

November 15, 2022

Ohio Legislature
134th General Assembly

Chair Brinkman, Vice Chair Lampton, Ranking Member Miranda, and members of the House Insurance Committee, thank you for the opportunity to share my testimony on HB 611, a that bill may greatly impact my circumstances as a peace officer in the State of Ohio. House Bill 611 addresses a current problem pertaining to the transfer of service credit from the Ohio Police and Fire Pension (P&F) and the Ohio Public Employees Retirement System (OPERS). Currently, the transfer of service credit is not allowed, as it once was, from P&F to OPERS unless you have earned a greater number of service credit with OPERS. For example, if you have (20) twenty years of service under P&F and you accept a position with an agency contributing to OPERS, current rules require you to work (20+) twenty plus additional years before your P&F time can be transferred to OPERS. In addition, P&F will NOT accept OPERS service to be transferred in reverse unless you are a current “active” member with P&F. So, this does NOT allow me to provide OPERS time back to P&F at retirement time. This is the problem I currently face as a peace officer in 2022 after (34) thirty-four years of service. The above circumstance would require an officer to work (40+) forty plus years before he/she would be eligible for FULL retirement.

I am currently employed as a detective with the Cuyahoga County Sheriff’s Department; this agency contributes to OPERS. In 2014, I applied to this agency and I was offered a position under their Lateral Transfer Program. This is after working many years for municipal agencies contributing to P&F. Prior to accepting this position, I contacted OPERS to arrange the transfer of service credit from P&F prior to accepting the position with the Cuyahoga County Sheriff’s Department. I was told that I could transfer my time but it could not take place until I was within (90) ninety days of retirement. I accepted these circumstances thinking in a few short years I would transfer my service credit and retire.

Several months after accepting my new position, I learned of the rule changes restricting service credit transfer previously outlined in this letter. These current changes require me to earn (18) eighteen years of service under OPERS as a peace officer before I would be eligible to retire. My current plans to retire within a few short years became impossible. There were no “grandfather clauses” under these new rules that would allow me retire on time.

Approximately a year after these changes, OPERS provided a “90 day window” that would allow an officer to transfer P&F credit to OPERS under the “old rules”. Many officers were happy to hear of this opportunity and we immediately contacted OPERS to arrange the service credit transfer. To our disappointment, we were informed that you HAD to be eligible to retire immediately or the time could NOT be transferred. This left countless peace officers in a situation that made it impossible to retire with (25) twenty-five years of service.

Service credit transfer is still allowed among the other Ohio Retirement Systems with the exception of P&F to OPERS. Many officers are unaware of these restrictions thinking that they are close to retirement. **In addition, these current rules restrict an officer from accepting**

employment with better opportunities from another agency unless they contribute to the same pension system. As an officer with (34) thirty-four years of service, I am asking for your help to correct this problem for Ohio law enforcement. Our officers are only asking for the same opportunities that the other retirement systems already provide. Thank you for your consideration in this matter.

Sincerely,

John T. Gioitta