

By Hodges

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 Chapter 20 of the Minneapolis Code of Ordinances be amended by adding thereto a new Section 20.478 to read as follows:

20.478. 2010 Police Department Retirement Incentive Plan. (a) *Definitions.*

Eligible employee. For the purposes of this section, an eligible employee means a sworn employee of the Minneapolis Police Department who is eligible for full or reduced retirement benefits under any public employees' retirement plan.

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

(b) *Plan.* The first ten (10) eligible employees who submit a signed and completed participation form to the human resources department to the attention of the employee services director on or after September 16, 2010, and prior to or on December 10, 2010, who separate from service on or after October 4, 2010 and prior to or on December 31, 2010 but no earlier than sixteen (16) days after submission of the completed election form, will receive twenty-five thousand dollars (\$25,000.00) deposited to the employees' health care savings account.

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

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

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

(f) *Payment.* The 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.

(g) *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.

Section 2. That Chapter 20 of the Minneapolis Code of Ordinances be amended by adding thereto a new Section 20.479 to read as follows:

20.479. 2010 Fire Department Retirement Incentive Plan. (a) *Definitions.*

Eligible employee. For the purposes of this section, an eligible employee means a sworn employee of the Minneapolis Fire Department who is eligible for full or reduced retirement benefits under any public employee's retirement plan.

(b) *Plan.* The first ten (10) eligible employees who submit a signed and completed participation form to the human resources department to the attention of the employee services director on or after September 16, 2010, and prior to or on December 10, 2010, who separate from service on or after October 4, 2010 and prior to or on December 31, 2010 but no earlier than sixteen (16) days after submission of the completed election form, will receive twenty-five thousand dollars (\$25,000.00).

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

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

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

(f) *Payment.* The payment to the employee under this section will be made within thirty (30) days after the expiration of all applicable notice, waiver and rescission time periods and will have all applicable federal and state taxes withheld.

(g) *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.