

**RESOLUTION #18-0319-03**

This resolution supersedes Resolution 18-0221-01 and removes the language in Item 1.c of Resolution 18-0221-01 regarding the recoup of overpayments made to those bargaining unit employees who received cash-in-lieu payment greater than the statutory 25% level as of May 23, 2017.

**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.~~ **CB**
  - 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.

Motion made by Mrs. Leneghan and seconded by Mr. Gemperline

**Vote:** N/P Mrs. Eichhorn yes Mr. Gemperline yes Mrs. Leneghan

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

3-19-18  
Date

Melanie Leneghan  
Melanie Leneghan, Trustee

CERTIFIED BY:

Mike Gemperline  
Mike Gemperline, Trustee

Nancy Denutte  
Nancy Denutte, Fiscal Officer

- not present -  
Shyra Eichhorn, Trustee