

COUNTY LOCAL LAWS

(g) Elective early retirement date. A member who has not met the age and service requirements for a normal retirement date may elect to retire on the first day of a month and he may elect to receive pension payments beginning on an early retirement date if he then satisfies all the following requirements:

(1) he has reached his fiftieth (50) birthday and he is a Group A member; or he has reached his forty-fifth (45) birthday with at least twenty (20) years of creditable service and he is a Group A member; or he has reached his forty-fifth (45) birthday and is a Group B, C or E member;

(2) he has fifteen (15) years of credited service;

(3) his election is made by written application filed with the County Personnel Board at least thirty (30) days and not more than ninety (90) days before the early retirement date elected. In extenuating circumstances the County Personnel Board may waive the thirty-day minimum requirement;

(4) he meets all other requirements established for such early retirement date.

The member may elect to receive pension payments commencing on his normal retirement date in lieu of receiving such pension payments commencing at his early retirement date.

(h) Administrative retirement for cause on or after normal retirement date. The County Executive or the Chief Administrative Officer, or the administrative head of a participating agency may retire immediately any member who has satisfied the required age and service for normal retirement and who in his opinion is demonstratively not capable of performing the duties and responsibilities of his position at an "acceptable level of competence," or who is apparently incapable of performing his duties for medical reasons. Before taking such action the County Executive or the Chief Administrative Officer shall consult and obtain the recommendation of each of the member's supervisors, the member's agency head, and afford the member the opportunity to voluntarily retire. Before final action may be taken on this type of retirement all pertinent information, including the employee's attendance record, his job performance