

No. 1980-21

AN ACT

HB 1512

Amending the act of July 28, 1953 (P.L.723, No.230), entitled, as amended, "An act relating to counties of the second class and second class A; amending, revising, consolidating and changing the laws relating thereto," redefining the term of "county employe," and providing for members of the employe's retirement system in certain cases.

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows:

Section 1. The definition of "county employe" in section 1701, act of July 28, 1953 (P.L.723, No.230), known as the "Second Class County Code," amended December 10, 1970 (P.L.919, No.291), is amended to read:

Section 1701. Definitions.—The following words and phrases as used in this article shall be construed to have the following meaning:

* * *

"County employe," any person employed by the county, including all elected or appointed county officers, and agricultural extension association, county institutions district, county prison, any county correctional institution, law library and county retirement board, employes whose compensation is paid out of county funds, except employes employed by any board of trustees of a community college of which the county is a local sponsor pursuant to the act of August 24, 1963 (P.L.1132, No.484), known as the "Community College Act of 1963," as amended, county institution district funds or county retirement system funds or any department created by the office of the county commissioners, and any person receiving compensation for accidental injuries in accordance with the provisions of The Pennsylvania Workmen's Compensation Act: Provided, That the injured county employe during the period of his or her disability shall pay each month a sum equal to the last monthly contribution paid into the retirement fund when said county employe was in employment *and shall not include any participant in on-the-job training, work experience or public service employment whose employment with the county is funded in whole or in part by the Federal "Comprehensive Employment and Training Act," as amended, unless the retirement board has provided for the membership of such participants in accordance with the provisions of section 1710.1.* It shall not include any time spent by a county employe on furlough or leave of absence without compensation, a person reemployed as a county employe subsequent to the thirty-first day of May, one thousand nine hundred fifty-three, in accordance with the provisions of subsection (c) of section 1712, except such county employes who may be in active military service in

accordance with the provisions of subsection (d) of section 1710 and former county employes whose monthly contributions are paid into the retirement fund in accordance with the provisions of section 1713. In all cases of doubt the board shall determine who is an employe within the meaning of this article.

* * *

Section 2. The act is amended by adding a section to read:

Section 1710.1. Exclusion of Certain Persons.—A participant in on-the-job training, work experience and public service employment whose employment with the county is funded in whole or in part by the Federal “Comprehensive Employment and Training Act,” as amended, shall not be or become a member of the employes’ retirement system as established and maintained under Article XVII of this act unless provisions are approved and implemented by the retirement board, in accordance with regulations adopted pursuant to the “Comprehensive Employment and Training Act,” as amended, whereby all employer costs of providing for membership or service credits in the retirement system attributable to CETA participation are payable from funds provided under the “Comprehensive Employment and Training Act.”

Section 3. This act shall take effect January 1, 1980.

APPROVED—The 27th day of March, A. D. 1980.

DICK THORNBURGH