ORDINANCE NO. 9 , 2008

AN ORDINANCE AMENDING SECTION 34.05 OF THE CODE OF ORDINANCES ESTABLISHING EMPLOYEE BENEFITS AND DECLARING AN EMERGENCY

WHEREAS, Section 34.05 of the Code of Ordinances sets forth various benefits provided to full-time employees; and

WHEREAS, the Administration has recommended amending Section 34.05 to set forth the procedure to establish coverage and the contribution limits to be paid by the City while allowing Council in separate legislation periodically to establish the current plans, providers and contribution limits to be paid by the City.

NOW THEREFORE, BE IT ORDAINED by the Council of the City of Montgomery, Hamilton County, Ohio, that:

SECTION 1. Section 34.05(B) is hereby amended to read as follows:

(B) *Medical*: (1) *Each full-time employee shall be entitled to medical insurance coverages and related benefits such as dental and optical coverage subject to any negotiated benefits within a collective bargaining agreement. Council shall choose the insurance carrier, or carriers, to provide such coverage, the plan options to be offered to employees and the maximum contribution for such coverage to be paid by the City.*

(2) If the cost to provide such insurance coverage exceeds the maximum contribution limits established by City Council, fifty percent (50%) of the cost in excess of such maximum contribution shall be paid by the City and fifty percent (50%) of the cost in excess of the maximum contribution shall be paid by the employee. Insurance cost payments to be paid by the employee shall be made by payroll deduction.

(3) If the Administration determines that it is necessary to change insurance coverages and/or if the anticipated cost of insurance coverage, as it exists or as proposed, will exceed the maximum contribution limits established by Council, then these issues shall be referred to the Employee/Management Health and Benefits Plan Committee for review and recommendation to the City Council. The Committee shall be comprised of five members, one of whom shall be appointed by the Police Department bargaining unit, one of whom shall be appointed by the Fire Department bargaining unit, one of whom shall be appointed by the Service Department bargaining unit, and one of whom shall be appointed by the Administrative Staff employees. The fifth member of the Committee shall be appointed by the City Manager.

The Committee shall have the authority to recommend a change in either the level of, or provider for, health care benefits, which include comprehensive major medical, hospitalization or dental insurance, or optical benefits provided by this self-funded program. The Committee shall have the authority to recommend to City Council that Council continue the current plan benefits, even if such plan benefits exceed the maximum contribution limits if the Committee determines that such health care benefits at such cost are in the best interest of the City and employees. The Committee shall not have the authority to modify the maximum contribution limits on employer paid health care benefits. A majority of the Committee shall constitute a quorum and it may take action or make recommendation only by a consensus vote of its Committee members. If the Committee is unable to reach a consensus after exhausting all efforts to do so, their recommendation may be made by a majority of the Committee members. Council shall consider but is not bound by the recommendations of the Committee.

SECTION 2. All Ordinances or parts of Ordinances inconsistent herewith are hereby repealed.

SECTION 3. As it is necessary to implement these changes in the Code to comply with the contractual changes in health care benefits, this Ordinance is declared to be an emergency measure necessary for the preservation of the public peace, health, safety and welfare and as such it shall take effect immediately upon its adoption.

SECTION 4. This Ordinance shall take effect the earliest opportunity as allowable by law.

PASSED: August 6, 2008

ATTEST: Susan J. Hamm
Susan J. Hamm, Clerk of Council

Gerri Harbison
Gerri Harbison, Mayor

APPROVED AS TO FORM:
Terrence M. Donnellon
Terrence M. Donnellon, Law Director