

VILLAGE OF BRADLEY

RESOLUTION NO. R-2-21-4

A RESOLUTION AUTHORIZING A MEMORANDUM OF UNDERSTANDING FOR A VEBA PLAN BY AND BETWEEN THE VILLAGE OF BRADLEY, KANKAKEE COUNTY, ILLINOIS, AND LABORERS INTERNATIONAL UNION OF NORTH AMERICA, LOCAL 751 CLERICAL UNIT, AFL-CIO

ADOPTED BY THE
BOARD OF TRUSTEES OF THE
VILLAGE OF BRADLEY

THIS 22nd DAY OF February, 2021

Published in pamphlet form by the authority of the Board of Trustees of the Village of Bradley,
Kankakee County, Illinois this 22 day of Feb., 2021

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WHEREAS, the President and Board of Trustees of the Village of Bradley, Kankakee County, Illinois, have the authority to adopt resolutions and to promulgate rules and regulations that pertain to its government and affairs and protect the public health, safety, and welfare of its citizens; and

WHEREAS, pursuant to Section 2-3-8 of the Illinois Municipal Code (65 ILCS 5/2-3-8), the Corporate Authorities of the Village of Bradley has authority to enter into contracts that serve the Village's legitimate corporate purposes; and

WHEREAS, the Corporate Authorities of the Village previously exercised the Village's authority to contract and entered into a Labor Agreement (the "CBA") with the Laborers International Union of North America, Local 751 Clerical Unit, AFL-CIO ("UNION"); and

WHEREAS, the Parties' CBA provides for a Voluntary Employees' Beneficiary Association ("VEBA"); and

WHEREAS, the Village and the Union seek to enter into a Memorandum of Understanding which establishes a Voluntary Employees' Beneficiary Association ("VEBA");

WHEREAS, the Corporate Authorities of the Village have determined that the terms and provisions of the Memorandum of Understanding is appropriate and that it is in the best interests of the Village to enter into said Agreement.

NOW THEREFORE, BE IT RESOLVED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF BRADLEY, KANKAKEE COUNTY, ILLINOIS, PURSUANT TO ITS STATUTORY AUTHORITY, AS FOLLOWS:

SECTION 1. The President and Board of Trustees hereby find that the recitals contained in the preamble to this Resolution are true, correct, and complete and are hereby incorporated by reference hereto and made a part hereof.

SECTION 2. The Memorandum of Understanding pertaining to the establishment of a VEBA plan, attached hereto as "Exhibit A", is hereby approved in form and substance and the Village President is hereby authorized and directed to execute said Memorandum on behalf of the Village.

SECTION 3. The Village President is further authorized to take any and all actions, including but not limited to the execution of any and all documents, that are, in his opinion, necessary to enter into the Memorandum of Understanding for the VEBA plan.

SECTION 4. In the event that any provision or provisions, portion or portions, or clause or clauses of this Resolution shall be declared to be invalid or unenforceable by a Court of competent jurisdiction, such adjudication shall in no way affect or impair the validity or enforceability of any of the remaining provisions, portions, or clauses of this Resolution that may be given effect without such invalid or unenforceable provision or provisions, portion or portions, or clause or clauses.

SECTION 5. All ordinances, resolutions, motions, or parts thereof, conflicting with any of the provisions of this Resolution, are hereby repealed to the extent of the conflict.

SECTION 6. The Village Clerk is hereby directed to publish this Resolution in pamphlet form.

SECTION 7. This Resolution shall be in full force and effect from and after its passage, approval, and publication in pamphlet form as provided by law.

PASSED by the Board of Trustees on a roll call vote on the 22 day of Feb., 2021.

TRUSTEES:

ROBERT REDMOND	Aye - <u>X</u>	Nay - <u> </u>	Absent - <u> </u>
MICHAEL WATSON	Aye - <u>X</u>	Nay - <u> </u>	Absent - <u> </u>
RYAN LEBRAN	Aye - <u> </u>	Nay - <u> </u>	Absent - <u>X</u>
BRIAN BILLINGSLEY	Aye - <u>X</u>	Nay - <u> </u>	Absent - <u> </u>
DARREN WESTPHAL	Aye - <u>X</u>	Nay - <u> </u>	Absent - <u> </u>
BRIAN TIERI	Aye - <u>X</u>	Nay - <u> </u>	Absent - <u> </u>

ACTING VILLAGE PRESIDENT:

MICHAEL WATSON Non-Voting - X

TOTALS: Aye - 5 Nay - 0 Absent - 1

ATTEST:


JULIE TAMBLING, VILLAGE CLERK

APPROVED this _____ day of _____, 2021.

Michael Watson
MICHAEL WATSON, ACTING VILLAGE PRESIDENT

ATTEST:

Julie Tambling
JULIE TAMBLING, VILLAGE CLERK

STATE OF ILLINOIS)
) §§
COUNTY OF KANKAKEE)

I, Julie Tambling, Village Clerk of the Village of Bradley, County of Kankakee and State of Illinois, DO HEREBY CERTIFY that the attached is a true, perfect, and complete copy of Resolution number R-2-21-4, "A RESOLUTION AUTHORIZING A MEMORANDUM OF UNDERSTANDING FOR A VEBA PLAN BY AND BETWEEN THE VILLAGE OF BRADLEY, KANKAKEE COUNTY, ILLINOIS, AND LABORERS INTERNATIONAL UNION OF NORTH AMERICA, LOCAL 751 CLERICAL UNIT, AFL-CIO," which was adopted by the Village Corporate Authorities at a meeting held on the 22 day of Feb, 2021.

IN WITNESS WHEREOF, I have hereunto set my hand in the Village of Bradley, County of Kankakee and State of Illinois, on this 22 day of Feb, 2021.

Julie Tambling
JULIE TAMBLING, VILLAGE CLERK

(SEAL)



APPROVED this 10th day of July 1902

ATTEST

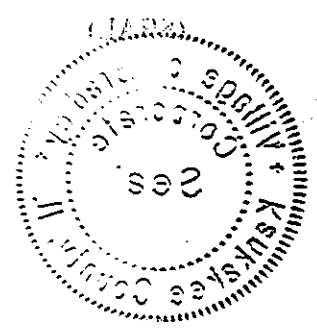
THE JUDICIAL OFFICE

STATE OF ILLINOIS
COUNTY OF KANKAKEE

I, the undersigned, Clerk of the County of Kankakee, Illinois, do hereby certify that the within and foregoing is a true and correct copy of the original of the same as the same appears from the records of the County of Kankakee, Illinois, and that the same is a true and correct copy of the original of the same as the same appears from the records of the County of Kankakee, Illinois.

In witness whereof, I have hereunto set my hand and the seal of the County of Kankakee, Illinois, at the City of Rockford, Illinois, this 10th day of July, 1902.

CLERK OF THE COUNTY OF KANKAKEE



MEMORANDUM OF UNDERSTANDING

This Memorandum of Understanding ("MOU") is made between the Village of Bradley ("Village") and Laborers International Union of North America, Local 751, AFL-CIO on behalf of the Clerical Unit ("Union") on this 22nd day of Feb., 2021.

Whereas, the Village and the Union are signatories to a Collective Bargaining Agreement; and

Whereas, the parties, desire to reach an agreement concerning post-retirement health plans and to address the implementation of a Voluntary Employees' Beneficiary Association plan for the Union;

NOW THEREFORE, the parties hereto agree as follows:

1. The above recitals are incorporated herein as paragraph 1, and the parties affirm that the construction of this MOU shall be guided thereby;
2. The Village agrees to assist and cooperate with the Union with the implementation of a Voluntary Employees' Beneficiary Association (VEBA) plan through the IPPFA upon the execution of this Agreement. The Village will pay the initial startup costs and IRS fee.
3. The Village and Union agree to comply with all rules and regulations required by law in the implementation and operation of this VEBA plan.
4. It is the Union's intent that the VEBA plan to be implemented contain the following components:
 - a. Only employees who have successfully completed their probationary period are eligible to participate.
 - b. An employee retiring, retiring on disability or honorably terminating service, including the death of employee, from the EMPLOYER will defer 100% of eligible accumulated Sick Leave (Article 14 (d)); 100% of unused Vacation Time; and 0% of unused accumulated compensatory time into their VEBA Plan.
 - c. Employees with unused vacation day(s) (eligible pursuant to Article 9) at the end of the calendar year will have those days paid into their Plan.
 - d. Eligible employees hired after January 1, 2021, shall contribute an additional 0% of their gross salary into their plan every pay period.

- e. All employees hired before January 1, 2021 will have two options. One option is a One-Time, Life-Time, Opt-Out option for the plan. The second option is to opt in for the career end contribution along with the annual vacation contribution. The annual portion of salary contribution will not be available to these employees.
- f. For the sake of this agreement, a 'day' will constitute eight (8) hours pay calculated at the current rate of pay on the day it is paid into their plan. Annual contributions will ~~to~~ be submitted to the EMPLOYER via signed Payroll Sheet by end of December and be paid into the fund by the next pay period of January.
- g. All current employees have a One-Time, Life-Time, Opt-out option for the plan which will be communicated by letter prior to plan implementation.
- h. Members of this VEBA plan reserve the right to amend the above career end deferred percentages of accumulated time and/or amount of salary contribution for the following calendar year by submitting written confirmation of such a change having been approved by a majority vote of the members by November 1st of each calendar year.

5. This Memorandum represents the complete understanding between the parties and cannot be amended except in writing between the parties.

This Memorandum of Understanding is effective immediately upon the execution by an authorized representative of the Union and upon execution after approval and passage by the Village Board of Trustees.

VILLAGE OF BRADLEY

LABORERS INTERNATIONAL UNION
OF NORTH AMERICA, LOCAL 751,
AFL-CIO



By: Mayor Pro Tem

By: President and/or Authorized Representative