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LANCASTER COUNTY CLERK

BEFORE THE BOARD OF COUNTY COMMISSIONERS
OF LANCASTER COUNTY, NEBRASKA

IN THE MATTER OF ADOPTING BENEFITS FOR DEPUTY SHERIFF CAPTAINS IN THE UNCLASSIFIED SERVICE	))))	RESOLUTION NO. R-12-0040

WHEREAS, pursuant to NEB.REV.STAT. §23-2519, the county service is divided into the classified and unclassified service; and

WHEREAS, the Lancaster County Board (County Board) has previously adopted Personnel Rules, including employee benefits, that are applicable to classified service employees who are not covered by a labor agreement; and

WHEREAS Lancaster County Deputy Sheriff Captains are unclassified employees who are not covered by a labor agreement; and

WHEREAS Lancaster County Deputy Sheriff Captains are classified under the sheriff's office merit system, pursuant to the provisions found at NEB.REV.STAT. §23-1721 *et seq.*, and the rules and regulations of the Lancaster County Sheriff Merit Commission; and

WHEREAS, the County Board has adopted a Resolution defining benefits applicable to certain unclassified employees who are not covered by a labor agreement, and excluding Lancaster County Deputy Sheriff Captains; and

WHEREAS, the County Board wishes to provide Lancaster County Deputy Sheriff Captains separate benefits from other unclassified employees who are not covered by a labor agreement; and

WHEREAS, the County Board wishes to provide Lancaster County Deputy Sheriff

Captains similar benefits to those benefits provided to all other Lancaster County Deputy Sheriffs classified under the sheriff's office merit system, pursuant to the provisions found at NEB.REV.STAT. §23-1721 *et seq.*, and the rules and regulations of the Lancaster County Sheriff Merit Commission.

NOW, THEREFORE, BE IT RESOLVED, by the Board of County Commissioners of Lancaster County, as follows:

1. Employees Defined. Unless otherwise stated herein, the benefits described in this Resolution apply to full-time Lancaster County Deputy Sheriff Captains not covered by a labor agreement. Lancaster County Deputy Sheriff Captains covered by this Resolution are classified under the sheriff's office merit system, pursuant to the provisions found at NEB.REV.STAT. §23-1721 *et seq.*, and the rules and regulations of the Lancaster County Sheriff Merit Commission. All rights afforded to them by such classification remain in full force and effect.

2. Health, Dental, Vision and Life Insurance. Employees may enroll in the County Health, Dental and Vision Plans without a six month waiting period. The employee is required to make contributions to the premiums as applicable.

A. Health insurance. The County shall maintain a group health insurance policy. The County shall annually provide coverage with one or more carriers.

1. The County shall contribute Ninety-Five Percent (95%) of the monthly cost of single coverage.

2. The County shall contribute Eighty-Five Percent (85%) of the monthly cost of 2/4 party coverage.

3. The County shall contribute Eighty-Five Percent (85%) of the monthly cost of family coverage.

B. Health insurance for retirees. Employees, upon retirement, may participate in the Group Health Insurance Program for active County employees, provided that each retiree so desiring will execute the required forms in a timely fashion, and further provided that each retiree will be required to pay the full monthly premium at the then current rates subject to any rate increases which may occur from time to time. Such payment shall be made to the County Clerk by the fifth of the month preceding the month of coverage.

C. Life insurance On the first day of the month after employment, employees are automatically enrolled in the County Life Insurance Plan. The Life Insurance Plan includes a basic life benefit for the employee in the amount of Thirty Thousand Dollars ($30,000), at no cost to the employee. Additional voluntary and/or supplemental life insurance may be purchased by the employee according to the Life Insurance Plan.

D. Dental insurance The County will pay one hundred percent (100%) of the monthly premium for Dental Insurance for single coverage. The County will pay eighty percent (80%) of the monthly premium for

Dental Insurance, and the employee will pay the remaining twenty percent (20%) of the premium for 2/4 party and family coverages.

3. Retirement. An employee is automatically enrolled in the County Retirement Plan (Plan) when the employee has obtained the age of twenty-five (25) and has completed one year of service with the County. An employee may voluntarily elect to participate in the Plan sooner by making a written request to the County Board pursuant to the provisions and requirements set forth in the Plan. Employees shall make the same contribution as outlined in the state statutes for employees of the County and contributions will be matched using the same principles as other County employees.

4. Longevity Pay. In addition to an employee's base salary, each Lancaster County Deputy Sheriff Captain shall annually receive longevity pay based upon the total length of continuous service with the County. Such pay shall be effective beginning with the first full pay period following completion of the specified years of service. Payment shall be made on a prorated basis on each regular pay day. The longevity schedule shall be as follows:

Completed Years of Service	Annual Pay
6 years (Beginning 7th Year)	$400.00
10 years (Beginning 11th Year)	$550.00
15 years (Beginning 16th Year)	$700.00
20 years (Beginning 21st Year)	$850.00

5. Deferred Compensation. An employee may participate in the County Deferred Compensation Plan, without a six month waiting period, under the rules and requirements established by the County Deferred Compensation Plan.

6. Post Employment Health Plan. After six months of employment with the County,

employees are automatically enrolled in the County-funded Post Employment Health Plan (PEHP) at no cost to the employee. The purpose of the PEHP is to set aside an amount of money in a trust account for the express purpose of paying for qualified medical expenses in the future. The qualification for this program is listed under the Internal Revenue Code 501(c)(9). All contributions and expenditures will be as outlined in the Trust Agreement and Participation Agreement and may change from time to time to comply with changes in the Trust Agreement or Tax Code requirements. The amount of dollars paid into the employee's PEHP account by the County on behalf of the employee shall be $25.00 per pay period. In addition, upon retirement or death a portion of the employee's sick leave balance shall be added (paid) into the employee's premium PEHP account. Accordingly, 100% of the sick leave payout amount upon retirement, death, or death in the line of duty will be deposited in the employee's premium account in the PEHP.

7. Long Term Disability (LTD). After six months of employment with the County, employees are automatically covered by the County's Long Term Disability Plan at no cost to the employee. The employee is entitled to benefits in accordance with and only to the extent of the plan's benefits.

8. Sick Leave. Sick leave shall be earned at the rate of one hundred and four (104) hours per year and will be factored as four (4) hours per pay period. There is no waiting period before earned sick leave may be used. Sick leave with pay must be earned before it can be taken and advancing sick leave is prohibited. Employees may utilize their allowance of sick leave when unable to perform their work duties by reason of personal illness, job related

fatigue, noncompensable bodily injury, pregnancy, disease, or exposure to a contagious disease under circumstances in which the health of other employees or the public would be endangered by attendance on duty. Sick leave with pay may be taken to keep medical or dental appointments. It may also be granted for a maximum of forty (40) hours in each calendar year for illness in the household of the employee or his immediate family.

At the employee's discretion, he/she may supplement their Workers' Compensation payment with sick leave to bring the total sum of the Workers' Compensation payment and sick leave to a figure equivalent to a full pay check.

Upon retirement or death not in the line of duty, an employee or his/her estate shall receive a payout of fifty percent (50 %) of the employee's total accumulated sick leave balance. Any employee who is eligible to retire and who actually retires no later than August 30, 2012, pursuant to the Deputy Sheriff Captains' Temporary Retirement Buyout Program (the Program), found at County Resolution No. R-12-0041, will receive a payout of one-hundred percent (100%) of the employee's total accumulated sick leave balance as provide in the Program.

Upon the death of an employee in the line of duty his/her estate shall receive a payout of one-hundred percent (100%) of the employee's total accumulated sick leave balance.

One-hundred percent (100%) of the sick leave payout amount upon retirement, death, or death in the line of duty will be deposited into the employee's premium PEHP account.

9. Vacation. Employee's shall earn vacation leave as follows:

Years of Service	Hours Accumulated

Less than 5 years	80 hours per year
After 5 years	120 hours per year
After 10 years	148 hours per year
After 15 years	168 hours per year
After 20 years	198 hours per year

There is no waiting period before earned vacation leave may be used. An employee may accumulate a maximum of two hundred forty (240) hours of vacation at any one time. Any leave time in addition to the two hundred forty (240) hours will be forfeited each pay period. Upon separation from employment with the County, unused accumulated vacation leave shall be paid to the employee, provided that the employee provides the Department Head with no less than ten (10) working days notice in writing of the resignation.

Vacation leave shall be requested and approved in advance of its use.

Absence on account of sickness, injury, or disability, in excess of that hereinafter authorized for such purpose, shall be charged against vacation leave allowance at the employee's discretion.

The Department Head shall schedule vacation leaves to accord with operating requirements and, insofar as possible, to coincide with requests of the employees.

Vacation leave shall not accrue during any period of absence without pay or without leave.

10. Holidays. The following are County authorized holidays:

New Years Day	Labor Day
Martin Luther King Jr.'s Birthday	Veteran's Day
President's Day	Thanksgiving Day
Memorial Day	Christmas Day
Fourth of July	

In addition to the legal holidays listed above, employees will be entitled to four (4) personal holidays beginning September 1st of each year. Personal holidays may be taken at any time during the twelve month period in which they are granted provided the days selected by the employee have the prior approval of the Department Head. Personal holidays are noncumulative. Personal holidays are automatically forfeited if they are not used during the twelve month period in which they are granted. Personal holidays are automatically forfeited when an employee separates his/her employment with the County.

11. Funeral Leave. Employees shall be eligible for funeral leave with pay at the rate of up to thirty-two (32) hours for the immediate family and up to eight (8) hours for secondary family.

12. Injury Leave With Pay. In the case of temporary total disability of an employee received in the line of duty, the employee shall receive the difference between his regular pay and the workers' compensation payment for sixty (60) calendar days from the date the employee becomes temporarily totally disabled. Such injury leave shall not be deducted from vacation or sick leave credits.

13. Leave For Jury Duty. Employees called to serve jury duty shall receive his/her regular pay in addition to the compensation received for ten (10) working days of jury service. For jury service exceeding ten (10) working days during one (1) jury term, employees receive the difference between their regular pay and the compensation received for such jury service.

14. Military Leave. Military leave shall be governed by Neb. Rev. Stat. §§55-160 through 55-166 or as amended by the Legislature.

15. Special Leave.

A. Leave of absence without pay may be granted employees by the Department Head. The City-County Personnel Administrator must be notified of leaves in excess of thirty (30) calendar days.

B. The Department Head, with approval of the City-County Personnel Administrator, may grant a permanent employee leave of absence without pay for a period not to exceed one (1) year for travel or study which will render the employee of greater value to the County upon his return to duty. Such leave shall be granted only when it will not result in undue prejudice to the interests of the County as an employer beyond any benefits to be realized. No leave without pay shall be granted primarily in the interests of the employee except in the case of one who has shown by his record of service or by other evidence to be of more than average value to the County, and whose service is desirable to retain even at such sacrifice. Failure on the part of an employee on leave to report promptly at its expiration, without good cause, shall be considered as a resignation.

C. Leave with pay for public health or safety duties of an emergency nature may be authorized by the Department head upon approval of the City-County Personnel Administrator. Such leave will not be deducted from vacation or sick leave.

D. In the event of an emergency as declared by the Board of Commissioners (including but not limited to inclement weather, natural disasters, or man made disasters) where an employee is unable to report for work, the employee may request and be granted accrued vacation leave, unused holiday time, accrued compensatory time or authorized leave without pay, with approval of the Department Head. Provisions may be made whereby attendance of essential or necessary employees is required.

16. Parental Leave.

A. Parental leave shall be leave without pay and an employee shall not accumulate any additional sick leave or vacation leave while on parental leave.

B. Parental leave may be used by an employee in connection with the birth or adoption of a child or children.

C. An employee shall request parental leave in writing no later than five (5) working days prior to the date on which such leave is to begin.

D. The maximum duration of parental leave following the birth or adoption of a child shall be thirty (30) calendar days unless need for additional leave is medically certified by a physician.

E. The use of parental leave by an employee will in no way jeopardize the position of that employee in the County service.

F. No employee shall be compelled, coerced, or ordered to begin parental

leave at any time.

17. Uniforms and Equipment.

A. The County shall provide and replace sufficient uniforms for uniformed employees where uniforms are required. The County will provide rain coats and caps for employees. Employees will be responsible for rain gear from time of issue until separation or reissue of gear.

B. The County shall provide all authorized law enforcement equipment for uniformed and nonuniformed employees.

C. Regular replacement articles shall be provided as necessary for wear or damage or loss of uniform and equipment occurring while in the performance of duties.

D. The County shall provide cleaning at no expense to the employee for all authorized uniform articles for uniformed employees.

E. The County shall provide an allowance of fifty dollars ($50.00) per month to be paid to nonuniformed employees for the purpose of purchasing, maintaining and cleaning civilian attire. Payment shall be made in September and March of each year.

F. The County will supply all sheriff deputy captains with body armor up to a maximum of $550. County-owned body armor will be replaced after five (5) years if it is worn on a regular basis.

G. Costs for replacement of required personal equipment that is damaged,

broken, or lost in the course and scope of employment will be reimbursed by the County as provided for below.

1. Prescription eyeglasses or contact lenses will be reimbursed up to a replacement value of one-hundred ($100.00) dollars.

2. Watches will be reimbursed up to a replacement value of fifty ($50.00) dollars.

18. This Resolution does not constitute an employment contract.

19. This Resolution is effective the pay period beginning May 17, 2012.

DATED this 29 day of May, 2012, at the County-City Building, Lincoln, Lancaster County, Nebraska.

BY THE BOARD OF COUNTY COMMISSIONERS OF LANCASTER COUNTY, NEBRASKA

APPROVED AS TO FORM
this 29 day of
May, 2012.

for JOE KELLY
County Attorney

Heier Absent

Raybould Absent