

TEMPORARY RESOLUTION NO. 174-11

PERMANENT RESOLUTION NO. 172-11

A RESOLUTION THAT THE CITY OF LANCASTER WILL PICK UP THE STATUTORILY REQUIRED CONTRIBUTION TO THE OHIO PUBLIC EMPLOYEES RETIREMENT SYSTEM FOR THE EMPLOYEES WHO ARE NOT MEMBERS OF THE RECOGNIZED BARGAINING UNITS; EMPLOYEES OF THE MANAGEMENT AND PROFESSIONAL PERSONNEL, ATTORNEYS IN THE LAW DIRECTOR'S OFFICE; AND THE INFORMATION TECHNOLOGY ADMINISTRATOR, OFFICE OF THE CLERK OF COURT ALL EMPLOYED BY THE CITY OF LANCASTER, OHIO PURSUANT TO IRS SECTION 414(h)(2) FOR THE SALARY-REDUCTION PICK-UP PLAN

WHEREAS, pursuant to federal and Ohio laws, the federal and state income taxes on a portion of the wages or salaries of the employees of the City of Lancaster will be deferred if City of Lancaster "picks up" (assumes and pays) the contributions statutorily required by such elected officials and covered employees to Ohio Public Employees Retirement System (OPERS); and

WHEREAS, the City of Lancaster will not incur any additional costs in the picking up of such contributions.

NOW THEREFORE BE IT RESOLVED BY CITY OF LANCASTER OHIO, THAT:

SECTION 1: Effective January 1, 2012 the full amount of the statutorily required employee contributions to OPERS shall be withheld from the gross pay of each person within any of the classes established in Section 2 herein and shall be "picked up" (assumed and paid to OPERS) by the City of Lancaster. This "pick up" by the City of Lancaster shall be designated as public employee contributions and shall be in lieu of contributions to OPERS by each person within any of the classes established in Section 2 herein. No person subject to this "pick up" shall have the option of choosing to receive the statutorily required contribution to OPERS directly instead of having it "picked up" by City of Lancaster or of being excluded from the "pick up". The City of Lancaster shall, in reporting and making remittance to OPERS, report that the public employees contribution for each person subject to this "pick up" has been made as provided by the statute. Therefore, contributions, although designated as employee contributions, are employer-paid, and employees do not have the option to receive the contributions directly. All contributions are paid by the employer directly to the plan.

SECTION 2: The "pick up" by the City of Lancaster provided by this ordinance shall apply to all persons that are employees existing or current of the Employees Who Are Not Members of the Recognized Bargaining Units; Employees of the Management and Professional Personnel; Attorneys in the Law Director's Office, and the Information Technology Administrator, Office of the Clerk of Court (see attached Lancaster, Ohio City Ordinance - Permanent Ordinances 24-11; 25-11; 26-11; 27-11; + 30-11 for detailed positions) who are or become contributing members of OPERS.

SECTION 3: The City of Lancaster's method of payment of salary to employees who are participants in OPERS in hereby modified as follows, in order to provide for a salary reduction pick up of employee contributions to OPERS.

SECTION 4: The total salary for each employee shall be the salary otherwise payable under the City of Lancaster policies. Such total salary of each employee shall be payable by the City of Lancaster.

SECTION 5: That this resolution shall take effect and be in force from and after the earliest period allowed by law.

Passed: 12/12/2011 after 2nd reading. Vote: Yeas 9 Nays 0

Date Approved: 12/12/2011

Clerk: Jerena Lee Sandy

Harold O'Carroll
President of Council

Offered by: Tom Stok

Don White
Mayor

Second by: Randy Spencer

Requested by Finance Committee