

Offered by Councilor SAM YOON

CITY OF BOSTON

IN THE YEAR TWO THOUSAND NINE



AN ORDINANCE REQUIRING ENFORCEMENT OF PENSION LAWS

*WHEREAS*, State law already imposes hour and salary caps on any public retiree who then is hired by the Commonwealth or political subdivision, but the employee and treasurer of the hiring body is responsible for enforcement and it is easy to see how this would fall through the cracks; and,

*WHEREAS*, Imposing a requirement that the officer executing the contract ensures state pension law compliance is a simple way to ensure that violations don't occur and that the City is legally and responsibly spending its money on consultants and contractors; *NOW, THEREFORE*

*Be it ordained by the City Council of Boston, as follows:*

*Section 1.*

CBC Chapter IV, section 4-6 is hereby amended by appending the following new subsection:

4-6.5 Enforcement of Pension laws.

Prior to hiring a consultant or contractor, the officer in charge of the City of Boston Department executing the contract with said consultant or contractor shall inquire about the individual's pension or retirement allowance status and shall confirm that said individual's contract terms, including work schedule and salary, will be in conformance with M.G.L. c. 32, s. 91. The officer in charge of the City of Boston Department executing the contract shall certify compliance with this subsection as an addendum to said contract. The officer in charge of the City of Boston Department executing the contract with the consultant or contractor shall also periodically review the individual's service to ensure continued compliance.

*Section 2.*

The provisions of these sections shall be effective immediately.