

ORDINANCE No. **149027**

An Ordinance amending Section 4.36.010 of the Personnel Code of the City of Portland relating to retention of employees beyond age 70 and declaring an emergency.

The City of Portland ordains:

Section 1. The Council finds:

1. That effective June 13, 1979, ORS 237.133 was amended.
2. That Section 4.36.010 of the Code of the City of Portland should be amended to conform to the new law.

NOW, THEREFORE, the Council directs:

- a. Section 4.36.010 of the Code of the City of Portland is hereby amended to read as follows:

4.36.010 Retention of employees beyond age 70. Effective June 13, 1979 each employee of the City who is covered by the public employee's retirement act of the State, who desires to remain in the employment of the City beyond the normal retirement age of seventy, shall, prior to the date of normal retirement, submit a request in writing to the Commissioner in charge, or the Auditor, as to his/her department.

If the Commissioner in charge, or the Auditor, as to his/her department, determines that continued service of the employee would be in the interest of both the City and the public, he/she shall so notify the employee, stating his/her reasons. A copy of such notice shall be sent to the Public Employees Retirement Board and the Personnel Director for the City of Portland.

The retention of any employee past normal retirement age shall be reviewed annually until the employee reaches the age of 75. Any employee continuing in employment past compulsory retirement age may be retired if the Commissioner in charge, or the Auditor, as to his/her department, determines and states in writing to the employee, the Board, and the Personnel Director the reason the continued service would not be in the employer's or public interest. Retirement under this section is not subject to appeal.

ORDINANCE No.

Section 2. In order that Section 4.36.010 of the Code of the City of Portland be amended without further delay; therefore, an emergency is declared to exist, and this Ordinance shall be in force and effect from and after its passage by the Council.

ORDINANCE NO. 149087

Passed by the Council, JAN 16 1980

Mayor McCready
January 3, 1980
Mary K. Thackery/wlc

Attest:

David M. McCready
Mayor of the City of Portland

Serge Yekelov
Auditor of the City of Portland

Calendar No. 143

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Title

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THE COMMISSIONERS VOTED AS FOLLOWS:		
	Yeas	Nays
Ivancie	/	
Jordan	/	
Lindberg	/	
Schwab	/	
McCready	/	

FOUR-FIFTHS CALENDAR	
Ivancie	
Jordan	
Lindberg	
Schwab	
McCready	

INTRODUCED BY
Mayor McCready

NOTED BY THE COMMISSIONER
Affairs
Finance and Administration <i>M. B. S. C.</i>
Safety
Utilities
Works

BUREAU APPROVAL
Bureau: Bureau of Personnel Services
Prepared By: <i>MKT</i> Mary K. Thackery Date: 1/3/80
Budget Impact Review: <input type="checkbox"/> Completed <input checked="" type="checkbox"/> Not required
Bureau Head: <i>John D. Stephens</i>

ll.

NOTED BY
City Attorney
City Auditor
City Engineer

Filed JAN 11 1980

GEORGE YERKOVICH
Auditor of the CITY OF PORTLAND

By *Gordon Crall* Deputy