

CITY OF YOUNGSTOWN
EARLY RETIREMENT INCENTIVE PLAN #3361-AA
EMPLOYEE DOCUMENT PACKET

- OPERS Employee and Employer's Agreement (Form F-111c) – you may make copies of this form if necessary
 - OPERS Retirement Eligibility Requirements
 - City of Youngstown Retirement Incentive Plan
1. You need to call OPERS at 1-800-222-7377 and ask them to send you a retirement packet. This packet will serve as a guide to help you through the steps required to begin receiving your retirement benefit.
 2. Fill out the "Employee and Employer's Agreement" (Form F-111c) and then return it to the Finance Department along with your proof of birth. Please be sure that the proof of birth complies with OPERS requirements. In the event of a change of name, you must submit supporting documentation, such as a marriage certificate or court order, which shows the change.
 3. The City will complete their portion of Form F-111c and forward it to OPERS (along with your proof of birth and name change) for processing. If you have questions regarding this form, feel free to call Jeanne at Ext 8805.
 4. If the benefit effective date or the date of payment is changed after this Agreement is filed with OPERS, then a new Agreement must be submitted, unless public service has terminated.

PLEASE NOTE THE FOLLOWING:

To participate in the ERI Plan, you must be eligible to retire by November 30, 2012. You must meet the age and service credit requirements with the additional credit provided by the ERI plan. Please review the OPERS Eligibility Requirements attached.

The latest benefit effective date for our participating employees who are eligible to retire by November 30, 2012 will be February 1, 2013 (Retirement effective date).

The employee "effective date of retirement" must be the *first day* of a month, and you must not receive compensation for public service *on or after* that date.

Disability retirements do not qualify for the Early Retirement Incentive Plan (ERI Plan).

The Application for Retirement (Form SR-1 included in the OPERS packet) should be submitted at least 60 days before you stop working, assuming you have attained age and or / service eligibility on that date.

The Employee and Employer's Agreement (Form F-111c) for the ERI Plan should be submitted to the Finance Department, 3rd floor, City Hall no later than 45 days before your benefit effective date or the termination date of our plan (City of Youngstown plan termination date is 11/30/12). The City will submit the form to OPERS on your behalf.

Any questions related to the OPERS packet of forms and information should be directed to OPERS at their toll free number 1-800-222-7377. Finance Department personnel are not qualified to answer specific questions regarding your retirement.

D. EMPLOYEE ELIGIBILITY

Employees eligible to participate in a plan are those who are contributing members of OPERS as of the date the retirement incentive plan goes into effect and who qualify to retire or, under the plan, will qualify to retire with an age and service retirement benefit due to the additional service credit purchased for them under the plan. Total service credit with OPERS will be used in determining seniority for participation, unless the employer establishes a plan which is offered to 100% of its employees.

Not eligible to participate in a plan are individuals in elective positions; members of boards or commissions; those elected to serve a term of fixed length; those appointed to serve a term of fixed length, other than a person appointed and employed by the employing unit; and OPERS members retiring under the law enforcement provisions of Chapter 145, Ohio Revised Code. Also, employees retiring with a disability retirement benefit are not eligible to participate in an ERI plan.

Seniority for eligibility in a plan is determined by total service credited to the employee by OPERS, which included service credit earned from service covered by the State Teachers Retirement System and the School Employees Retirement System. Employers may obtain service credit information from OPERS, but only after submitting written authorization to do so from its employees.

Adoption of an ERI plan does not affect any other provision of Chapter 145, Ohio Revised Code. A participating employee must still meet the age and service credit requirements with the additional credit provided by the plan, and file an Application for Retirement (form SR-1) along with any other necessary documentation required by the retirement system.



Ohio Public Employees Retirement System

277 East Town Street, Columbus, Ohio 43215-4642
1-888-400-0965 www.opers.org



Early Retirement Incentive Plan Employee and Employer's Agreement

- Submit this Agreement to OPERS no later than 45 days before the employee's effective benefit date or the termination date of the plan, whichever is earlier, to avoid processing delays and late payment to OPERS.
- If any of the dates in Section 3 - ERI Plan Information change after this Agreement is filed with OPERS, a new Agreement must be submitted. If you have already been billed, the cost may change. OPERS will send you a revised cost, if applicable.

Section 1 - Employee Information

Social Security Number

Date of Birth
Month Day Year

First Name MI Last Name

Street or Mailing Address Apt. Number

City State ZIP Code

Home Phone Number Work Phone Number Cell Phone Number

E-mail Address

Is the employee also a member of State Teachers Retirement System? Yes No

Is the employee also a member of School Employees Retirement System? Yes No

Section 2 - Employer Information

Employing Unit Employer Code

CITY OF YOUNGSTOWN 3361-AA

Subordinate Employing Unit (if applicable)

Fiscal Officer Reporting to OPERS First Name MI Last Name

DAVID BOZANICH

Title

FINANCE DIRECTOR

Work Phone Number Extension Fax Number

3307428944 3307447460

E-mail Address

KMIASEK@CITYOFOFYOUNGSTOWNOH.COM

Section 3 - ERI Plan Information

Employee's last day of employment

Month	Day	Year

This date must be the last day for which compensation was paid to the employee.

Payment to be made either in one payment or by a first installment on

Month	Day	Year

This date must be the last day of the month before the employee's benefit effective date or the termination date of the plan, whichever is earlier.

Employee's effective benefit date

Month	Day	Year

This date must be the first day of a month and the employee must not receive compensation for service on or after this date.

The maximum amount of service purchasable for each eligible employee is

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 years

Section 4 - Employee and Employer's Agreement

The undersigned agree that the employee listed in Section 1 of this Agreement is eligible to retire with an age and service retirement benefit from OPERS, or will qualify to retire with the purchase of service credit under the retirement incentive plan adopted per Section 145.297 or 145.298, Ohio Revised Code.

Further, it is agreed that the employer will make payment and the employee will retire on the specified dates as indicated in Section 3.

The employee understands that if he/she dies prior to his/her effective benefit date, then this Agreement is cancelled. The employee authorizes release of necessary account information by OPERS to the employer in connection with the retirement incentive plan.

The employer requests certification of the total cost of purchasing service credit for the above-named employee under its retirement incentive plan which provides for a maximum amount of service purchasable as indicated in Section 3. By signing this Agreement, the employer accepts liability for the service credit to be purchased and the employee agrees to retire.

Employee
Signature _____

Do not print or type name

Today's Date
Month Day Year

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Fiscal Officer Reporting to OPERS
Signature _____

Do not print or type name

Today's Date
Month Day Year

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Subordinate
Signature
(if applicable) _____

Do not print or type name

Today's Date
Month Day Year

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CITY OF YOUNGSTOWN RETIREMENT INCENTIVE PLAN

1. **Plan Name.** The name of the Plan shall be the Retirement Incentive Plan of the City of Youngstown hereinafter referred to as the Plan.
2. **Enabling Resolution and Governing Law.** The Plan is based on the provisions of Section 145.297, O.R.C. and Administrative Rule 145-2-42.
3. **Plan Period.** The Plan shall begin on December 1, 2011 and terminate on November 30, 2012.
4. **Terms.**
 - A. The Plan shall be the only retirement incentive plan in effect for eligible civilian employees of the City of Youngstown.
 - B. Participation in the Plan shall be available to one hundred (100%) of civilian employees of the City of Youngstown who are members of OPERS on December 1, 2011.
 - C. Pursuant to the terms of the Plan, service credit for each participating employee shall be purchased by the City of Youngstown in an amount equal to the lesser of the following:
 - i. Two (2) years of service credit, or,
 - ii. An amount of service credit equal to 1/5 of the total service of record credited to the participating employee in the Ohio Public Employees Retirement System, exclusive of the service credit purchased under this Plan.
5. **Eligibility Requirements.** Any employee of the City of Youngstown eligible to participate in the Plan shall meet the following criteria:
 - A. The employee is or will be eligible to retire under Section 145.32, 145.34, 145.37, or 145.33(A), O.R.C., on or before the date of termination of the Plan. Service credit to be purchased for the employee under the Plan shall be included in making this determination for eligibility.
 - B. The employee agrees to retire under Section 145.32, 145.34, 145.37 or 145.33 (A), O.R.C., within ninety (90) days after receiving notice from the Ohio Public Employees Retirement System that service credit has been purchased for the employee pursuant to the Plan.
6. **Notice.** The Plan shall be in effect for a minimum of one (1) year. All employees and the Ohio Public Employees Retirement System will receive written notice thirty (30) days in advance of the proposed termination date of the Plan.
7. **Grievance Procedure.** All grievances which may arise out of the interpretation or application of this Plan shall be resolved pursuant to the following:
 - A. **Definitions:** A grievance may be started by the employee at Step One. Grievances must be started within fourteen (14) days following the occurrence that initiated the dispute. Saturdays, Sundays and holidays are to be included as part of the fourteen days. However, when the 14th day falls on a Saturday, Sunday or holiday, the employee has until the next regular work day to file the grievance.
 - B. **Step 1:** An employee who has a dispute under the Plan may elect to discuss the matter with the Finance Director or his designee within three (3) days after the occurrence initiating the dispute. If such discussion takes place, the Finance Director or his designee

shall have three (3) days to respond to the employee from the date the discussion takes place.

- C. Step 2: If the employee is not satisfied by the response of the Finance Director or his designee, the employee shall submit the grievance in writing to the Mayor's Designee, the Law Department, within fourteen (14) days of the date of the occurrence initiating the dispute. This grievance must be specific about the nature of grievance, remedies pursued; remedy sought, and must be signed and dated by the employee and received by the Law Department. The Law Department shall have ten (10) days from receipt to arrange a meeting if necessary and shall have no more than five (5) days to answer in writing from the date of the meeting, if necessary.
- D. Step 3: If the employee is not satisfied by the answer of the Law Department, within ten (10) days from the date of receipt of the answer, the employee must request of the Law Department that it submit the dispute to the American Arbitration Association for arbitration under the American Arbitration Association rules. This request must be in writing and must be signed and dated by the employee and received in writing by the Law Department. The Law Department shall have fourteen (14) days from receipt of the request to transmit it to the American Arbitration Association for further processing.
- E. Arbitration: Arbitration under the Plan is by American Arbitration Association rules. The Law Department and employee will be directly contacted for all instructions. All arbitrations shall be held at City Hall. The employee is entitled to representation of counsel in all steps including arbitration at the employee's sole cost and expense.
- The arbitrator shall attempt to conduct a hearing on the grievance within sixty (60) days from selection. If the question of arbitrability is raised, it shall be dealt with first by the arbitrator. The arbitrator shall have thirty (30) days from conclusion of the hearing to submit his/her written decision to the parties. Said decision is final and binding on the parties.
- F. Costs: All costs of representation and/or witnesses shall be borne by the party initiating the expense. Arbitration fees, except for the initial fee to be paid by both parties, are at the expense of the loser of the arbitration except as above noted.
- G. Time Limits: If the grievant fails to properly advance his/her dispute at any step within the time limits as set above, the grievance will automatically be considered to have died and the matter will be resolved in the City's favor. Grievances resolved because of employee forfeiture shall not serve as precedence.