

RESOLUTION NO. A-\_\_\_\_\_

1 WHEREAS, the City Council passed Resolution No. A-84228 on February 5, 2007  
2 approving a temporary early retirement incentive program, which ended May 7, 2007; and

3 WHEREAS, the City desires to establish another temporary early retirement incentive  
4 program for application to Fiscal Year 2008-2009;

5 NOW, THEREFORE, be it resolved by the City Council of the City of Lincoln, Nebraska:

6 There is hereby established a temporary early retirement incentive program consisting of  
7 the following terms and conditions, and those specified in the attached "Application and  
8 Agreement", attached hereto as Attachment A and made a part hereof by reference.

9 1. **Eligibility.** Employees eligible to participate shall be any regular employee in pay  
10 ranges prefixed with the letters A, B, C, E, M, N, and X who has attained the age of 55  
11 and has completed 20 or more years of service with the City and any regular employee  
12 in the above pay ranges age 62 or older at the time of adoption of this program or any  
13 employee in the above pay ranges who will meet these eligibility requirements by  
14 October 15, 2008;

15 2. **Participation.** Employee participation in the temporary early retirement incentive  
16 program is strictly voluntary on the part of eligible employees;

17 3. **Application to Participate.** Any eligible employee wishing to participate in the  
18 temporary early retirement incentive program shall complete an Application and  
19 Agreement in the form of Attachment A to this resolution during the time the temporary  
20 early retirement incentive program is in effect.

21 4. **Enrollment Period.** Eligible employees are required to enroll in the temporary early  
22 retirement incentive program by completing an Application and Agreement at any time  
23 after passage of this resolution and February 15<sup>th</sup>, 2008 to obtain the maximum incentive

1 amount as set forth in the Application and Agreement in Attachment A hereto; otherwise  
2 employees who apply after February 15<sup>th</sup>, 2008 but no later than May 2<sup>nd</sup>, 2008 shall be  
3 eligible to receive the secondary level of incentive as outlined in the Application and  
4 Agreement found in Attachment A.

5 5. **Retirement Date.** Any eligible employee who enrolls in the temporary early retirement  
6 incentive program shall be required to retire from City employment between September  
7 1, 2008 and October 15<sup>th</sup>, 2008.

8 6. **Early Retirement Incentive.**

9 A. Any eligible employee who enrolls in the temporary early retirement incentive  
10 program by no later than February 15<sup>th</sup>, 2008, shall receive the maximum  
11 incentive level consisting of the following:

12 (1) For eligible employees with up to 20 years of service, the City will  
13 contribute to the eligible employee's Post Employment Health Plan  
14 (PEHP) premium account \$7500 and an additional 15% of the eligible  
15 employee's accrued sick leave balance over and above the sick leave  
16 amount the eligible employee would normally receive at retirement. At  
17 the option of the eligible employee, the additional 15% of accrued sick  
18 leave will either be paid as 5% cash and 10% to the PEHP premium  
19 account or the entirety of the additional 15% paid to the eligible  
20 employee's PEHP premium account;

21 (2) For eligible employees with 20 to 25 years of service, the City will  
22 contribute to the eligible employee's Post Employment Health Plan  
23 (PEHP) premium account \$12,500 and an additional 25% of the eligible  
24 employee's accrued sick leave balance over and above the sick leave  
25 amount the eligible employee would normally receive at retirement. At

1 the option of the eligible employee, the additional 25% of accrued sick  
2 leave will be either paid as 10% cash and 15% to the PEHP premium  
3 account or the entirety of the additional 25% paid to the eligible  
4 employee's PEHP premium account;

- 5 (3) For eligible employees with more than 25 years of service, the City will  
6 contribute to the eligible employee's Post Employment Health Plan  
7 (PEHP) premium account \$17,500 and an additional 35% of the eligible  
8 employee's accrued sick leave balance over and above the sick leave  
9 amount the eligible employee would normally receive at retirement. At  
10 the option of the eligible employee, the additional 35% of accrued sick  
11 leave will be either paid as 10% cash and 25% to the PEHP premium  
12 account or the entirety of the additional 35% paid to the eligible  
13 employee's PEHP premium account.

14 B. Any eligible employee who does not enroll by February 15<sup>th</sup>, 2008, but does  
15 enroll in the temporary early retirement incentive program between February  
16 16<sup>th</sup>, 2008 and May 2<sup>nd</sup>, 2008, shall receive the secondary level of retirement  
17 incentive as follows:

- 18 (1) For eligible employees with up to 20 years of service, the City will  
19 contribute to the eligible employee's Post Employment Health Plan  
20 (PEHP) premium account \$5,000 and an additional 10% of the eligible  
21 employee's accrued sick leave balance over and above the sick leave  
22 amount the eligible employee would normally receive at retirement will be  
23 paid to the eligible employee's PEHP premium account;

- 24 (2) For eligible employees with 20 to 25 years of service, the City will  
25 contribute to the eligible employee's Post Employment Health Plan

1 (PEHP) premium account \$10,000 and an additional 20% of the eligible  
2 employee's accrued sick leave balance over and above the sick leave  
3 amount the eligible employee would normally receive at retirement will be  
4 paid to the eligible employee's PEHP premium account;

5 (3) For eligible employees with more than 25 years of service, the City will  
6 contribute to the eligible employee's Post Employment Health Plan  
7 (PEHP) premium account \$15,000 and an additional 30% of the eligible  
8 employee's accrued sick leave balance over and above the sick leave  
9 amount the eligible employee would normally receive at retirement will be  
10 paid to the eligible employee's PEHP premium account.

11 7. **Compliance with Law.** The temporary early retirement incentive program is intended to  
12 fully comply with all applicable provisions of the Age Discrimination in Employment Act  
13 (ADEA) and the Older Workers Benefit Protection Act (OWBPA), 29 U.S.C.A. Sections  
14 621-634.

Introduced by:  
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Approved as to Form and Legality:

\_\_\_\_\_  
City Attorney

Approved this ___ day of _____, 2007:  _____ Mayor
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