



**City of Rochester, NY
Rochester City Council**

City Hall Room 301A • 30 Church Street • Rochester, New York 14614-1290

**FINANCE
INTRODUCTORY NO.**

294

Malik Evans Councilmember At-Large
Email: Malik.Evans@cityofrochester.gov

August 4, 2020

TO THE COUNCIL

Ladies and Gentlemen:

Re: City Council Standard Work Day
and Reporting Resolution

Transmitted herewith for your approval is a resolution approving the standard monthly work day reporting for retirement purposes for newly elected members of the City Council. By Resolution No. 2012-13, City Council standardized the City Council work day reporting in accordance with the New York State and Local Retirement System's Regulation at 2 NYCRR §315.4 in the following ways:

1. New Councilmembers that are elected to the City Council are required to keep a three-month consecutive log called a "Record of Activities" that sums up their time spent on City Council business;
2. All logs will be kept on file with the City Clerk in accordance with Regulation 315.4; and
3. The standard City Council work day for pension credit reporting is 6 hours per day, as part of a five-day, thirty hour work week.

This legislation accepts the Record of Activities (ROA) and approves submitting to the Retirement System the attached Standard Work Day and Reporting Resolution form that reports the standard number of monthly work days for each of the following members of Council: Mary Lupien and Jose Peo, each elected to a four-year term that commenced on January 1, 2020; and LaShay D. Harris who was first appointed to Council on April 30, 2019 and thereafter elected to full four-year term that commenced on January 1, 2020.

Once this resolution is approved, the City Clerk will post it along with the accompanying Reporting Resolution form on-line for a period of at least 30 days as required by the Retirement System regulations.

Respectfully submitted,

Malik D. Evans
Chair, Finance Committee

RECEIVED
CITY OF ROCHESTER
CLERK / COUNCIL OFFICE
2020 AUG -4 A 11: 54

Received Date

Standard Work Day and Reporting Resolution for Elected and Appointed Officials

RS 2417-A

(Rev. 11/19)

SEE INSTRUCTIONS FOR COMPLETING FORM ON REVERSE SIDE

Employer Location Code
 2 0 0 6 0

BE IT RESOLVED, that the City of Rochester

(Name of Employer)

/ 200600 (Location Code)

hereby established the following standard work days for these titles and will

report the officials to the New York State and Local Retirement based on their record of activities:

| Name | Social Security Number | NYS SLRS ID | Title | Current Term Begin & End Dates | Standard Work Day | Record of Activities Result | Not Submitted | Pay Frequency | Tier 1 |
|-----------------------------|------------------------|-------------|---------------|--------------------------------|-------------------|-----------------------------|--------------------------|---------------|--------------------------|
| Elected Officials: | | | | | | | | | |
| Lashay D. Harris | XXXX | Rxxxxxxx | Councilmember | 01/01/20-12/31/23 | 6 | 22.46 | <input type="checkbox"/> | Bi-Weekly | <input type="checkbox"/> |
| Maryagnes C. Lupien | XXXX | Rxxxxxxx | Councilmember | 01/01/20-12/31/23 | 6 | 24.59 | <input type="checkbox"/> | Bi-Weekly | <input type="checkbox"/> |
| Jose M. Peo | XXXX | Rxxxxxxx | Councilmember | 01/01/20-12/31/23 | 6 | 22.79 | <input type="checkbox"/> | Bi-Weekly | <input type="checkbox"/> |
| Appointed Officials: | | | | | | | | | |
| | | | | | | | <input type="checkbox"/> | | <input type="checkbox"/> |
| | | | | | | | <input type="checkbox"/> | | <input type="checkbox"/> |
| | | | | | | | <input type="checkbox"/> | | <input type="checkbox"/> |

I, Hazel L. Washington secretary/clerk of the governing board of the City of Rochester of the State of New York,

(Name of Secretary or Clerk)

(Circle one)

(Name of Employer)

do hereby certify that I have compared the foregoing with the original resolution passed by such board at a legally convened meeting held on the 18th day of August, 20 20 on file as part of the minutes of such meeting, and that same is a true copy thereof and the whole of such original.

IN WITNESS WHEREOF, I have hereunto set my hand and the seal of the City of Rochester on this day of , 20

(Name of Employer)

Affidavit of Posting: I, Hazel L. Washington being duly sworn, deposes and says that the posting of the Resolution began on and continued for at least 30 days. That the Resolution was available to the public on the:

(Signature of Secretary or Clerk)

(Name of Secretary or Clerk)

(Date)

Employer's website at: www.cityofrochester.gov/councilproceedings/

Official sign board at:

Main entrance Secretary or Clerk's office at:

(seal)



Instructions for completing the Standard Work Day and Reporting Resolution

| A | B | C | D | E | F | G | H | I | J |
|----------------------------|------------------------|-----------|------------------------|-------------------------------|-------------------|-----------------------------|---------------|---------------|--------|
| Name | Social Security Number | NYSLRS ID | Title | Current Term Begin & End Date | Standard Work Day | Record of Activities Result | Not Submitted | Pay Frequency | Tier 1 |
| Elected Officials | | | | | | | | | |
| John Smith | 0000 | R11111111 | Highway Superintendent | 1/1/2018-12/31/2019 | 8.00 | 32.79 | | Weekly | |
| Michelle Jones | 1111 | R11111111 | Town Justice | 1/1/2018-12/31/2018 | 6.25 | | X | Bi-Weekly | X |
| Appointed Officials | | | | | | | | | |
| Joseph Grey | 2222 | R22222222 | Planning Board Member | 1/1/2018-12/31/2018 | 7.00 | 17.54 | | Monthly | |

- A. Name:** The official's complete first and last name must be included for identification purposes.
- B. Social Security Number:** The last four digits of the official's Social Security Number must be included for identification purposes. For security purposes, the last four digits of the Social Security Number can be omitted from the publicly posted version.
- C. NYSLRS ID:** The official's NYSLRS ID must be included for identification purposes. For security purposes, the NYSLRS ID can be omitted from the publicly posted version.
- D. Title:** All paid elected and appointed officials (who are active members of the Retirement System) and are not paid hourly and do not participate in an employer's time keeping system that consists of a daily record of actual time worked and time charged to accruals must be listed. For the purpose of the regulation, an "appointed official" is someone who is appointed by an elected official, an appointed official or governing board. They hold an office in an organization or government and participate in the exercise of authority. This also includes appointees of elected and appointed officials such as deputies, assistants or confidential secretaries.
- E. Current Term Begin & End Dates:** All officials listed on the Resolution must have a specified Term End date. Leaving this column blank or listing 'Tenure/At Pleasure' is not acceptable. If the official does not have a designated term, the current term for the official who appointed them to the position should be used. If they are appointed by the governing board, the chairman of the board's term should be used.
- F. Standard Work Day:** The minimum number of hours that can be established for a standard work day (SWD) is **six**, while the maximum is **eight**. A SWD is the denominator to be used for the days worked calculation; it is not necessarily always the number of hours a person works. For example, if a board member only attends one three-hour boarding meeting per month, you must still establish a SWD between six and eight hours as the denominator for their record of activities (ROA) calculation.
- G. Record of Activities Result*:** This column must be left blank if an official does not submit their required sample three-month ROA. To determine the average number of days worked per month, you must divide the total number of hours documented on the three-month ROA by three months to get a one-month average number of hours worked. Then, the one-month average number of hours worked must be divided by the SWD to get the average number of days worked per month.
- H. Not Submitted:** This column must be checked if an official has not submitted the required sample three-month ROA within the 150 day requirement, regardless of whether they are being reported by another employer for the same period. If the Retirement System receives such a Resolution, it will contact the official to notify them of the consequences of not submitted the ROA.
- I. Pay Frequency:** This column should be filled in with one of the following options: Annually, Bimonthly, Biweekly, Monthly, Quarterly, Semi-annually or Weekly.
- J. Tier 1:** If the official is a Tier 1 member, this box should be checked. Tier 1 members are not required to keep a ROA.

Once passed, the Resolution must be posted on your public website for a minimum of 30 days or if a website isn't available to the public, on the official sign-board or at the main entrance to the clerk's office. A certified copy of the Resolution and Affidavit of Posting must be filed with the Office of State Comptroller within 45 days of the adoption. The Resolution and Affidavit can be submitted via the *Submit Resolution for Official* link in Retirement Online.

*To determine the number of days worked to include on the monthly report for the various payroll frequencies, please refer to the Calculating Days Worked instructions available in the 'Reporting Elected & Appointed Officials' section of our website: http://www.osc.state.ny.us/retire/employers/elected_appointed_officials/index.php

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Resolution No.

Resolution relating to standard work day and retirement reporting for Councilmembers

WHEREAS, Councilmembers LaShay D. Harris, Maryagnes C. "Mary" Lupien and Jose M. Peo are enrolled in the New York State and Local Retirement System and each of them has maintained a log of Council work-related activities (Record of Activities) pursuant to 2 NYCRR 315.4 in order to factor the number of hours worked into the calculation of a standard number of days worked per month to be reported to the Retirement System;

WHEREAS, in Resolution No. 2012-13, the Council established the standard work day for members of the City Council as six hours in a standard five-day, thirty-hour work week; and

WHEREAS, based on the standard number of hours worked per month and the standard six-hour work day, the number of days worked per month for each of the three Councilmembers has been calculated in accordance with the Retirement System's Standard Work Day and Reporting Resolution form number RS 2417-A (Reporting Resolution Form), which has been presented to Council.

NOW, THEREFORE, BE IT RESOLVED, by the Council of the City of Rochester as follows:

Section 1. The Council hereby certifies that it has received and accepts a Record of Activities pursuant to 2 NYCRR 315.4 from each of the Councilmembers LaShay D. Harris, Maryagnes C. "Mary" Lupien and Jose M. Peo and that such records shall form the basis for the number of work days to be reported to the New York State and Local Retirement System.

Section 2. Based on the number of hours set forth in each of their Record of Activities, the monthly reporting to the Retirement System of days worked for Councilmembers Harris, Lupien and Peo shall be calculated based on the total number of six-hour work day equivalents worked each month, as specified in the Reporting Resolution Form.

Section 3. The Council hereby approves and incorporates into this resolution the Standard Work Day, the Record of Activities Result, the Current Term of Office and the other employment information for Councilmembers Harris, Lupien and Peo, as set forth in the Reporting Resolution Form. The Council hereby directs the City Clerk to post this resolution and the Reporting Resolution Form in public for a period of at least 30 days

after which she shall file said resolution and form, along with an affidavit of posting, with the Retirement System.

Section 4. This resolution shall take effect immediately.