

**12849. RESOLUTION 25-45 – AUTHORIZES THE AMENDMENTS TO THE  
RESTATED DELAWARE RIVER AND BAY AUTHORITY EMPLOYEES’  
RETIREMENT PLAN FOR FULL-TIME EMPLOYEES WITH CASUAL SERVICE  
TIME TOWARDS PENSION ELIGIBILITY**

WHEREAS, the Delaware River and Bay Authority (the “Authority”) currently maintains the Delaware River and Bay Authority Employees’ Defined Benefit Retirement Plan (Amended and Restated 2022) (the “Retirement Plan”); and

WHEREAS, pursuant to Section 8.1(a) of the Retirement Plan, the Authority has the right to amend the Retirement Plan pursuant to a resolution of the Commissioners of the Authority; and

WHEREAS, the Authority desires to amend the Plan to revise the criteria of eligible vested permanent active full-time employees with prior casual service time to purchase said casual hours as it relates to the purchase period, purchase interest rate, and the maximum casual hours that can be purchased; and

WHEREAS, in the Retirement Plan in Article XI, Section 11.20 Credits of Certain Prior Service delete in its entirety Section 11.20(a) as follows:

(a) Effective February 1, 1998, a fully Vested Participant, pursuant to and in accordance with Resolution 98-1 passed by the Employer, may purchase one Month of Service for benefit accrual purposes for each full month of service equivalent for each Plan Year for which the Vested Participant worked for the Employer but did not but with respect to which such Participant was not credited with a Month of Service for benefit accrual purposes computed as follows: The total number of hours worked by such Vested Participant during a plan year divided by forty (40) hours to determine the number of weeks worked by such Vested Participant during such Plan Year. The number of weeks worked by such Vested Participant shall then be divided by four to determine the number of Months of Service that the Vested Participant may buy for such Plan Year. Only whole Months of service may be bought by a Vested Participant. Any such purchase of service credit must be pursuant to an irrevocable election as provided in Section 11.20(b).

WHEREAS, in the Retirement Plan in Article XI, Section 11.20 Credits of Certain Prior Service replace Section 11.20(a) as follows:

(a) A fully Vested Participant may purchase one Month of Service for benefit accrual purposes for each full month of service equivalent for each Plan Year for which the Vested Participant worked for the Employer but with respect to which such Participant was not credited with a Month of Service for benefit accrual purposes computed as follows: The total number of hours worked by such Vested Participant during a plan year divided by forty (40) hours to determine the number of weeks worked by such Vested Participant during such Plan Year. The number of weeks worked by such Vested Participant shall then be divided by four to determine the number of Months of Service that the Vested Participant may buy for such Plan Year. Only whole Months of service may be bought by a Vested Participant. Any such purchase of service credit must be pursuant to an irrevocable election as provided in Section 11.20(b).

WHEREAS, Section 11.20(b) is to be deleted in its entirety as follows:

- (b) In the case of a Participant eligible as of February 1, 1998, to purchase service credit pursuant to Section 11.20(a), such Participant must irrevocably elect to purchase such service credit on or prior to April 30, 1998. In the case of a Participant who becomes eligible to purchase service credit pursuant to Section 11.20(a) after February 1, 1998, such Participant shall have 180 days from the date of such eligibility to irrevocably elect to purchase such service credit.

WHEREAS, Section 11.20(b) should read as follows:

- (b) In the case of a Participant who becomes eligible to purchase service credit pursuant to Section 11.20(a), such Participant shall have 180 days from the date of such eligibility to irrevocably elect to purchase such service credit.

WHEREAS, Section 11.20(c) is to be deleted in its entirety as follows:

- (c) As a condition to receiving Months of Service pursuant to this Section 11.20, a Participant that makes the election provided in Section 11.20(b), shall contribute to the Plan on a federal pre-tax basis an amount equal to three percent (3%) of the Participant's monthly Compensation when the Participant first became a Participant under Section 3.2 multiplied by the Months of Service such Participant elects to purchase.

WHEREAS, Section 11.20(c) should read as follows:

- (c) As a condition to receiving Months of Service pursuant to this Section 11.20, a Participant that makes the election provided in Section 11.20(b), shall contribute to the Plan on a federal pre-tax basis an amount equal to five percent (5%) of the Participant's current monthly Compensation at the time of vested eligibility under Section 3.2 multiplied by the Months of Service such Participant elects to purchase.

WHEREAS, Section 11.20(d) is to be deleted in its entirety as follows:

- (d) The Employer shall adopt all reasonable rules and practices necessary to accomplish the provisions of Resolution 98-1 including, but not limited to, requiring electing Participants to pay for such Participant's calculated share of the cost of such purchased service credit through payroll deduction on a federal pre-tax basis over a period not longer than sixty (60) months after such election, with appropriate interest.

WHEREAS, Section 11.20(d) should read as follows:

- (d) The Employer shall require electing Participants to pay for such Participant's calculated share of the cost of such purchased service credit through payroll deduction on a federal pre-tax basis over a period of 12,

24, or 36 months after such election with a flat interest rate using the January Applicable Federal 120% Midterm Annual rate in the year that the Participant is vested and eligible to purchase the service credit and/or the Authority's Deferred Compensation 457(b) one-time federal pre-tax plan-to-plan transfer into the Authority's other post-employment benefit (OPEB) fund.

WHEREAS, Section 11.20(e) shall be renumbered in its entirety to Section 11.20(f) and read as follows:

- (f) Notwithstanding any provision of this Plan to the contrary, the purchase of service credit pursuant to this Section 11.20, shall be in accordance with the applicable provisions of Code Section 415(n).

WHEREAS, a new Section 11.20(e) shall be added to read as follows:

- (e) Participants who are hired/rehired on or after January 1, 2026, to a permanent active full-time position who is entitled to purchase service credit under this Section 11.20 shall be limited to a maximum purchase service credit of 24 months.

WHEREAS, it is in the best interest of the Authority to rescind Resolutions 98-1 and 98-12 and replace them with this new Resolution; and

WHEREAS, the proposed amendments have been reviewed by the Personnel Committee and found to be appropriate.

NOW, THEREFORE, BE IT RESOLVED, that the Delaware River and Bay Authority hereby approves deleting and replacing Sections 11.20(a) through 11.20(f) as set forth above.

NOW, therefore, BE IT RESOLVED, that Resolutions 98-1 and 98-12 are hereby rescinded and replaced with this new Resolution.-

NOW, THEREFORE, BE IT FURTHER RESOLVED, that the proper officers and employees of the Authority are hereby authorized to execute the necessary amendments to the Retirement Plan and to take whatever action to execute whatever instruments with the advice and consent of General Counsel that may be necessary or convenient to carry out the foregoing resolution.

Resolution 24-45 was moved by Commissioner Faust, seconded by Commissioner Carey, and was approved by a roll call vote of 10-0.

**Resolution 25-45 - Executive Summary Sheet**

**Resolution:** Authorizes the Amendments to the Restated Delaware River and Bay Authority Employees' Retirement Plan for Full-time Employees with Casual Service Time Towards Pension Eligibility

**Committee:** Personnel

**Committee Date:** September 16, 2025

**Board Date:** September 16, 2025

**Purpose of Resolution:**

To approve amendments to the Employees' Retirement Plan as it relates to credits for prior service time as presented by the Executive Director and the Chief Human Resources Officer.

**Background for Resolution:**

The Delaware River and Bay Authority has had the Employees' Retirement Plan since June 1, 1963.

It is the responsibility of the Authority to frequently review the benefits offered to current and future permanent active full-time employees. To be fiscally responsible and to continue to provide opportunity for eligible vested permanent active full-time employees with prior casual service time to add credited hours to their future pension eligibility, the Authority is proposing revisions to the criteria in the Employees' Retirement Plan.

The Authority recognizes that providing casual part-time employees the opportunity to be hired on a full-time basis is a great recruiting tool having hired approximately 38% of new hire employees from casual to full-time since 2015. Offering full-time new hires with prior casual service time the opportunity to purchase those months of casual hours is a benefit towards their future pension eligibility.

The revisions include: (1) changing the maximum months to purchase the casual time from up to 60 months to 12, 24, or 36 months, (2) to establish a flat interest rate using the January Applicable Federal 120% Midterm Annual rate in the year that the Participant is vested and eligible to purchase the service credit, and (3) prospectively effective January 1, 2026, for any hire/rehire to full-time employment who has prior casual employment, capping the maximum number of months to purchase prior casual service hours to 24 months.

This resolution rescinds resolutions 98-1 and 98-12 as all criteria in these resolutions have been revised through this new Resolution.