

By Niziolek

Amending Title 2, Chapter 20 of the Minneapolis Code of Ordinances relating to Administration: Personnel.

The City Council of The City of Minneapolis do ordain as follows:

Section 1. That the Minneapolis Code of Ordinances be amended by adding thereto a new Section 20.476 to read as follows:

20.476. Minneapolis Fire Department Incentive Plans 2005 through 2006.

(a) Definitions.

City's 2004 monthly contribution rate. For an employee with single health care coverage, the city's 2004 monthly contribution rate is one hundred eighty-eight dollars and fifty cents (\$188.50). For an employee with family health care coverage, the city's 2004 monthly contribution rate is six hundred fifty-seven dollars (\$657.00).

Dependent. Dependent has the meaning given in Minnesota Statutes, Section 62L.02, Subdivision 11.

Eligible employee. An eligible employee means a sworn employee of the Minneapolis Fire Department who has accumulated or will have accumulated twenty (20) years of full-time service with the City of Minneapolis on or before their proposed separation date in accordance with the provisions of this section and solely for the purposes of this section.

Employee's health care savings account. The employee's account in the City's Health Care Savings Plan established through Minneapolis City Ordinance, Section 20.430.

Full-time Service. For the purposes of this section, full-time service means service with the City of Minneapolis in a position which requires the service of an incumbent one hundred (100) percent of the normal work week or schedule on a year-round basis. Service on an intermittent, seasonal, or part-time basis shall also be counted towards full-time service in direct proportion to the time actually employed. Time off pursuant to the Family Medical Leave Act, paid or unpaid, shall count toward full-time service.

Health care coverage. Health care coverage means the group coverage insurance premium for health care plans offered to City of Minneapolis employees. Health coverage does not include the City Dental Plan, Employee Assistance Program (EAP), the City of Minneapolis Voluntary Employees' Beneficiary Association Health Benefit Plan (VEBA), ChiroServe, Health Care Flexible Spending Accounts, Dependent Care Accounts, group life insurance, group long term disability insurance, or any other City of Minneapolis employee benefit.

(b) 2005 plan. Any eligible employee who has submitted a signed and completed participation form to the human resources department to the attention of the employee relations director on or after November 1, 2004 and prior to or on December 10, 2004 and who separates from service no earlier

than sixteen (16) days after submission of the completed election form but prior to or on March 31, 2005, will receive will receive 2005 Option 1 or 2005 Option 2 as elected in the participation form.

(c) *2005 Option 1.*

- (1) Fifteen thousand dollars (\$15,000.00) deposited to the employee's health care savings account.
- (2) Continuation of city's contributions to employee's city sponsored health care coverage plan insurance premium as follows:
 - (i) City contributions will be calculated based upon the employee's city sponsored health insurance coverage in effect on the employee's last day of employment.
 - (ii) Coverage for dependents is limited to those dependents covered on the employee's last day of employment. Coverage for dependents will not be continued after the person is no longer a dependent.
 - (iii) City contributions will cease thirty-six (36) consecutive months from the employee's last day of employment or upon the death of the employee, whichever occurs earlier.
 - (iv) During calendar year 2004 the monthly city contribution is limited to the city's 2004 monthly contribution rate.
 - (v) During calendar year 2005 the monthly city contribution is limited to the lesser of the actual cost of the city's 2005 monthly contribution to the city sponsored health coverage plan, or the city's 2004 monthly contribution rate plus eighteen (18) percent of the city's 2004 monthly contribution rate.
 - (vi) During calendar year 2006 the monthly city contribution is limited to the lesser of the actual cost of the city's 2006 monthly contribution to the city sponsored health coverage plan, or the city's 2004 monthly contribution rate plus thirty-nine (39) percent of the city's 2004 monthly contribution rate.
 - (vii) During calendar year 2007 the monthly city contribution is limited to the lesser of the actual cost of the city's 2007 monthly contribution to the city sponsored health coverage plan, or the city's 2004 monthly contribution rate plus sixty-seven (67) percent of the city's 2004 monthly contribution rate.
 - (viii) During calendar year 2008 the monthly city contribution is limited to the lesser of the actual cost of the city's 2008 monthly contribution to the city sponsored health coverage plan, or the city's 2004 monthly contribution rate plus one hundred (100) percent of the city's 2004 monthly contribution rate.

(d) *2005 Option 2.*

- (1) Fifteen thousand dollars (\$15,000.00) deposited to the employee's health care savings account.
- (2) City contributions to employee's health care savings account as follows:

- (i) City contributions will be calculated based upon the employee's city sponsored health insurance coverage in effect on the employee's last day of employment.
- (ii) City contributions will cease thirty-six (36) consecutive months from the employee's last day of employment or upon the death of the employee, whichever occurs earlier.
- (iii) During calendar year 2004 the monthly city contribution is limited to the city's 2004 monthly contribution rate.
- (iv) During calendar year 2005 the monthly city contribution is limited to the lesser of the actual cost of the city's 2005 monthly contribution to the city sponsored health coverage plan, or the city's 2004 monthly contribution rate plus eighteen (18) percent of the city's 2004 monthly contribution rate.
- (v) During calendar year 2006 the monthly city contribution is limited to the lesser of the actual cost of the city's 2006 monthly contribution to the city sponsored health coverage plan, or the city's 2004 monthly contribution rate plus thirty-nine (39) percent of the city's 2004 monthly contribution rate.
- (vi) During calendar year 2007 the monthly city contribution is limited to the lesser of the actual cost of the city's 2007 monthly contribution to the city sponsored health coverage plan, or the city's 2004 monthly contribution rate plus sixty-seven (67) percent of the city's 2004 monthly contribution rate.
- (vii) During calendar year 2008 the monthly city contribution is limited to the lesser of the actual cost of the city's 2008 monthly contribution to the city sponsored health coverage plan, or the city's 2004 monthly contribution rate plus one hundred (100) percent of the city's 2004 monthly contribution rate.

(e) *2006 plan.* Any eligible employee who has submitted a signed and completed participation form to the human resources department to the attention of the employee relations director on or after November 1, 2005 and prior to or on December 1, 2005 and who separates from service no earlier than sixteen (16) days after submission of the completed election form but prior to or on March 31, 2006, will receive 2006 Option 1 or 2006 Option 2 as elected in the participation form.

(f) *2006 Option 1.*

- (1) Fifteen thousand dollars (\$15,000.00) deposited to the employee's health care savings account.
- (2) City contributions to employee's city sponsored health care coverage plan insurance premium as follows:
 - (i) City contributions will be calculated based upon the employee's city sponsored health insurance coverage in effect on the employee's last day of employment.
 - (ii) City contributions will cease twenty-four (24) consecutive months from the employee's last day of employment or upon the death of the employee, whichever occurs earlier.
 - (iii) During calendar year 2005 the monthly city contribution is limited to the lesser of the actual cost of the city's 2005 monthly contribution to the city sponsored health coverage plan, or the city's 2004 monthly contribution rate plus eighteen (18) percent of the city's 2004 monthly contribution rate.

- (iv) During calendar year 2006 the monthly city contribution is limited to the lesser of the actual cost of the city's 2006 monthly contribution to the city sponsored health coverage plan, or the city's 2004 monthly contribution rate plus thirty-nine (39) percent of the city's 2004 monthly contribution rate.
- (v) During calendar year 2007 the monthly city contribution is limited to the lesser of the actual cost of the city's 2007 monthly contribution to the city sponsored health coverage plan, or the city's 2004 monthly contribution rate plus sixty-seven (67) percent of the city's 2004 monthly contribution rate.
- (vi) During calendar year 2008 the monthly city contribution is limited to the lesser of the actual cost of the city's 2008 monthly contribution to the city sponsored health coverage plan, or the city's 2004 monthly contribution rate plus one hundred (100) percent of the city's 2004 monthly contribution rate.

(g) *2006 Option 2.*

- (1) Fifteen thousand dollars (\$15,000.00) deposited to the employee's health care savings account.
- (2) City contributions to employee's health care savings account as follows:
 - (i) City contributions will be calculated based upon the employee's city sponsored health insurance coverage in effect on the employee's last day of employment.
 - (ii) City contributions will cease twenty-four (24) consecutive months from the employee's last day of employment or upon the death of the employee, whichever occurs earlier.
 - (iii) During calendar year 2005 the monthly city contribution is limited to the lesser of the actual cost of the city's 2005 monthly contribution to the city sponsored health coverage plan, or the city's 2004 monthly contribution rate plus eighteen (18) percent of the city's 2004 monthly contribution rate.
 - (iv) During calendar year 2006 the monthly city contribution is limited to the lesser of the actual cost of the city's 2006 monthly contribution to the city sponsored health coverage plan, or the city's 2004 monthly contribution rate plus thirty-nine (39) percent of the city's 2004 monthly contribution rate.
 - (v) During calendar year 2007 the monthly city contribution is limited to the lesser of the actual cost of the city's 2007 monthly contribution to the city sponsored health coverage plan, or the city's 2004 monthly contribution rate plus sixty-seven (67) percent of the city's 2004 monthly contribution rate.
 - (vi) During calendar year 2008 the monthly city contribution is limited to the lesser of the actual cost of the city's 2008 monthly contribution to the city sponsored health coverage plan, or the city's 2004 monthly contribution rate plus one hundred (100) percent of the city's 2004 monthly contribution rate.

(h) *Rescission period.* An employee may rescind the decision to participate pursuant to federal law, state law, civil service rules or collective bargaining agreement.

(i) *Payment.* Payment to the employee's health care savings account under this section will be made within thirty (30) days after the expiration of all applicable notice, waiver and rescission time periods.

(j) *Pension benefits impacted.* To the extent permitted by law, the contribution will have no financial impact on the eligible employee's current or future pension benefits.

(k) *Employment ineligibility.* Employees who separate employment under the terms of this section are ineligible for future employment with a city department under council jurisdiction.

(l) *Waiver of rights.* Employees participating in the incentive under this section must release the City of Minneapolis from any and all rights, causes of action or claims in connection with the employee's employment at the City of Minneapolis, termination of that employment and all related matters. The waiver shall exclude rights, causes of action and claims arising after the date the waiver is executed. These rights and claims include, but are not limited to, those arising under any local, state, or federal laws, regulations or other requirements, including without limitation the Age Discrimination in Employment Act, as amended by the Older Workers' Benefit Protection Act. The waiver will not interfere with an employee's right to file a charge or participate in an investigation or a proceeding conducted by the Equal Employment Opportunity Commission.