

BEFORE THE BOARD OF COUNTY COMMISSIONERS FOR

MULTNOMAH COUNTY, OREGON

ORDINANCE NO. 27

An Ordinance providing for voluntary early retirement and a joint and survivor annuity option for persons in the service of Multnomah County, and amending Article III and Article VIII of Multnomah County Ordinance No. 12.

Multnomah County ordains as follows:

Section 1. Article III of Multnomah County Ordinance No. 12 be and the same is hereby amended to read as follows:

ARTICLE III. RETIREMENT.

Section (1) Retirement If Incapacitated. The board of county commissioners shall retire from active service such old and infirm employes who by reason of long and faithful service if not less than 15 years continuous service are, in the judgment of the retirement board, incapacitated for further service.

Section (2) Compulsory Retirement; Compulsory Retirement Age; Continuation in Service; Eligibility; Withdrawal of Contribution.

(a) Any employe who has attained the age of 65 years shall be retired effective the first day of the month following his 65th birthday unless the employe shall request that he be continued in service and his continuation in service is approved by his appointing power.

(b) The request for continuation in service shall be made by the employe at least 30 days and not more than 45 days before his effective date of retirement in writing to his appointing power. If the request is approved, the employe shall be so notified in writing by the appointing power.

(c) The continuation of service under subsection (2) of this section shall be for a period of one year only and

for each additional year a new request must be made and approved. No employee shall be continued in service after he has attained the age of 72 years.

(d) Any person who, on January 1, 1966, is employed by the county and will not by reason of age, length of county service or insufficient years of continuous service be eligible to receive any benefits from the retirement system on his retirement, may at any time apply for and receive out of the employees' retirement fund the actual amount of his contribution without interest and shall not thereafter be required to contribute to the retirement fund.

(e) Any person who on December 31, 1963, was employed by the county and was participating in the retirement system existing at the time and who was compelled to retire on that date by reason of having attained the age of 65 years and who had not withdrawn his contributions to the retirement fund and who at the time of retirement had not less than 14 years of continuous service with the county, shall be paid from the retirement fund for the rest of his life such monthly sums as he would have received at the time of his retirement had he then completed 15 years of continuous service with the county. If any person as defined in this subsection shall require additional employment credits for maximum social security benefits, he shall be continued in employment for sufficient time to earn such benefits.

### Section (3) Voluntary early retirement.

(a) Any person in the county service who has attained the age of 55, with not less than 15 years of continuous service with the county, shall have the option to elect to voluntarily retire from the county service any time after the first day of the month following his 55th birthday.

(b) Application for early retirement under the provisions of subsection (a) of this section will be submitted to the Retirement Board at least thirty (30) days and not more than forty-five (45) days before the desired effective date of retirement.

Section 2. Article VIII of Multnomah County Ordinance No. 12 be and the same is hereby amended to read as follows:

Article VIII. AMOUNT OF RETIREMENT PAY.

Section (1). Any employee who retires under Article III, and who has completed at least 15 years of continuous employment by the county shall be paid from the retirement fund for the rest of his life a monthly sum equal to one and one-half percent of his average gross monthly salary paid by the county during the 60 months immediately preceding his retirement multiplied by the total number of calendar years of continuous employment by the county.

Section (2). As used in subsection (1) of this section, "years of continuous employment" means successive periods of 12 months duration during which the employee has been required to render service to the county not less than 35 hours per week, exclusive of vacation, sick leave and bona fide leave of absence, and except as provided in subsection (2) of Article XI.

Section (3). The provisions of subsection (1) of this section shall apply to any employee retiring after January 1, 1966, and nothing in this section shall affect in any way the person who has retired prior to that date.

Section (4). No person retiring after January 1, 1966, who is eligible for payment under subsection (1) of this section shall be paid less than \$65 per month plus \$3.50 per month for each year of continuous service in excess of 15 years.

Section (5). Any employee who elects voluntary retirement under Article III, Section (3), and who has completed at least 15 years of continuous service with the county shall be paid from the retirement fund for the rest of his life a monthly sum equal to one and one-half percent of his average gross monthly salary paid by the county during the 60 months immediately preceding his retirement, multiplied by the total number of years and monthly fraction thereof of continuous service with the county, multiplied by the early equivalent age factor set forth in the following table.

PERCENTAGE OF RETIREMENT EARNED - NORMAL RETIREMENT AGE 65

Month of Age Past Age Last Birthday	55	56	57	58	59	60	61	62	63	64
0	.4648	.4975	.5334	.5728	.6162	.6642	.7175	.7764	.8428	.9167
1	.4675	.5004	.5367	.5764	.6202	.6687	.7224	.7821	.8489	.9237
2	.4702	.5035	.5399	.5800	.6232	.6731	.7273	.7876	.8551	.9306
3	.4730	.5064	.5433	.5837	.6282	.6775	.7323	.7932	.8612	.9375
4	.4757	.5095	.5465	.5873	.6322	.6820	.7372	.7987	.8674	.9445
5	.4784	.5124	.5498	.5909	.6363	.6864	.7422	.8042	.8736	.9514
6	.4811	.5139	.5531	.5945	.6402	.6908	.7471	.8097	.8798	.9583
7	.4838	.5184	.5564	.5981	.6442	.6953	.7520	.8152	.8859	.9653
8	.4879	.5214	.5597	.6018	.6483	.6998	.7569	.8206	.8921	.9722
9	.4893	.5244	.5630	.6054	.6522	.7042	.7619	.8262	.8982	.9791
10	.4920	.5274	.5662	.6090	.6562	.7086	.7668	.8317	.9044	.9861
11	.4947	.5304	.5695	.6126	.6603	.7130	.7717	.8372	.9118	.9930

Section (6). In lieu of the retirement benefits otherwise payable under this Ordinance, prior to his retirement an employee may elect the actuarial equivalent in the form of a smaller monthly benefit with the provisions that upon his death, after monthly payments have begun, all or one-half of this small benefit may be continued for the life of any person designated by him as a joint annuitant.

(a). An employee who elects to exercise this right of option as set forth in this section must specify the name of the person who is to be joint annuitant and the portion of his retirement benefit (all or one-half) to be continued to the joint annuitant. At the time of election, the employee must furnish proof of the age of the joint annuitant and any additional information required by the Retirement Board. The Retirement Board may require evidence of the good health of the employee, but no such evidence of good health will be required if this option is elected more than two years prior to the employee's retirement date. An employee whose retirement date is prior to July 1, 1970, may elect this option without evidence of good health.

(b). Except as otherwise provided in this section, neither the designated joint annuitant nor the portion of the retirement benefit payable to the joint annuitant may be changed, nor may the election of the option be cancelled without the consent of the Retirement Board unless the request for such change or cancellation is made at least two years prior to the employee's retirement date. Consideration will be given to a request for a change or cancellation of this option within two years of the employee's retirement date only when the joint annuitant furnishes evidence of good health satisfactory to the Retirement Board, and any determination by the Retirement Board on such requests shall be final.

(c). The consent of the designated joint annuitant will not be required where any such change or cancellation as provided in (b). of this section is made.

(d). If either the employee or the joint annuitant dies before the employee's retirement, the election of the option will be automatically cancelled. If the joint annuitant dies before the employee's retirement, the employee, upon retirement, will receive the full retirement benefit; or he may, subject to the conditions of this section, choose another joint annuitant.

(e). If the joint annuitant dies after the employee's retirement date, the employee's benefits will continue in the same amount as was payable prior to the joint annuitant's death.

Section 3. This Ordinance being necessary for the immediate preservation of the public peace, health and safety, an emergency is declared to exist and this Ordinance shall take effect upon its passage.

Date of Passage: September 25, 1969 .

BOARD OF COUNTY COMMISSIONERS  
MULTNOMAH COUNTY, OREGON

By W. James Healey  
Chairman  
By W. C. Roberts  
Commissioner  
By Don Egan  
Commissioner  
By Wm. C. Clark  
Commissioner  
By W. C. Clark  
Commissioner

APPROVED AS TO FORM:

GEORGE VAN HOOMISSEN  
District Attorney for  
Multnomah County, Oregon

By Willis A. West  
Willis A. West  
Chief Civil Deputy