

ARTICLE 5.6: RETIREMENT

SECTION 5.6.1: RETIREMENT CONTRIBUTION. The County shall adopt the employee contribution rates set as recommended by the Board of Retirement within ninety (90) days after the beginning of the immediately succeeding fiscal year from the date the recommendation is made. Each employee shall pay, via payroll deduction, the amount prescribed by the rate established for each employee's contribution for the appropriate General or Safety benefit Tier into the appropriate fund in accordance with the rules and regulations governing such employee contributions.

(Amended 09/29/17, Ord. No. 10495)

- (a) Contribution Rates. The County shall adopt the County contribution rates, including those not integrated with Social Security, as recommended each year by the Board of Retirement as set forth in a letter to the Board of Supervisors from the Deputy Chief Administrative Officer/Chief Financial Officer.

(Amended 07/01/19, Ord. No. 10609)

- (1) The County shall pay the rate prescribed for employer contributions into the General or Safety Retirement Fund in accordance with the law and the rules and regulations governing such employer contributions.
- (2) In the event that the employee's rate is less than the prescribed amount below, the employee shall not be credited with the difference.
- (3) The Board of Supervisors shall adopt the employee retirement contribution rates recommended by the Retirement Board within ninety (90) days after the beginning of the immediately succeeding fiscal year from the date the recommendation is made.
 - (a) Annual Actuarial Reviews. The employer and employee contribution rates are subject to annual San Diego County Employees Retirement Association actuarial reviews and establishment of rates.
 - (b) Tier I. Retirement benefits for employees hired on or prior to September 30, 1978, shall be those established for Tier I of the General Retirement Program or Tier I of the Safety Retirement Program for eligible employees.
 - (c) Tier II. Retirement benefits for employees (excluding DI,

DM, DS and SM, see (d) below) hired on or after October 1, 1978, who did not elect into Tier A benefits, shall be those established for Tier II of the General Retirement Program

(d) DI, DM, DS and SM Retirement Benefits.

- (i) Retirement benefits for employees in classes designated DI, DM, DS and SM effective March 8, 2002, based upon their respective Tier II general and/or Tier II safety statuses, retirement benefits for employees hired on or after October 1, 1978, shall be respectively converted prospectively to those established for Tier I of the General Retirement Program and/or Tier I of the Safety Retirement Program for eligible employees.
- (ii) The County shall pay the accrued liability for respective previous service before March 8, 2002 for the elimination of Tier II general and/or Tier II safety conversion to Tier I general and/or Tier I safety status and pay the respective rate prescribed for employer contributions into the General and/or Safety Retirement Fund for the Tier I program in accordance with the law and rules and regulations governing such employer contributions.

(e) “Tier A” Retirement Benefits.

- (i) Retirement benefits for employees hired between March 8, 2002 and August 27, 2009, shall be those established for “Tier A” of the General Retirement Program for eligible employees.
- (ii) Employees hired before March 8, 2002 will receive “Tier A” retirement benefits unless the employee exercised the right to “opt out” of the “Tier A” program. Those who “opted out” of the “Tier A” program will receive Tier I retirement benefits.

(Amended 01/18/08, Ord. No. 9912)
(Amended 08/28/09, Ord. No. 9993)

(f) “Tier B” Retirement Benefits.

- (i) Retirement benefits for employees hired on or after August 28, 2009 but before December 1, 2012, shall be those established for “Tier B” of the General Retirement Program and “Tier B” of the Safety Retirement Program by

ordinance and resolutions adopted by the board on July 21, 2009, for eligible employees. Therefore, the ordinance and resolutions apply to any person who commences employment for the County on or after August 28, 2009 but before December 1, 2012, including any employee who is appointed on or after August 28, 2009 but before December 1, 2012, to a position which makes that employee a new general member or a new safety member of SDCERA.

(ii) Employees who are hired on or after December 1, 2012 will receive Tier B retirement benefits if they are not "New Members" as defined in Government Code §7522.04(f).

(Amended 01/11/13, Ord. No. 10244)

(g) "Tier C" Retirement Benefits.

Retirement benefits for employees who are hired on or after December 1, 2012 and are "New Members" as defined in Government Code §7522.04(f), shall be those established for "Tier C" of the General Retirement Program and "Tier C" of the Safety Retirement Program by resolutions adopted by the board on October 30, 2012, for eligible employees. Therefore, the resolutions apply to any "New Member" who commences employment for the County on or after December 1, 2012, including any employee who is appointed on or after December 1, 2012, to a position which makes that employee a new general member or a new safety member of SDCERA.

(Added 08/28/09, Ord. No. 9993)
(Amended 01/11/13, Ord. No. 10244)

(h) "Tier D" Retirement Benefits.

1. Retirement benefits for employees in classes designated AE, AM, AS, CC, CE, CEM, CL, CM, CR, CS, DA, EM, EO, FS, HS, MA, MM, NA, NE, NM, NS, PD, PM, PR, PS, RN, SS, SW, or UM who are "New Members," as defined in Government Code section 7522.04(f), and are hired on or after July 1, 2018, and after a date specified in any applicable Board of Supervisor resolution establishing a new retirement tier adopted to take effect on or after July 1, 2018 shall be "Tier D" members of the General Member Retirement Program administered by SDCERA.

2. Retirement benefits for employees in classes designated DI, DM, DS, PO, SO or SM who are “New Members,” as defined in Government Code section 7522.04(f), and are hired on or after July 1, 2020, and after a date specified in any applicable Board of Supervisor resolution establishing a new retirement tier adopted to take effect on or after July 1, 2020 shall be “Tier D” members of the “Safety” Member Retirement Program administered by SDCERA.

(Added 08/03/18, Ord. No. 10549)
 (Amended 09/28/18, Ord. No. 10560)
 (Amended 09/28/18, Ord. No. 10562)
 (Amended 11/09/18, Ord. No. 10569)

SECTION 5.6.2: METHOD OF CALCULATION.

- (a) The percentage of the employee's actual prescribed rate of contribution to the San Diego County Employees Retirement Association shall be as specified in subsection (b) Retirement Contribution Offset Provisions below.
- (b) Retirement Contribution Offset Provisions.
 - (1) Employees who are in Tier A or Tier I
 - (a) Effective June 27, 2014:

Tier A Effective June 27, 2014		
Retirement Contribution Offset by Union Code		
Union Code	Approximate % of the County contribution toward retirement for employees who have less than 5 yrs. of continuous service is:	Approximate % of the County contribution toward retirement for employees who have at least 5 yrs. of continuous service is:
DS, SM	2.33%	2.33%

- (2) Employees who are in Tier B, by Union Code
 - (a) Effective June 27, 2014:

Tier B Effective June 27, 2014		
Retirement Contribution Offset by Union Code		
Union Code	Approximate % of the County contribution toward retirement for employees who have less than 5 yrs. of continuous service is:	Approximate % of the County contribution toward retirement for employees who have at least 5 yrs. of continuous service is:
DS, SM	Hired prior to 7/1/2013: 2% Hired on or after 7/1/2013: 1%	2%

- (3) The prescribed rate of contribution for Employees who are in Tier C shall be 50 percent of the “Normal Cost Rate” as defined in Government Code §7522.30 (b).
- (4) Effective the final pay period in fiscal year 2017/2018, the County’s retirement contribution offset shall be eliminated for bargaining units designated DS and SM.

(Added 11/18/92, Ord. No. 8176)
 (Amended 06/11/93, Ord. No. 8248)
 (Amended 03/15/96, Ord. No. 8650)
 (Amended 04/26/96, Ord. No. 8658)
 (Amended 09/27/96, Ord. No. 8720)
 (Amended 09/27/96, Ord. No. 8733)
 (Amended 12/19/97, Ord. No. 8863)
 (Amended 02/12/99, Ord. No. 8998)
 (Amended 03/23/99, Ord. No. 9018)
 (Amended 07/17/01, Ord. No. 9356)
 (Amended 12/04/01, Ord. No. 9405)
 (Amended 03/08/02, Ord. No. 9435)
 (Amended 05/31/02, Ord. No. 9465)
 (Amended 10/08/02, Ord. No. 9507)
 (Amended 06/23/06, Ord. No. 9783)
 (Amended 06/22/07, Ord. No. 9823)

(Amended 01/18/08, Ord. No. 9912)
(Amended 02/11/11, Ord. No. 10121)
(Amended 04/22/11, Ord. No. 10141)
(Amended 05/10/11, Ord. No. 10149)
(Amended 06/17/11, Ord. No. 10153)
(Amended 10/07/11, Ord. No. 10174)
(Amended 11/18/11, Ord. No. 10181)
(Amended 01/11/13, Ord. No. 10244)
(Amended 06/28/13, Ord. Nos. 10263; 10266)
(Amended 07/12/13, Ord. Nos. 10268; 10269)
(Amended 09/20/13, Ord. No. 10291)
(Amended 09/20/13, Ord. No. 10293)
(Amended 12/03/13, Ord. No. 10303)
(Amended 01/10/14, Ord. No. 10316)
(Amended 01/10/14, Ord. No. 10333)
(Amended 06/27/14, Ord. Nos. 10326; 10344)
(Amended 06/26/15, Ord. No. 10367)
(Amended 06/9/17, Ord. No. 10381)
(Amended 03/30/18, Ord. No. 10525)