

RESOLUTION #18-0222-01

WHEREAS, the Township and the IAFF, Local 3754 ("IAFF") and United Steelworkers, Local 9110-07 ("USW") recently underwent binding arbitration (FMCS Case No. 170823-55371) to resolve grievances surrounding application of the Township's cash-in-lieu program to bargaining unit employees.

WHEREAS, on Monday, February 19, 2018, the arbitrator ordered all IAFF and USW bargaining unit employees who are receiving a cash payment under the Township's cash-in-lieu program, including those who have opted down in coverage, to be brought into full compliance with Ohio Revised Code 505.603(A) retroactively to May 23, 2017.

WHEREAS, Ohio Revised Code 505.603(A) caps payments under a township cash-in-lieu program at twenty-five per cent (25%) of the cost of premiums or payments that otherwise would be paid by the board for benefits for the officer or employee under an offered policy, contract, or plan.

WHEREAS, the Township has previously instituted the twenty-five per cent (25%) cap as mandated by Ohio Revised Code 505.603(A) for non-bargaining unit employees.

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF TRUSTEES OF LIBERTY TOWNSHIP, DELAWARE COUNTY, OHIO THAT:

1. The Township hereby authorizes the Township Administrator and Township Fiscal Officer to take all appropriate actions necessary to fully implement the arbitrator's award, including but not limited to:
 - a. Placing all IAFF and USW bargaining unit employees who receive payments under the Township's cash-in-lieu program at the statutory 25% just like non-bargaining unit employees, retroactive to May 23, 2017.
 - b. Providing any back payment to those bargaining unit employees who did not receive a cash-in-lieu payment at the statutory 25% level since May 23, 2017.
 - c. Taking appropriate action to recoup any overpayment made to those bargaining unit employees who received a cash-in-lieu payment greater than the statutory 25% level as of May 23, 2017.

Motion made by Melanie Leneghan and seconded by Mike Gemperline.

Vote: yes Mrs. Eichhorn yes Mr. Gemperline yes Mrs. Leneghan

This Resolution shall be in force and become effective immediately upon its execution.

Feb. 22, 2018

Date

Melanie Leneghan
Melanie Leneghan, Trustee

Mike Gemperline
Mike Gemperline, Trustee

CERTIFIED BY:

Nancy Denutte
Nancy Denutte, Fiscal Officer

Shyra Eichhorn
Shyra Eichhorn, Trustee