

ORDINANCE NO. 76 - 2010

CREATING A RETIREMENT INCENTIVE PROGRAM FOR QUALIFIED  
EMPLOYEES, AND DECLARING AN EMERGENCY.

WHEREAS, the City of Maumee is in the process of reviewing the budget for 2010 in an effort to reduce the proposed General Fund deficit; and

WHEREAS, it is beneficial to the City to downsize the labor force in order to reduce long term expenditures in personnel costs to the extent it is possible for 2010 and beyond; and

WHEREAS, a Retirement Incentive Program is a fair approach to reduce personnel costs long term by downsizing the labor force and provides eligible employees an opportunity to consider separation with the added benefit of a cash incentive;

SECTION 1. There is hereby created a one-time voluntary, nondiscriminatory Retirement Incentive Program, the terms and conditions of which are set forth below:

**“City of Maumee  
Retirement Incentive Program**

The City of Maumee is offering a one-time voluntary, nondiscriminatory Retirement Incentive Program as part of its efforts to reduce the long term personnel related expenditures of the City. All full-time appointed employees meeting the following requirements are eligible to participate in the Retirement Incentive Program.

**Eligibility, Payback, and Separation Details**

Subject to all terms and conditions herein, the Retirement Incentive Program is available to all full-time employees normally scheduled to work 40 hours or more per week and are not seasonal, casual, or intermittent. Full-time bargaining and non-bargaining employees who are eligible for age and service retirement under a State of Ohio retirement system by November 30, 2010 may participate. In order for a member of a collective bargaining unit to participate, that bargaining unit must also agree to participate through the terms of a memorandum of understanding between the unit and the City. Elected officials are not eligible for this program.

Employees participating in the Retirement Incentive Program will be eligible to receive a lump sum payment of \$20,000 upon separation of employment. Participants are required by the terms of this program to take an age and service retirement through a State of Ohio retirement system at the time of separation of employment with the City.

Each employee electing to participate in the Retirement Incentive Program will also receive payment for accrued and unused vacation, personal, sick leave, and compensatory time pursuant to Ordinance 6-2009, Ordinance 7-2009, or the applicable collective bargaining agreement, as appropriate. Payments shall be made at the time of separation of employment in the same manner as they would for a regular retirement. Normal payroll withholding shall apply to all payments made.

Employees electing to participate in the Retirement Incentive Program shall agree to terminate employment with the City by submitting an irrevocable letter of retirement no later than 5:00 p.m. on September 20, 2010, to be acted upon by Maumee City Council, and terminate employment with the City of Maumee between passage of the ordinance authorizing the Retirement Incentive Program and November 30, 2010. Only those employees eligible for an age and service retirement under a State of Ohio retirement system by November 30, 2010 may participate in this program.

The decision to apply for the Retirement Incentive Program and any subsequent retirement of employment shall be strictly voluntary on the part of the employee. Participating employees shall be required to acknowledge and agree in writing that participation in the Retirement Incentive Program will make them ineligible for unemployment compensation benefits.

### **Employee Enrollment**

Each eligible employee must enroll in the Retirement Incentive Program no later than 5:00 p.m. on September 20, 2010. Enrollment shall be complete upon submission of a completed Notice of Participation form, an irrevocable letter of retirement, and an executed Retirement Incentive Agreement to the Acting Finance Director. The Retirement Incentive Agreement will indicate the employee's acceptance of the terms and conditions of the program. Failure to timely enroll will disqualify the employee from the program.

### **Miscellaneous Provisions**

Subject to other provisions of law, an employee who participates in the Retirement Incentive Program is prohibited from full-time employment in any position with the City of Maumee for a period of 24 months from the date of separation. Violation shall result in the program participant paying back the full amount of the separation payment (i.e. \$20,000). However, a participating employee is eligible to return to the City of Maumee, subject to requirements of state law, as a new hire working as a part-time, seasonal, or intermittent employee.

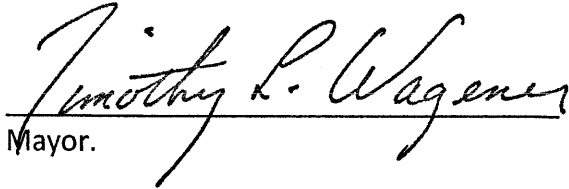
Payment of the \$20,000 shall be made to the program participant in the pay period following the separation of the employee from employment."

SECTION 2. Mayor and Acting Municipal Clerk are hereby authorized and directed to execute all necessary Memoranda of Understanding with the applicable collective bargaining units and all other documents as necessary to carry out the Retirement Incentive Program consistent with the terms and conditions set forth herein.


SECTION 3. It is hereby found and determined that all formal actions of this Council concerning and relating to the passage of this Ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with all legal requirements, including Section 121.22 of the Revised Code of Ohio.

SECTION 4. This Ordinance is hereby declared to be an emergency measure and shall take effect and be in force immediately from and after its passage. The reason for the emergency lies in the fact that this Ordinance is necessary for the immediate preservation of the public peace, health and safety in that the program will help the City accomplish long term reduction in personnel costs.

Vote on emergency clause: Yeas 5 Nays 1 .  
Passed as an emergency measure: July 19, 2010.

  
\_\_\_\_\_  
Mayor.

ATTEST:

  
\_\_\_\_\_  
Acting Municipal Clerk.

Approved as to form:

\_\_\_\_\_  
Law Director.