

only to displacement of employees of the New Baltimore City Board of School Commissioners and does not provide for transfer rights of employees between the New Baltimore City Board of School Commissioners and City employment.

SECTION 17. AND BE IT FURTHER ENACTED, That, as of the effective date of this Act, each employee of the Baltimore City Public School System shall retain all sick leave, personal leave, and vacation leave to the extent earned and unused as a City employee. Each employee of the Baltimore City Public School System shall retain the right, upon leaving employment with the New Baltimore City Board of School Commissioners, to convert to cash one day of unused sick leave for each 4 days of sick leave accrued prior to the effective date of this Act. Conversion of sick leave accrued after the effective date of this Act shall be subject to negotiation between the New Baltimore City Board of School Commissioners and the employee organization. For the purposes of this section, neither employment with the Board nor transfer between employment with Baltimore City and the Board constitutes separation from employment with Baltimore City.

SECTION 18. AND BE IT FURTHER ENACTED, That through December 31, 1998, the New Baltimore City Board of School Commissioners shall provide to each employee of the Baltimore City Public School System the same health care benefits at the same employee or participant costs as available through the Mayor and City Council of Baltimore to the civil service employees of the City under the health insurance program of Baltimore City. Thereafter, the Board may opt to continue with the Baltimore City health care benefits program or select another benefits program.

SECTION 19. AND BE IT FURTHER ENACTED, That:

(1) An individual who is an employee of the Baltimore City Public School System on or before the effective date of this Act shall continue as a member of the:

(i) Teachers' Retirement System or Teachers' Pension System as a condition of employment, if the individual is a member of the State system; and

(ii) Employees' Retirement System of Baltimore City as a condition of employment, if the individual is a member of the City system;

(2) Except as provided in paragraph (3) of this section, an individual who becomes an employee of the Baltimore City Public School System after the effective date of this Act shall become a member of the Teachers' Pension System as a condition of employment if the Board of Trustees of the State Retirement and Pension System determines that the individual is eligible for membership in the State system by applying the criteria set forth in § 23-206 of the State Personnel and Pensions Article and COMAR 22.04.03; and

(3) An individual shall become a member of the Employees' Retirement System of Baltimore City subject to Article 22, Section 9(a)(1) of the Baltimore City Code if:

(i) The individual becomes an employee of the Baltimore Public School System after the effective date of this Act; and