

No employee hired or re-instated after January 1, 1997, shall be eligible to purchase service credit under this section.

*(Amended 2-25-1997 by O-18383 N.S.)*

#### **§24.1306 Repayment of Previously Refunded Member Contributions**

Upon reemployment with the City, a Member may repay the amount previously refunded plus interest at the actuarial interest rate under terms and conditions prescribed by the Board.

*(“Repayment of Previously Refunded Member Contributions” added 7-12-1993 by O-17938 N.S.)*

#### **§24.1307 Purchase of Approved Leaves of Absence**

(a) Notwithstanding the definition of Creditable Service in Section 24.0103, any Member granted an approved leave of absence shall have the right, upon his or her return to City service, and upon request by the Member, to obtain service credit for a period of up to one year of such absence by paying into the Retirement System an amount determined by the Board to be the equivalent of the employee cost of that service.

(b) Notwithstanding the definition of Creditable Service in Section 24.0103, any Member granted an approved leave of absence for periods of time in excess of one year shall have the right, upon return to City service, and upon request by the Member, to obtain service credit for such excess leave of absence by paying into the Retirement System an amount determined by the Board to be the equivalent of the employee and employer cost of that service.

(c) A member is not eligible to purchase service credit under Section 24.1307(a) or (b) for periods of leave of absence that begin after January 1, 1997, except for leaves of absence granted by the City for long term disability benefits, Family Medical Leave Act periods approved by the City, leaves of absence without pay approved by the Civil Service Commission with job to be saved, including any period preceding reinstatement by the Civil Service Commission following a termination appeal.

*(Amended 3-31-1997 by O-18392 N.S.)*

#### **§24.1308 Purchase of Service Credit for Officer or Employee not Previously Included within Field of Membership**

If any officer or employee in a position not previously included within the field of membership of the Retirement System is brought within the field of membership, or if

any officer or employee chooses to come within the field of membership, such officer or employee shall have the right to purchase service credit for that period of service not previously included within the field of membership of the Retirement System as provided in this Division.

*(“Purchase of Service Credit for Officer or Employee not Previously Included within Field of Membership” added and amended 7–12–1993 by O–17938 N.S.)*

#### **§24.1309 Purchase of Military Service for Service Credit**

The Board is hereby authorized and vested with power to enact rules and regulations which shall govern the status of Members of the Retirement System who either voluntarily or involuntarily enter into the service of the United States Military forces, which rules and regulations shall safeguard the interest of such Members to the extent that they shall not be deprived in any way of any benefit secured by General law of the State because of such absence. These rules and regulations shall provide that the member shall be eligible to purchase service credit for such absence on Military service.

*(“Purchase of Military Service for Service Credit” added 7–12–1993 by O–17938 N.S.)*

#### **§24.1310 Purchase of Service Credit Payment Options**

- (a) To purchase Creditable Service, a Member must elect to pay and thereafter pay, in accordance with such election before retirement, into the Retirement Fund an amount, including interest, determined by the Board. No Member will receive Creditable Service under this Division for any service for which payment has not been completed pursuant to this Division before the effective date of the Member’s retirement.
- (b) Subject to any limitations imposed by the Internal Revenue Code, such payments under section 24.1310(a) may be made by lump sum, installment payments, direct transfer to the Retirement System from any defined contribution plan maintained by the City of San Diego, or in such manner and at such time as the Board may by rule prescribe. Any sums paid by a Member under section 24.1310 are considered to be and administered as Member contributions.
- (c) Notwithstanding section 24.1310(a), effective July 1, 2002, represented Members in the San Diego Firefighters Local 145 bargaining unit who have not yet entered DROP may convert the cash equivalent of their Unused Annual Leave accrued after July 1, 2002, to Creditable Service in the Retirement System on a pre-tax basis. The amount of Creditable Service to be credited in

(12-2002)

the Retirement System will be the amount the Board determines to be the employer and employee cost of that Creditable Service. Represented Members in the Local 145 bargaining unit are not eligible to exercise any cash-out feature of Annual Leave that they accrue after July 1, 2002, including Annual Leave accrued after July 1, 2002, while in DROP.

*(Amended 12-3-2002 by O-19126 N.S.)*

**§24.1312 General Provision for Five-Year Purchase of Creditable Service**

Any Member may purchase a maximum of five years of Creditable Service, in addition to any other Creditable Service the Member is eligible to purchase under this Division. The cost of Creditable Service purchased under section 24.1312 is the amount the Board determines to be the employee and employer cost of that Creditable Service.

*(“Amended 12-3-2002 by O-19126 N.S.)*