish Language
86 01200	Facility Parole Officer 2

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TITLE CODE

TITLE NAME

86 01115	Facility Parole Officer Trainee 1
86 01210	Facility Parole Officer Trainee 2
87 20600	First Deputy Supt Correctional Facility
92 01400	First Deputy Supt State Police
92 00500	First Sergeant State Police
92 01500	Inspector State Police Group of Classes
03 70200	Insur Field Investigator
66 64000	Insur Frauds Investigator
92 03000	Lieutenant Bur Of Criminal Investigation St Pol
87 14750	Lieutenant Park Patrol
92 00800	Lieutenant State Police
74 42400	Marine Fireman
87 14000	Park Patrol Officer
87 14040	Park Patrol Officer Spanish Language
87 14010	Park Patrol Officer Trainee
87 14011	Park Patrol Officer Trainee Spanish Language
15 01200	Park Ranger
66 84500	Racing & Wagering Investigator
90 21000	Racing Inspector
66 84300	Racing Investigator
66 83500	Racing License Investigator
87 05200	Security Officer
87 05201	Security Officer Spanish Language
87 05100	Security Services Aide
87 31100	Security Services Assnt 1
87 31200	Security Services Assnt 2
87 31300	Security Services Assnt 3
87 14500	Sergeant Park Patrol
92 00300	Sergeant State Police
92 00310	Sergeant Station Commander
92 00000	Trooper State Police
68 20100	Workers Comp Fraud Investigator 1
68 20200	Workers Comp Fraud Investigator 2
92 00350	Zone Sergeant State Police

APPENDIX B

(THIS FORM MAY BE DUPLICATED)

NEW YORK CITY POLICE DEPARTMENT
NEW YORK CITY POLICE PENSION FUND, ARTICLE II
233 BROADWAY, 19TH FLOOR
NEW YORK, NY, 10279

CERTIFICATION OF SERVICE UNDER CHAPTER 552 OF THE LAWS OF 2000

NR

Control Number:

Print Or Type Only

PART A: The following member of the New York City Police Pension Fund has filed to purchase service credit while employed by your agency:

Member's Name: _____ NYPD Tax #: _____
Address: _____ Telephone #: _____
Date of Birth: _____ Social Security Number: _____
Prior Agency: _____ Job Title: _____ From: _____ To: _____

A representative of your agency should complete this form. The requested information is needed to verify the above-mentioned member's employment in conjunction with a request for membership buyback under Chapter 552 of the Laws of 2000. The completed form should be mailed to the Police Pension Fund, 233 Broadway, 19th Floor, New York, New York 10279, Attention: Membership Services. If you have any questions please contact our office at 212-693-5850.

PART B: Please provide all requested information about the above-mentioned member.

Appointment Date: _____ Resignation Date: _____
Agency: _____ Job Title: _____
Retirement System (If applicable) _____

List the annual gross earnings for this service: (If possible, please include a copy of the PERSONNEL RECORD CARD, payroll data, or a copy of supporting documentation).

YEAR	ACTUAL PAY / SALARIES PAID	CONTRACT WAGES	HRS PER WEEK	(WAGES/HRS NEEDED FOR PART TIME EMPL.)		TYPE OF LEAVE
				BREAKS IN SERVICE / LEAVE WITHOUT PAY(S)		
_____	_____	_____	_____	From ____/____/____	To ____/____/____	_____
_____	_____	_____	_____	From ____/____/____	To ____/____/____	_____
_____	_____	_____	_____	From ____/____/____	To ____/____/____	_____
_____	_____	_____	_____	From ____/____/____	To ____/____/____	_____
_____	_____	_____	_____	From ____/____/____	To ____/____/____	_____
_____	_____	_____	_____	From ____/____/____	To ____/____/____	_____

I certify that all of the information presented on this form is accurate.

Name _____ Signature _____ Date _____
Title _____ Agency _____ Phone Number _____

CHAPTER TEXT:

LAWS OF NEW YORK, 2000

CHAPTER 552

(See FISCAL NOTES at end of Chapter.)

AN ACT to amend the retirement and social security law and the education law, in relation to credit for service rendered prior to becoming a member of a retirement system

Became a law October 31, 2000, with the approval of the Governor.

Passed by a majority vote, three-fifths being present.

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

Section 1. Subdivision b of section 446 of the retirement and social security law, as amended by chapter 510 of the laws of 1974 and as relettered by chapter 465 of the laws of 1980, is amended to read as follows:

b. Previous service.

A member of a retirement system who is subject to the provisions of this article shall be eligible to obtain retirement credit for previous service if retirement credit had previously been granted for such service or if such service that would have been creditable in one of the public retirement systems of the state, as defined in subdivision twenty-three of section five hundred one of this chapter, at the time such service was rendered, if the individual had been a member of such retirement system and the member has rendered a minimum of [~~five~~] two years of credited service after July first, nineteen hundred seventy-three; provided, however, retirement credit may be granted for service which predates the date of entry into the retirement system if such service is otherwise creditable and [~~(i) was rendered by an employee during which employment he became a member of the retirement system; or (ii) was rendered by an employee during which employment he was ineligible to join a public retirement system.~~]

§ 2. Subdivision b of section 513 of the retirement and social security law, as added by chapter 890 of the laws of 1976, is amended to read as follows:

b. Previous service. A member shall be eligible to obtain retirement credit hereunder for previous service with a public employer if retirement credit had previously been granted for such service or if such service which would have been creditable in one of the public retirement systems of the state, as defined in subdivision twenty-three of section five hundred one of this article, at the time such service was rendered, if the individual had been a member of such retirement system and the member has rendered a minimum of [~~five~~] two years of credited service after July first, nineteen hundred seventy-six or after last rejoining a public retirement system, if later; provided, however, retirement credit may be granted for service which predates the date of entry into the retirement system if such service is otherwise creditable and [~~(i) was rendered by an employee during which employment he became a member of the retirement system; or (ii) was rendered by an employee of a public~~]

EXPLANATION--Matter in italics is new; matter in brackets [~~-~~] is old law to be omitted.

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employer during which employment he was ineligible to join a public retirement system provided that such public employer was participating in a public retirement system of the state at the time of such employment, or is so participating at the time that credit for such previous service is being sought.

§ 3. Paragraph 1 of subdivision b of section 609 of the retirement and social security law, as added by chapter 414 of the laws of 1983, is amended to read as follows:

1. A member shall be eligible to obtain retirement credit hereunder for previous service with a public employer if retirement credit had previously been granted for such service or if such service which would have been creditable in one of the public retirement systems of the state, as defined in subdivision twenty-three of section five hundred one of this chapter, at the time such service was rendered, if the individual had been a member of such retirement system and the member has rendered a minimum of [~~five~~] two years of credited service after July first, nineteen hundred seventy-six or after last rejoining a public retirement system, if later; provided, however, retirement credit may be granted for service which predates the date of entry into the retirement system if such service is otherwise creditable and the member satisfied the minimum service requirements set forth in this subdivision[~~and~~

~~(a) Was rendered by an employee during which employment he became a member of the retirement system; or~~

~~(b) Was] and was rendered by an employee of a public employer during which employment he was ineligible to join a public retirement system provided that such public employer was participating in a public retirement system of the state at the time of such employment, or is so participating at the time that such credit for such previous service is being sought.~~

§ 4. Paragraph a of subdivision 2 of section 509 of the education law, as amended by chapter 774 of the laws of 1984, is amended to read as follows:

a. Each new entrant shall file a detailed statement of (1) service as a teacher; (2) service in other states, territories, possessions and commonwealths of the United States, which would constitute service as a teacher within the meaning of subdivision four of section five hundred one of this article had it been performed within New York state rendered by him prior to so becoming a member; (3) governmental service in the state of New York where he was a member of the New York state [~~employ-~~
~~ees~~] and local employees' retirement system, and where such service was credited to him in the said New York state [~~employees~~] and local employees' retirement system; (4) service with the New York city corrections department prior to nineteen hundred fifty-six which would constitute service as a teacher within the meaning of subdivision four of section five hundred one of this [~~chapter~~] article had it been performed in the employ of a public school in New York state; (5) such service that would have been creditable in one of the public retirement systems of the state, as defined in subdivision twenty-three of section five hundred one of the retirement and social security law, at the time the service was rendered, had the individual been a member of such retirement system; (6) a statement as to the number of years on account of which he desires to contribute; and [~~46~~] (7) such other facts as the retirement board may require for the proper operation of the system.

§ 5. Subdivision 5 of section 509 of the education law, as amended by chapter 774 of the laws of 1984, is amended to read as follows:

5. After the member has rendered at least two full years of service since he last became a member, upon verification of the statement of service submitted and receipt of any contribution required to be paid by the member pursuant to paragraph a of subdivision eight of this section, the retirement board shall credit the member with the length of such prior service as set forth in (1), (3) ~~and~~, (4) and (5) of paragraph a of subdivision two of this section and the aggregate length of such prior service not to exceed ten years as set forth in (2) of paragraph a of subdivision two of this section provided that in no case shall the number of years of credited service outside the state of New York be more than the number of years of credited service within the state of New York. ~~[In a prior service certificate, issued to a present teacher said teacher shall be credited up to the nearest number of years and months with all services as a teacher prior to August first, nineteen hundred twenty one, and with all service not exceeding ten years in a similar capacity in other states.]~~

§ 6. Subdivision 7 of section 509 of the education law, as amended by chapter 774 of the laws of 1984, is amended to read as follows:

7. The total state service credited a member shall consist of the service as a teacher rendered by him since he last became a member, and any prior service as set forth in (1), (3) ~~and~~, (4) and (5) of paragraph a of subdivision two of this section. The total service credited a member shall consist of the service rendered by him as a teacher since he last became a member and all credited prior service.

§ 7. Paragraph a of subdivision 8 of section 509 of the education law, as amended by chapter 272 of the laws of 1988, is amended to read as follows:

a. Any member of the retirement system who is credited with at least two full years of teaching service rendered in the state since he last became a member may claim such uncredited prior service as set forth in (2), (3) ~~and~~, (4) and (5) of paragraph a of subdivision two of this section, pursuant to subdivision five of this section by paying to the retirement board four per centum of the salaries earned for the years claimed and such uncredited prior service as set forth in (1) of paragraph a of subdivision two of this section by paying to the retirement board the amount he would have been required to contribute at the time such service was rendered, not to exceed four per centum of the salaries earned for the years claimed ~~[, except that such payments shall not be required with respect to any part of such uncredited service rendered before the first day of August, nineteen hundred twenty one, in the case of those members who would be reclassified as "present teachers" as provided in paragraph b, of this subdivision].~~ The amount due, if any, for such service shall be deposited with the retirement board prior to retirement in accordance with the requirements of this article and the regulations of the retirement board. The retirement board, upon verification of the claim and payment made, shall credit such member with such service.

Notwithstanding any other provision of this paragraph, any member who last joined the retirement system prior to July ~~[first]~~ twenty-seventh, nineteen hundred seventy-six and who did not receive credit with the retirement system prior to July first, nineteen hundred eighty-eight for prior service, may obtain credit for prior service pursuant to the provisions of this section or pursuant to the provisions of subdivision b of section four hundred forty-six of the retirement and social security law, whichever is applicable, without making the payments required by this paragraph.

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§ 8. This act shall take effect immediately except that for members of the New York City Employees' Retirement System, (other than an employee of the New York city transit authority who is either (i) subject to the provisions of section 13-161 of the administrative code of the city of New York or (ii) would have been subject to the provisions of section 13-161 of such code had the member joined the retirement system prior to July 1, 1976), the Board of Education Retirement System and the New York City Teachers' Retirement System this act shall take effect on October 1, 2000, provided that the provisions of this act shall not be implemented or otherwise made operative with respect to any member of the New York City Employees' Retirement System, (other than an employee of the New York city transit authority who is either (i) subject to the provisions of section 13-161 of the administrative code of the city of New York or (ii) would have been subject to the provisions of section 13-161 of such code had the member joined the retirement system prior to July 1, 1976), the Board of Education Retirement System or the New York City Teachers' Retirement System who is represented for collective bargaining purposes by an employee organization, until the Board of Trustees of such retirement system makes an irrevocable election or elections to make operative the provisions of this act to such members of the retirement system and provided, further, that the amendments to sections 513 and 609 of the retirement and social security law, made by sections two and three respectively of this act shall not affect the expiration provided for in articles 14 and 15 of the retirement and social security law and shall expire and be deemed repealed therewith.

FISCAL NOTE.--Pursuant to Legislative Law, Section 50: This bill amends subdivision b of section 446, subdivision b of section 513, paragraph 1 of subdivision b of section 609 of the Retirement and Social Security Law and paragraph a of subdivision 2 of section 509 of the Education Law to allow members of a public retirement system to receive credit for service that would have been creditable in one of the public retirement systems of the state if the individual had been a member at the time the service was rendered. In order to obtain the credit, the member must have rendered at least two years of service since last joining the System. Currently a member must render five years of service before such previous service can be credited.

It is not possible to determine the total annual cost to the employers of members of the New York State Teachers' Retirement System since the total amount of service credit under this bill cannot be estimated. However, the cost to the employers of members of the New York State Teachers' Retirement system is estimated to be \$14,600 per year of service credit for Tier 1 and 2 members and \$13,200 per year of service credited for Tier 3 and 4 members if this bill is enacted.

The source of this estimate is Fiscal Note 2000-33 dated November 19, 1999 prepared by the Actuary of New York State Teachers' Retirement System and is intended for use only during the 2000 Legislative Session.

If this bill is enacted, we estimate that for members of the New York State and Local Employees' Retirement System, the total past service cost for approximately 85,000 anticipated affected members will be \$330 million. This cost will be shared by the State of New York and all participating employers in the New York State and Local Employees' Retirement System. The eventual annual increase in contributions for this past service cost could be approximately \$33 million. Due to significant investment gains, we do not expect the enactment of this

single measure to affect employer contributions during the near term. We estimate that for members of the New York State and Local Police and Fire Retirement System, there will be few members affected generating negligible additional costs to employers in the New York State and Local Police and Fire Retirement System.

This estimate, dated December 13, 1999 and intended for use only during the 2000 Legislative Session, is Fiscal Note 2000-26 prepared by the Actuary for the New York State and Local Employees' Retirement System and the New York State and Local Police and Fire Retirement System.

FISCAL NOTE.--Pursuant to Legislative Law, Section 50:

This is a fiscal note for a bill entitled "AN ACT to amend the retirement and social security law and the education law, in relation to credit for service rendered prior to becoming a member of a retirement system." This bill would allow members of a public retirement system to receive credit for service that would have been creditable in one of the other public retirement systems of the state if the individual had been a member at the time the service was rendered. The bill would also change the period of service which a member must render to be eligible to receive service credit for previous service with a public retirement system from five years to two years.

If this bill were to be enacted in the 2000 Legislative Session, the cost to the City in fiscal year 2000-01 would be approximately \$20 million, and would remain constant as a percent of payroll. This cost may be apportioned by retirement system as follows:

<u>System</u>	<u>Annual Cost</u>
NYCERS	\$13 million
TRS	6
BERS	1
Police	negligible
Fire	<u>negligible</u>
Total	\$20 million

This estimate, dated January 7, 2000, was prepared by Jonathan Schwartz, consulting actuary.

The Legislature of the STATE OF NEW YORK ss:

Pursuant to the authority vested in us by section 70-b of the Public Officers Law, we hereby jointly certify that this slip copy of this session law was printed under our direction and, in accordance with such section, is entitled to be read into evidence.

JOSEPH L. BRUNO
Temporary President of the Senate

SHELDON SILVER
Speaker of the Assembly



DEFERRED COMPENSATION PLAN 457 PLAN IN-SERVICE DISTRIBUTION FORM PURCHASE OF PERMISSIVE SERVICE CREDITS

40 Rector Street, 3rd Floor New York, N.Y. 10006

Please Print - Black Ink Preferred

(212) 306-7760 TTY (212) 306-7707 (888) DCP-3113 (Outside NYC) nyc.gov/deferredcomp

I. PARTICIPANT INFORMATION

Participant's Social Security Number	Date of Birth (MM/DD/YY)	Home Telephone No. (Area Code)	Work Telephone No. (Area Code)
<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>

Last Name	First Name	MI
<input type="text"/>	<input type="text"/>	<input type="text"/>

Home Mailing Address - Number and Street	Apt. No.
<input type="text"/>	<input type="text"/>

City	State	Zip Code
<input type="text"/>	<input type="text"/>	<input type="text"/>

Agency Name (Not Division):

II. RETIREMENT SYSTEM INFORMATION

NYCERS
 NYPD
 FDNY
 BERS
 TRS
 Other:

Your Retirement System Membership/Registration Number:

If you specified Other above, please complete the following:

New York City Police Pension Fund
233 Broadway
19th Floor
New York, New York 10279

Retirement System Address:

III. PAYMENT

I wish to transfer the following dollar amount from my 457 Deferred Compensation Plan to my retirement system for the purpose of purchasing retirement service credit: \$

IV. AUTHORIZATION AND SIGNATURE

I authorize the City of New York Deferred Compensation Plan to transfer the funds from my 457 Plan noted above to the indicated retirement system for the purchase of prior service credit. I understand that payment will be made directly to my retirement system and not to me and that the money will be taken proportionately from my investments. I further understand that I have directed the City of New York and its recordkeeper, FASCorp, to act on my request to withdraw money from my Deferred Compensation Plan account and neither the City of New York nor FASCorp will be liable for any loss due to market fluctuations while implementing such request.

Signature: Date:

Please note: This form and the retirement system buyback statement must be received by the Plan's Administrative Office at least **15** days prior to the payment due date to provide sufficient processing time. Return form and copy of the buyback statement from your pension system to:

Deferred Compensation Plan
 Bowling Green Station, P.O. Box 93
 New York, NY 10274-0093

DO NOT WRITE IN THIS BOX - OFFICE USE ONLY				
LUMP SUM EVENT NUMBER	DATE PROCESSED	PROCESSED BY	DATE AUTHORIZED	AUTHORIZED BY
<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>