



# Resolution 2020-087

**BOARD OF COMMISSIONERS  
SARPY COUNTY, NEBRASKA**

## **Approving and Authorizing Chair to Sign the First Amendment to the 2019-2022 Collective Bargaining Agreement with the Fraternal Order of Police, Lodge No. 3, Law Enforcement - Sworn**

WHEREAS, pursuant to Neb. Rev. Stat. § 23-104(6), the County has the power to do all acts in relation to the concerns of the County necessary to the exercise of its corporate powers; and,

WHEREAS, pursuant to Neb. Rev. Stat. § 23-103, the powers of the County as a body are exercised by the County Board; and,

WHEREAS, the County and the FOP Sworn entered into a collective bargaining agreement on June 25, 2019 for a term of three years via Resolution 2019-168 ("2019-2022 FOP Sworn Contract"); and,

WHEREAS, the FOP Sworn and the County desire to implement a Health Reimbursement Arrangement ("HRA") plan, at no cost to the County, for eligible FOP Sworn members, to assist employees in meeting their health care needs after employment while providing tax savings to both the County and the employee; and,

WHEREAS, for the foregoing reasons, both parties mutually agree that the 2019-2022 FOP Sworn Contract should be re-opened and amended.

NOW, THEREFORE, BE IT RESOLVED BY THE SARPY COUNTY BOARD OF COMMISSIONERS that this Board hereby approves the First Amendment to the 2019-2022 Collective Bargaining Agreement between Sarpy County and the Fraternal Order of Police, Lodge No. 3, Law Enforcement - Sworn ("First Amendment"), which is attached hereto and incorporated herein by this reference.

BE IT FURTHER RESOLVED that the Chair is hereby authorized to sign said First Amendment and any other documents related thereto, the same being approved by the Board.

The above Resolution was approved by a vote of the Sarpy County Board of Commissioners at a public meeting duly held in accordance with the applicable law on the 03 day of March 2020

Attest:  
SEAL



  
\_\_\_\_\_  
Sarpy County Chairman

  
\_\_\_\_\_  
Sarpy County Clerk/Register of Deeds Chief Deputy

**FIRST AMENDMENT TO THE 2019-2022 COLLECTIVE BARGAINING  
AGREEMENT BETWEEN SARPY COUNTY AND THE FRATERNAL ORDER OF  
POLICE, LODGE NO. 3, LAW ENFORCEMENT – SWORN**

This First Amendment is made and entered into as of this 3rd day of March, 2020 between Sarpy County (“County”) and the Fraternal Order of Police, Lodge No. 3, Law Enforcement – Sworn (“FOP Sworn”). When referred to collectively, the County and the FOP Sworn shall be referred to as the “parties.”

WHEREAS, the County and the FOP Sworn entered into a collective bargaining agreement on June 25, 2019 for a term of three years via Resolution 2019-168 (“2019-2022 FOP Sworn Contract”); and,

WHEREAS, the FOP Sworn and the County desire to implement a Health Reimbursement Arrangement (“HRA”) program, at no cost to the County, for eligible FOP Sworn members, to assist employees in meeting their health care needs after employment while providing tax savings to both the County and the employee; and,

WHEREAS, for the foregoing reasons, both parties mutually agree that the 2019-2022 FOP Sworn Contract should be re-opened and amended.

NOW, THEREFORE, in consideration of the mutual promises and covenants contained herein, the parties agree to amend the 2019-2022 FOP Sworn Contract as follows:

1. Article 12, Section 4(D): “Leave Provisions” is hereby amended as follows:

- D. Employees hired on or before June 30, 2014 who have accumulated at least eight-hundred (800) hours of sick leave shall be entitled to a credit to vacation leave of one-half (1/2) of his/her accumulated sick leave in excess of eight-hundred (800) working hours. Effective July 1, 1999, an employee who has accumulated eight-hundred (800) hours of sick leave may be entitled to a credit to vacation leave of one-quarter (1/4) of his/her accumulated sick leave in excess of eight-hundred (800) working hours. Hours accrued prior to July 1, 1999 shall remain at one-half (1/2) conversion. Such adjustment for those persons having over eight-hundred (800) hours accumulation of sick leave shall be made on an annual basis. Effective April 1, 2020, when an employee retires or is approved and placed on disability by the County’s carrier, all sick leave conversions made under this section will be paid into their designated Health Reimbursement Arrangement (“HRA”) Account.

Employees hired on or after July 1, 2014 shall not be eligible to convert sick leave to vacation leave.

2. Article 12, Section 4(E): "Leave Provisions" is hereby amended as follows:

E. Effective April 1, 2020, wWhen an employee retires or is approved and placed on disability by the County's carrier, he/she shall be paid one-half (1/2) of his/her accumulated sick leave, with a maximum of four (400) hundred hours pay to their designated HRA Account, with the rate of payment based upon his/her regular pay at the time he/she retires. Upon the death of an employee, his/her beneficiary shall be paid one-half (1/2) of his/her accumulated unused sick leave with a maximum of four hundred (400) hours pay, with the rate of payment based upon his/her regular pay at the time he/she dies.

The FOP shall be responsible for all costs and fees associated with the implementation and administration of the FOP's HRA Accounts, and the County shall bear no costs in relation to said HRA Accounts except for the sick leave conversion payouts.

3. All other provisions of the 2019-2022 FOP Sworn Contract shall remain in full force and effect.

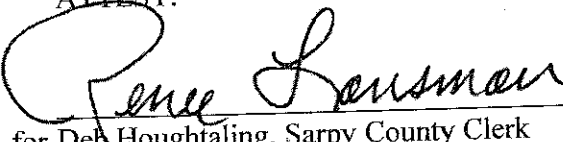
IN WITNESS WHEREOF, the parties have executed this First Amendment as of the date shown above.


SARPY COUNTY

  
\_\_\_\_\_  
Don Kelly, Chair

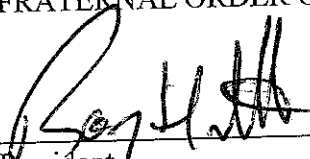
Date: 3/3/2020

ATTEST:

  
\_\_\_\_\_  
for Deb Houghtaling, Sarpy County Clerk Chief Deputy

Approved as to form:   
\_\_\_\_\_  
Deputy County Attorney

FRATERNAL ORDER OF POLICE, LODGE NO. 3

  
\_\_\_\_\_  
President

Date: 3-5-20



# AGENDA ITEM REQUEST 20-100

Board Meetings - Mar 03 2020

## Resolution

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### ITEM DESCRIPTION

Resolution to approve First Amendment to the 2019-2022 Collective Bargaining Agreement between Sarpy County and the Fraternal Order of Police, Lodge No. 3, Law Enforcement - Sworn

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### SPEAKER

Mary Davis, HR Director

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### SUMMARY AND BACKGROUND

After discussions between Sarpy County and the Fraternal Order of Police, Lodge No. 3, Law Enforcement-Sworn, an agreement has been reached to add a Retiree Funded Health Reimbursement Arrangement (RF-HRA) to the employee's benefit package. Effective April 1, 2020, an employees sick leave payout received upon retirement shall be deposited into the employees RF-HRA to be used for eligible post employment medical expenses. Employees are responsible for all fees associated with their account. There is no cost to the County.

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### STAFF RECOMMENDATION

Recommend Approval

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### FISCAL IMPACT

#### Fiscal Year

2019-2020

#### Total County cost of project:

No fiscal impact; tax savings to the County and Employee

#### Is Item in current year budget?

Yes  No

#### Does this item commit the County to future expenses beyond this amount?

Yes  No

#### Email Address(s):

mdavis@sarpy.com  
lwelles@sarpy.com

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## ATTACHMENTS

[Resolution 2020-087 - First Am FOP Sworn CBA Mar 3 2020](#)

[1st Am 2019-2022 FOP Sworn CBA HRA klq edit .2020 to CB 1-signed klq](#)

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**Submitted by:** Mary Davis, HR Director