

**ORDINANCE #68746**  
**Board Bill No. 124**  
**Committee Substitute**

An ordinance pertaining to accumulated sick leave for employees who are members of the Fire Department and the Firemen's Retirement System; with severability and emergency provisions.

**BE IT ORDAINED BY THE CITY OF ST. LOUIS AS FOLLOWS:**

**SECTION ONE.** 1. Any employee who is member of the Firemen's Retirement System (hereinafter "Member") and who retires in accordance with the provisions of Chapter 4.18 of the Revised Code, after working continuously for the Fire Department until reaching retirement age, but not including retirement for service connected disability, shall be credited with all of the Member's unused accumulated sick leave as certified by the City of St. Louis Department of Personnel.

Notwithstanding anything to the contrary contained herein, for purposes of the calculations of benefits set forth in this Ordinance, a Member's sick leave balance at the time of retirement shall not exceed the Member's sick leave balance on the effective date of this Ordinance less sick leave hours used by the Member prior to retirement, and such sick leave balance shall not include any portion of the Member's medical leave balance.

Notwithstanding anything to the contrary contained herein, no Member hired by the City after the effective date of this Ordinance shall have any portion of his or her sick leave balance or medical leave balance used in determining such future Member's benefits or payments at time of retirement.

2. When calculating years of service, each such Member shall be entitled to one day of creditable service for each day of unused accumulated sick leave certified by the Department of Personnel pursuant to subsection (1) hereof.

3. Unused accumulated sick leave certified by the Department of Personnel pursuant to subsection (1) hereof shall allow a Member to vest in the Firemen's Retirement system by using such unused accumulated sick leave as certified by the Department of Personnel to reach the time of vesting and shall also allow a Member to exceed a seventy-five percent service retirement allowance by adding unused accumulated sick leave certified by the Department of Personnel pursuant to subsection (1) hereof to no more than thirty years of creditable service or a Member who is participating in a DROP program may elect upon retirement to have placed in his or her DROP account a dollar amount equal to his or her unused accumulated sick leave hours, as certified by the Department of Personnel pursuant to subsection (1) hereof, multiplied by his or her hourly rate of pay at the time of retirement, or to place one-half of this dollar amount in the Member's DROP account, have one-fourth of the dollar amount added to the Member's average final compensation, and to have the remaining one-fourth of this dollar amount remain as time and added to the Member's creditable service.

**SECTION TWO.** Severability Clause. The sections, subsections and clauses of this ordinance shall be severable. In the event that any section, subsection or clause of this ordinance is found by a court of competent jurisdiction to be invalid, the remaining sections, subsection, or clauses of this ordinance are valid, unless the court finds the valid sections of the ordinance are so essential and inseparably connected with and dependent upon the void section that it cannot be presumed that this Board of Aldermen would have enacted the valid section without the void ones, or unless the court finds that the valid sections standing alone are incomplete and incapable of being executed in accordance with the legislative intent.

**SECTION THREE.** Emergency Clause. This being an ordinance necessary for the preservation of the public peace, health and safety, it is hereby declared to be an emergency ordinance under Article IV, Sections 19 and 20 of the Charter of the City of St. Louis, and it shall take effect and be in full force immediately upon its passage and approval by the Mayor or its adoption over his veto.

**Approved: September 20, 2010**