BEFORE THE BOARD OF COUNTY COMMISSIONERS
OF LANCASTER COUNTY, NEBRASKA

IN THE MATTER OF ADOPTING BENEFITS FOR COUNTY EMPLOYEES IN THE UNCLASSIFIED SERVICE	)))	RESOLUTION NO. R-19-0079

WHEREAS, pursuant to Neb. Rev. Stat. §23-2519 (Reissue 2017), the county service is divided into the classified and unclassified service; and

WHEREAS, the County Board previously adopted a Resolution defining benefits applicable to certain unclassified employees who are not covered by a labor agreement; and

WHEREAS, the County Board wishes to amend said Resolution.

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

1. Unclassified Positions. This Resolution shall apply to employees in the following unclassified positions: county board administrator, department heads, principal assistant to department heads, chief deputies, attorneys, district court staff attorneys, physicians, bailiffs, part-time bailiffs, law clerks and the child support referee. The benefits described in this Resolution shall not apply to deputy sheriff captains.

A. Full-time employee shall mean an employee in an unclassified position which normally requires at least forty (40) hours of work per week or eighty (80) hours of work every two weeks.

B. Part-time employee shall mean an employee in an unclassified position which normally requires fewer than forty (40) hours of work per week.

C. Part-time bailiff shall mean employment in a bailiff position that normally requires at least thirty (30) hours of work per week, but less than forty (40) hours of work per week.

D. For purposes of this Resolution, where "employee" is used without qualification, the term shall refer to any employee who is a full-time employee; part-time employee; or part-time bailiff.

2. Health, Dental, Vision and Life Insurance. Full-time employees, part-time employees working thirty (30) hours or more, and part-time bailiffs may enroll in the County Health, Dental and Vision Plans after a sixty (60) day waiting period. An employee is required to make contributions to the premiums as applicable. On the first day of the month after employment, an employee is automatically enrolled in the County Life Insurance Plan. The Life Insurance Plan includes a basic life benefit for the employee in the amount of Fifty Thousand Dollars ($50,000), 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.

3. Retirement. Full-time employees, part-time employees working more than twenty (20) hours per week, and part-time bailiffs are 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. The employee and employer contribution rates shall be in the amount specified by the County Board in Resolution No. R-18-0088.

A department head who is a full-time employee on or after January 1, 2001, shall be 100% vested in his Employer Contributions upon his participation in the Plan. Any other eligible employee shall vest Employer Contributions in accordance with the vesting schedule contained in the Plan.

4. Deferred Compensation. Full-time employees, part-time employees, and part-time bailiffs 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.

5. Post Employment Health Plan. After six months of employment with the County, full-time employees, part-time employees working twenty hours or more per week, and part-time bailiffs 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 501c(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.

6. Long Term Disability (LTD). After six months of employment with the County, full-time employees, part-time employees working twenty (20) hours or more per week, and part-time bailiffs are automatically covered by the County's Long Term Disability Plan at no cost to the employee. An employee is entitled to benefits in accordance with and only to the extent of the plan's benefits.

7. Sick Leave. Sick leave is only to be used for an absence due to illness, family illness, personal and family medical appointments, disability, injury, or funeral leave.

Full-time employees shall earn sick leave at the rate of one hundred and four (104) hours per year and will be factored as four (4) hours per pay period. Sick leave for part-time employees will be earned based on the number of hours worked each pay period. Full-time employees and part-time employees may accumulate up to a maximum of two thousand and eighty hours (2080) hours. There is no waiting period before earned sick leave may be used. Sick leave shall not accrue during any leave of absence without pay. Part-time bailiffs are not entitled to sick leave.

For purposes of "family illness" and "family medical appointments", "family" is defined as spouse, child, step-child, grandchild, parent, step-parent, sister, brother, employee's grandparents and parents of the employee's spouse as well as any other family member, whether it be by blood or legal marriage, or legal adoption or foster children, residing in the same household.

Upon retirement or death, a full-time employee or part-time employee, or his/her estate, shall receive 55% of his/her total accumulated sick leave balance, 100% of which will be paid into his/her PEHP account. In order to qualify, the full-time employee or part-time employee must meet the definition of retirement under the County Retirement Plan.

A full-time employee or part-time employee who voluntarily separates, other than retirement, from employment with the County after fifteen (15) consecutive years of service shall be paid 50% of his/her total accumulated sick leave balance that exceeds one thousand

(1000) hours. This payout shall be distributed as one-third (1/3) cash and two-thirds (2/3) PEHP.

8. Vacation. Department heads shall earn vacation as follows:

Years of Service	Hours Accumulated
Less than 5 years	120 hours
After 5 years	160 hours
After 15 years	168 hours
After 20 years	200 hours

The County Board may grant a department head up to 80 hours of vacation leave for use immediately upon appointment to the position rather than on an accrual basis. For each subsequent year of his/her appointment, the department head shall accrue vacation as defined herein.

All other full-time employees, except for bailiffs and the child support referee, shall earn vacation leave as follows:

Years of Service	Hours Accumulated
Less than 5 years	80 hours
After 5 years	120 hours
After 10 years	152 hours
After 15 years	168 hours
After 20 years	198 hours

There is no waiting period before earned vacation leave may be used. An employee who is eligible for vacation leave may accumulate a maximum of two hundred forty (240) hours of vacation at any one time. Any leave time in addition to the 240 hours will be forfeited each pay period. Vacation leave shall not accrue during any leave of absence without pay. Upon

separation from employment with the County, unused accumulated vacation leave, if any, shall be paid to an employee.

Part-time employees shall earn vacation leave based on the total hours worked in each pay period. Vacation leave for bailiffs and the child support referee shall be at the discretion of the district court judge to whom they are assigned. Part-time bailiffs are not entitled to vacation leave.

9. Holidays. Full-time employees, part-time employees, and part-time bailiffs shall receive pay for one-fifth of their regularly scheduled work week not to exceed eight (8) hours for the following legal holidays or any other day proclaimed by the County Board as a holiday:

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

In order to qualify for holiday pay, an employee must be in a pay status for his or her regularly scheduled hours before and after the holiday.

10. Personal Convenience Holidays. In addition to the legal holidays listed above, full-time employees, except for bailiffs and the child support referee, will be entitled to three (3) personal holidays beginning with the pay period in August which results in the first pay check in September of each year. Personal holidays are noncumulative. Personal holidays are automatically forfeited if they are not used during the year in which they are granted. Personal holidays are automatically forfeited when an employee who is eligible for personal holidays separates his/her employment with the County, except in those cases where an employee who is eligible for personal holidays is eligible to retire.

Part-time employees are entitled to prorated personal holiday hours as follows: the number of hours in a regularly scheduled work week divided by forty (40) hours and then multiplied by twenty-four (24) hours. Personal holiday leave for bailiffs and the child support referee shall be at the discretion of the district court judge for whom they are assigned. Part-time bailiffs are not entitled to personal holidays.

10. Bereavement Leave. Full-time employees, except for bailiffs and the child support referee, will be granted time off in the case of death of their spouse, child, mother, father, stepmother, stepfather, mother-in-law, father-in-law, brother, sister, grandfather, grandmother, grandchild, or in the case of death of any relative who resides in their immediate household. Time granted will be up to 24 hours of bereavement leave with up to an additional 24 hours of accumulated sick leave. In the case of death of their sister-in-law, brother-in-law, daughter-in-law, son-in-law, aunt, uncle, nephew, niece, or grandparents of their spouse, the employees, except for bailiffs and the child support referee, shall be granted up to 16 hours of bereavement leave with up to an additional 24 hours of accumulated sick leave.

Part-time employees shall be allowed one-fifth (1/5) of the hours of their normally scheduled worked week if scheduled to work the hours requested off for bereavement leave. Bereavement leave for bailiffs and the child support referee shall be at the discretion of the district judge to whom they are assigned. Part-time bailiffs are not entitled to bereavement leave.

12. This Resolution does not constitute an employment contract.

13. This Resolution hereby rescinds and replaces County Resolution No. R-15-0016.

DATED this 5 day of November, 2019, at the County-City Building, Lincoln, Lancaster County, Nebraska.

BY THE BOARD OF COUNTY COMMISSIONERS OF LANCASTER COUNTY, NEBRASKA

Deb Schorr

Rick Veat

Christa Yoakum

Roma Amendola

FLOWERDAY ABSENT

APPROVED AS TO FORM
this 5th day of
November, 2019.

for PATRICK CONDON
Lancaster County Attorney