


<b>FROM</b>	NAME & TITLE	Deborah F. Moore-Carter, Labor Commissioner <i>DFMC</i>	CITY of <b>BALTIMORE</b>  <b>MEMO</b>	
	AGENCY NAME & ADDRESS	Office of the Labor Commissioner 417 East Fayette Street, Suite 1405		
	SUBJECT	<b>City Council Bill 14-0457 Employees' Retirement System Retirement Savings Plan - Clarifications</b>		

**TO** The Honorable Bernard "Jack" Young  
and Members of the Baltimore City Council  
Attn: Natawna Austin  
City Hall Room 409  
100 N. Holiday Street

DATE: January 8, 2015

***Recommended Position***

The Office of the Labor Commissioner has reviewed City Council Bill 14-0457, which proposes to make changes to Article 22 of the Baltimore City Code pertaining to the Employees' Retirement System (ERS) and Article 22A pertaining to the Retirement Savings Plan (RSP).

Changes to Article 22:

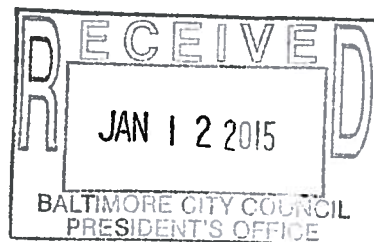
- The OLC agrees with the proposed to amendment to the eligibility for Class D ERS and Class C members who are reemployed on or after a certain date.

Changes to Article 22A:

- The RSP is a "profit sharing plan" under IRC §401(a) and a "governmental plan" under IRC §414(d).
- The OLC agrees with the change to the RSP Board to include three officers from the Baltimore City Public School System is appropriate since the school system employees who are not involved in classroom instruction are now a part of the plan.
- RSP members can make investment choices for non-vested City contributions.
- The method that will be used by the City to match non-hybrid members contributions is clarified.
- The rule by which death benefits for members who are performing "qualified military service"

The Office of the Labor Commissioner supports City Council Bill 14-0457.

cc: Angela Gibson  
Sheila Wyche



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