RESOLUTION APPROVING AND AUTHORIZING THE CHAIRPERSON TO SIGN ADDENDUM TO 2013-2016 AGREEMENT WITH THE FRATERNAL ORDER OF POLICE, SARPY LODGE NO. 3 LAW ENFORCEMENT SWORN EMPLOYEES

WHEREAS, pursuant to Neb. Rev. Stat. § 23-104, 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;

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

WHEREAS, the County previously entered into an agreement on May 20, 2014 concerning terms and conditions of employment of the members of the FOP for the 2013-2016 fiscal years ("Agreement"); and

WHEREAS, the parties are desirous of amending Article 23 of said Agreement by this Addendum, as shown in Exhibit A.

NOW, THEREFORE, BE IT RESOLVED BY THE SARPY COUNTY BOARD OF COMMISSIONERS THAT this Board hereby approves and authorizes the Board Chairperson and County Clerk to sign Exhibit A (attached hereto) and any other related documents 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 applicable law on the 15th day of March, 2016.

Sarpy County Board Chairman

Attest:

County Clerk
To: Sarpy County Board of Commissioners  
From: Bonnie Moore, Human Resources Director  
Date: March 11, 2016  
Re: Resolution Amending the County’s Agreement with the Fraternal Order of Police, Sarpy Lodge No. 3, Law Enforcement Sworn Employees

For your consideration is a resolution that amends (by Addendum) the County’s Agreement (“Agreement”) with the Fraternal Order of Police, Sarpy Lodge No. 3, Law Enforcement Sworn Employees. Under the Agreement, a sworn deputy is eligible to remain on the County’s health insurance at retirement provided that he or she has fifteen years of continuous service and is at least fifty-five years old. The Addendum expands this coverage and in addition to the above, allows a sworn deputy to remain on the County’s health insurance at the applicable retirement rate under the following conditions:

1. He or she has at least thirty years of continuous service as a sworn deputy for the Sarpy County Sheriff’s Office; and  

2. He or she is approved for and/or currently receiving full long-term disability benefits from the County’s Long-Term Disability provider.

The Sheriff, Fraternal Order of Police Sarpy Lodge No. 3, Mike Williams, and Administration reviewed the Addendum and find it acceptable.

I have attached a redlined version of Article 23 for your review. Should you have any questions about the Addendum, please feel free to contact me.
ARTICLE 23
INSURANCE

SECTION 7. A sworn employee deputy, who retires with a minimum of fifteen years of continuous service and is at least age fifty-five (55) years until reaching his/her sixty-fifth (65th)-birthday, may continue in the County's primary health insurance program and receive insurance coverage as provided for retirees (see below) who meets either of the eligibility requirements below, may continue in the County's primary health insurance program and receive insurance coverage as provided in this Section. Should the County discontinue Blue Cross Blue Shield Healthcare coverage, coverage retirees shall be provided coverage under the primary carrier selected by the County.

Eligibility Requirements:

A. Medical Disability. 1) at least thirty (30) years of continuous service as a sworn deputy for the Sarpy County Sheriff's Office; and 2) approved for and/or currently receiving full long-term disability benefits from the County's Long-Term Disability provider; or

B. Retirement. A minimum of fifteen years of continuous service and be at least age fifty-five (55) years.

Eligible employees must be enrolled in a County insurance program prior to retirement. An employee must enroll in the County's primary health insurance program prior to retirement or during open enrollment under COBRA.

The premium will be paid as provided:

I. For employees qualifying under 7.A, the County shall pay fifty percent (50%) of the monthly premium for single, employee/spouse, employee/children or family coverage until reaching age sixty (60) years. Once employees qualifying under 7.A reach age sixty (60) and until their sixty-fifth (65th) birthday, the County shall pay one-hundred percent (100%) of single coverage and fifty percent (50%) of employee/spouse, employee/children or family coverage.

II. For employees qualifying under 7.B, who are age 55-59, the County shall pay fifty percent (50%) of the monthly premium for single, employee/spouse, employee/children or family coverage.

III. For employees qualifying under 7.B, who are age sixty (60) until reaching their sixty-fifth (65th) birthday, the County shall pay one-hundred percent (100%) of single coverage and fifty percent (50%) of employee/spouse, employee/children or family coverage.

A. For employees age 55-59, the County shall pay fifty percent (50%) of
the monthly premium for single, employee/spouse, employee/children or family coverage.

B. For employees age sixty (60) until reaching their sixty-fifth (65th) birthday, the County shall pay one hundred percent (100%) of single coverage and fifty percent (50%) of employee/spouse, employee/children or family coverage.

For the purpose of Section 7 of this Article, it will be necessary in defining "continuous service as a sworn officer" to provide that a layoff of one year or less, any suspension for disciplinary purposes, absence on authorized leave (with or without pay), absence while receiving temporary total disability benefits under the Nebraska Workers Compensation Act, or absence while on disability, shall not constitute a break or interruption in service. In other words, an employee will be considered to have 15 years of continuous service for this Section unless the employee experiences a layoff of over one year.
Exhibit A

ADDENDUM TO THE AGREEMENT BETWEEN THE COUNTY OF SARPY, SARPY COUNTY SHERIFF, AND THE FRATERNAL ORDER OF POLICE, SARPY LODGE NO. 3 LAW ENFORCEMENT SWORN EMPLOYEES, FY 2013-2016

This Addendum is entered into by and between Sarpy County (hereinafter “Sarpy”) and the Fraternal Order of Police (hereinafter “FOP”).

WHEREAS, the parties previously entered into an agreement on May 20, 2014 concerning terms and conditions of employment of the members of the FOP for the 2013-2016 fiscal years (“Agreement”); and

WHEREAS, the parties are desirous of amending Article 23 of said Agreement by this Addendum.

NOW, THEREFORE, it is hereby agreed by and between the parties:

I.

The prior Agreement between the parties is hereby amended by the terms of this Addendum.

II.

Article 23, Section 7 shall be amended to read:

ARTICLE 23

INSURANCE

SECTION 7. A sworn deputy who meets either of the eligibility requirements below, may continue in the County's primary health insurance program and receive insurance coverage as provided in this Section. Should the County discontinue Blue Cross Blue Shield Healthcare coverage, coverage shall be provided by the primary carrier selected by the County.

Eligibility Requirements:

A. Medical Disability. 1) at least thirty (30) years of continuous service as a sworn deputy for the Sarpy County Sheriff's Office; and 2) approved for and/or currently receiving full long-term disability benefits from the County’s Long-Term Disability provider; or

B. Retirement. A minimum of fifteen years of continuous service and be at least age fifty-five (55) years.

Eligible employees must be enrolled in a County insurance program prior to retirement. An employee must enroll in the County's primary
health insurance program prior to retirement or during open enrollment under COBRA.

The premium will be paid as provided:

I. For employees qualifying under 7.A. the County shall pay fifty percent (50%) of the monthly premium for single, employee/spouse, employee/children or family coverage until reaching age sixty (60) years. Once employees qualifying under 7.A. reach age sixty (60) and until their sixty-fifth (65th) birthday, the County shall pay one-hundred percent (100%) of single coverage and fifty percent (50%) of employee/spouse, employee/children or family coverage.

II. For employees qualifying under 7.B. who are age 55-59, the County shall pay fifty percent (50%) of the monthly premium for single, employee/spouse, employee/children or family coverage.

III. For employees qualifying under 7.B. who are age sixty (60) until reaching their sixty-fifth (65th) birthday, the County shall pay one-hundred percent (100%) of single coverage and fifty percent (50%) of employee/spouse, employee/children or family coverage.

For the purpose of Section 7 of this Article, it will be necessary in defining "continuous service as a sworn officer" to provide that a layoff of one year or less, any suspension for disciplinary purposes, absence on authorized leave (with or without pay), absence while receiving temporary total disability benefits under the Nebraska Workers Compensation Act, or absence while on disability, shall not constitute a break or interruption in service. In other words, an employee will be considered to have 15 years of continuous service for this Section unless the employee experiences a layoff of over one year.

The modifications outlined in this Addendum shall be effective immediately.
IV.

The remaining terms and conditions of said prior Agreement shall remain unchanged.
IN WITNESS WHEREOF, we, the contracting parties, by our respective and duly authorized
agents, hereby affix our signatures and seals as shown below.

FRATERNAL ORDER OF POLICE
SARPY LODGE NO. 3

CHAIR, SARPY COUNTY BOARD
OF COMMISSIONERS

SEAL

ATTEST

CLERK, SARPY COUNTY

APPROVED AS TO FORM:

DEPUTY COUNTY ATTORNEY