

RESOLUTION NO. 2009-418

SPONSOR Mr. Pry

DATE November 2, 2009

COMMITTEE Human Services

An amended Resolution authorizing the Summit County Children Services Board, an agency of the County of Summit, to establish and offer to its employees an Early Retirement Incentive Plan, for the Children Services Board, and declaring an emergency.

WHEREAS, Section 145.297 of the Ohio Revised Code authorized a county, or county agency, to enact a retirement incentive plan, provided that it complies with the terms of said Section and the administrative regulations of the Ohio Public Employees Retirement System ("OPERS"); and

WHEREAS, Section 145.297 of the Ohio Revised Code vests decision making authority on whether to enact such a retirement incentive plan with the board of county commissioners, or the County Council, in Summit County; and

WHEREAS, the Summit County Children Services Board ("CSB") desires to offer an Early Retirement Incentive Plan to its employees, a copy of which is attached hereto and incorporated herein by reference, including the addendum adopted by CSB on October 27, 2009, effective February 1, 2010 through January 31, 2011, as a result of the current financial conditions facing that agency; and

WHEREAS, CSB has recommended that the Early Retirement Incentive Plan be adopted to realize cost savings and to further its mission and the best interests of its clients; and

WHEREAS, said Early Incentive Retirement Plan must be authorized by this Council in order to be offered to CSB employees; and

WHEREAS, this Council finds and determines that it is necessary and in the best interest of the County of Summit to authorize CSB to establish and offer to its employees an Early Retirement Incentive Plan, effective February 1, 2010 through January 31, 2011.

NOW, THEREFORE, BE IT RESOLVED, by the Council of the County of Summit, State of Ohio, that:

SECTION 1

This Council hereby authorizes the Summit County Children Services Board ("CSB") to offer an Early Retirement Incentive Plan, attached hereto as Exhibit A, and the addendum to the Plan, attached hereto as Exhibit B, and incorporated herein by reference, to all CSB employees for the effective dates of February 1, 2010 through January 31, 2011.

SECTION 2

This Resolution is hereby declared an emergency in the interest of the health, safety and welfare of the citizens of the County of Summit and for the further reason to immediately authorize said plan so that CSB may offer and educate its employees on the plan as soon as possible.

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SECTION 3

Provided this Resolution receives the affirmative vote of eight members, it shall take effect immediately upon its adoption and approval by the Executive; otherwise it shall take effect and be in force at the earliest time provided by law.

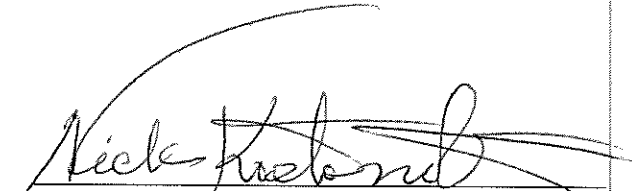
SECTION 4

It is found and determined that all formal actions of this Council concerning and relating to the adoption of this Resolution were adopted in an open meeting of this Council, and that all deliberations of this Council and of any of its committees that resulted in such formal action,

INTRODUCED October 19, 2009

ADOPTED November 2, 2009


CLERK OF COUNCIL


PRESIDENT OF COUNCIL

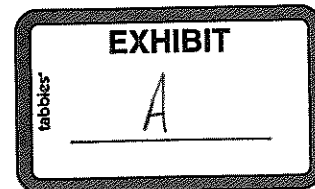
APPROVED November 2, 2009


EXECUTIVE

ENACTED EFFECTIVE November 2, 2009

Voice Vote: 11-0 YES: Comunale, Crawford, Crossland, Feeman, Kostandaras Poda, Prentice, Rodgers, Schmidt, Shapiro, Smith

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PLAN DOCUMENT FOR EARLY RETIREMENT INCENTIVE PLAN

Plan Name: The name of the plan shall be the Retirement Incentive Plan of the County of Summit Ohio, Summit County Children Services, hereinafter referred to as the Plan.

Enabling Resolution and Governing Law: The Plan was approved by the Board of Trustees of the Summit County Children Services on September 22, 2009, and is based on the provisions of Section 145.297 and/or Section 145.298, Ohio Revised Code, and Administrative Rule 145-2-42.

Plan Period: The Plan shall begin on February 1, 2010, and terminate on January 31, 2011.

Terms:

- (A) The Plan shall be the only retirement incentive plan in effect for eligible employees of the County of Summit, Ohio, Summit County Children Services.
- (B) Participation in the Plan shall be available to 100% of employees of the County of Summit Ohio, Summit County Children Services who are employed by the County of Summit Ohio, Summit County Children Services and are members of OPERS on February 1, 2010. Employees who have established more total service credit of record in the Ohio Public Employees Retirement System pursuant to applicable service credit provisions of Chapter 145, Ohio Revised Code, have the right to elect to participate in the Plan before employees having less total service credit established in OPERS.
- (C) Pursuant to the terms of the Plan, service credit for each participating employee shall be purchased by the County of Summit Ohio, Summit County Children Services in an amount equal to the lesser of the following:
 - 1. Three (3) years of service credit, or
 - 2. An amount of service credit equal to one-fifth of the total service credit of record credited to the participating employee in the Ohio Public Employees Retirement System, exclusive of the service credit purchased under this Plan.

Eligibility Requirements: Any employee of the County of Summit Ohio, Summit County Children Services eligible to participate in the Plan shall meet the following criteria:

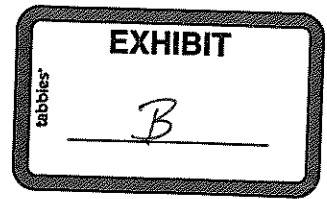
- (A) The employee is or will be eligible to retire under Section 145.32, 145.34, 145.37, or 145.33(A), Ohio Revised Code, on or before the date of termination of the Plan. Service credit to be purchased for the employee under the Plan shall be included in making this determination for eligibility.
- (B) The employee agrees to retire under Section 145.32, 145.34, 145.37, or 145.33 (A), Ohio Revised Code, within 90 days after receiving notice from the Ohio Public Employees Retirement System that service credit has been purchased for the employee pursuant to the Plan.

Notice: The Plan shall be in effect for a minimum of one year. All employees and the Ohio Public Employees Retirement System will receive written notice 30 days in advance of the proposed termination date of the Plan.

Grievance Procedure: Summit County Children Services shall implement the dispute resolution/grievance procedures as provided for in provisions of the Collective Bargaining Unit Agreement between Summit County Children Services and Local #4546 of the Communications Workers of America. and the Summit County Children Services Management & Confidential Employee Handbook to resolve in a timely and impartial manner any disputes that arise under the Plan.

SUMMIT COUNTY CHILDREN SERVICES

RESOLUTION NO.



09-418

WHEREAS, Ohio Revised Code Section 5153.11 authorizes the Summit County Children Services, (SCCS), Executive Director to administer the work of the agency subject to the approval and rules set by SCCS Board of Trustees, (Board); and,

WHEREAS, on 9/1/2009 the Board approved the SCCS 2010 budget, inclusive of the Administration's recommendations to restructure the Social Services Division; and,

WHEREAS, pursuant to Resolution 09-2009-22/D, the SCCS Board of Trustees authorized the SCCS Executive Director and Administration to submit to OPERS an Employer Notification of Adoption of an Early Retirement Incentive Plan, (subject to necessary approvals of the County Council and appropriate County of Summit officials); and,

WHEREAS, in accordance with ORC 145.297, regardless of whether the employee was previously laid-off, the employee will be eligible to participate in the Early Retirement Incentive Plan (ERIP) so long as:

- (1) OPERS receives at least one contribution within the ERIP effective dates; and,
- (2) Employees meet service eligibility requirements,

WHEREAS, the Executive Director recommends to the Board, that:

- (1) Laid-off employees be permitted to participate in the ERIP subsequent to being laid-off; and,
- (2) Pursuant to resolution 09-2009-22/D, the Administration amend the ERIP document to include laid-off employees in the ERIP,

WHEREAS, pursuant to Ohio Revised Code section 124.39 and SCCS policies, upon retirement, an employee may be paid for 25% of his/her accumulated unused sick leave credit (not to exceed 240 hours for bargaining unit employees and 720 hours for non-bargaining unit employees); and,

WHEREAS, the Executive Director recommends to the Board, that laid-off employees who are eligible to retire, upon separation, receive 25% of the cash value of their accrued unused sick leave (not to exceed 240 hours for bargaining unit, and 720 hours for non-bargaining unit); and,

NOW, THEREFORE, BE IT RESOLVED, the Board of Trustees of Summit County Children Services hereby authorizes the Executive Director to amend the ERIP accordingly to allow retirement-eligible, laid-off employees to:

- (1) Participate in the ERIP subsequent to being laid-off; and,
- (2) Upon separation, receive 25% of the cash value of their accrued unused sick leave (not to exceed 240 hours for bargaining unit employees and 720 hours for non-bargaining unit employees).

(subject to necessary approvals of County of Summit officials).

Daniel L. Bell
Chair