

Ohio House Pensions Committee
October 24, 2023
Testimony on House Bill 261

Chairman Mathews, Vice-Chair King, Ranking Member Lightbody, and members of the House Pensions Committee, my name is Gordon Gatien, Director – External Relations for the Ohio Public Employees Retirement System (OPERS). OPERS is the largest state retirement system in Ohio and a fiduciary to over one million members, retirees, and their beneficiaries.

Thank you for the opportunity to present interested party testimony today on H.B. 261. As you know, H.B. 261 seeks to add emergency medical service (EMS) workers to the OPERS Public Safety (PS) division, which is a subset of the OPERS Law Enforcement (LE) division. H.B. 261 attempts to address an issue that is as old as the LE division itself, the creation of which dates back to the 1970's. The first groups of members eligible for benefits under the LE division (sheriffs, deputy sheriffs, and township constables and police) were required to have as their primary duties preserving the peace, protecting life and property, and enforcing the laws of the state. As later groups have been added to the LE or PS division, the emphasis for eligibility has shifted from the primary duties of the employee to the type of training the employee has received. While the training of a member of the LE or PS division is important, it is the duties of the officer of preserving the peace, protecting life and property, and enforcing the laws of their jurisdiction that justify a higher benefit formula and lower retirement age.

The original intent of the LE division was to provide benefits for law enforcement officers whose duties and training were similar to those of police officers, but who, at that time, were not eligible to participate in the Ohio Police and Fire Pension Fund. During each session of the General Assembly, OPERS is approached about adding to the list of classifications that "should" pay into the LE or PS Division. Please understand that OPERS does not pass judgment about whether a classification belongs in LE or PS; that is a public policy decision. OPERS is asking that, prior to adding new classifications to the LE or PS division, the General Assembly consider reviewing the LE/PS division in a more comprehensive manner (i.e., not piecemealing the addition of new classifications).

While we applaud the dedicated work of EMS workers and acknowledge the rigors of such work, the issue OPERS is most concerned about is maintaining the LE and PS divisions for their intended purpose – law enforcement. As I mentioned, the division has grown considerably over the years; however, each classification within the LE and PS divisions share one common criteria – they have completed peace officer training. This would not be the case with the addition of the EMS workers.

If the General Assembly deems it appropriate to consider other classifications for earlier retirement eligibility, we simply ask that such decisions come with full funding attached

and that that eligibility criteria be determined in a manner that is consistent with OPERS' existing eligibility criteria.

Again, thank you. I would be happy to answer any questions.