

**ORDINANCE 08-09
OF THE COMMON COUNCIL OF THE
CITY OF FRANKLIN, INDIANA**

**AN ORDINANCE REPEALING AND REPLACING THE CITY'S
SHORT-TERM AND LONG-TERM DISABILITY COVERAGE**

WHEREAS, the Common Council of the City of Franklin, Indiana ("City") finds that it is necessary to enact short-term and long-term disability coverage for its employees and dependents; and

WHEREAS, the City's Common Council finds it necessary to delegate non-discretionary medical claims and administrative functions to a third-party administrator; and

WHEREAS, the Common Council of the City of Franklin, Indiana, has determined that the current policies in place are no longer sufficient for the City;

NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FRANKLIN, INDIANA, AS FOLLOWS:

- 1) **Third-Party Administrator:** Principal Financial Group is the current administrator for the City's self-funded medical benefit plan, and will also administer the short-term and long-term disability benefit plan enacted herein. Principal Financial Group will provide services pursuant to a signed agreement with the City to be executed by the Board of Works and Safety.
- 2) **Adoption of Short-Term Disability Coverage:** The City adopts the short-term disability coverage as outlined in the plan document as provided by Principal Financial Group. A summary of the coverage is included as Exhibit A - Summary of Benefits.
- 3) **Adoption of Long-Term Disability Coverage:** The City adopts the long-term disability coverage as outlined in the plan document as provided by Principal Financial Group. A summary of the coverage is included as Exhibit B - Summary of Benefits.
- 4) **Coordination with FMLA:** An illness or injury that qualifies for short term disability will also be a qualifying event under the Family Medical Leave Act (FMLA). Short term disability will run concurrently with the time period allotted under the FMLA.
- 5) **Relinquishment of Existing Cases:** Principal Financial Group has agreed to assume responsibility in regard to administering existing claims within the City that would be eligible under the short-term and long-term disability plan. Such eligible claims are relinquished to Principal.

- 6) **Repeal of Conflicting Policies:** The short-term and long-term disability coverage adopted herein will replace and supersede all existing policies and practices of the City relative to short-term and long-term disability, specifically including, but not limited to, any "limited duty", "medical leave", and "sick leave" policies.
- 7) **Construction of Clause Headings:** The clause headings appearing in this ordinance have been provided for convenience and reference, and do not purport and will not be deemed to define, limit, or extend the scope or intent of the clauses to which the headings pertain.
- 8) **Severability of Provisions:** If any part of this ordinance is held to be invalid, such part will be deemed severable and its invalidity will have no effect upon the remaining provisions of this ordinance.
- 9) **Duration and Effective Date:** This ordinance shall be in full force and effect from and after its passage by the Common Council, approval by the Mayor, and publication according to the laws of the State of Indiana.

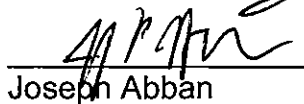
Introduced and Filed on the 15th day of September, 2008.

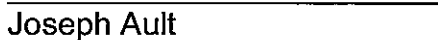
DULY PASSED on this 15th day of September, 2008 by the Common Council of the City of Franklin, Johnson County, Indiana, having been passed by a vote 5 in Favor and 1 Opposed.

City of Franklin, Indiana, By its Common Council:

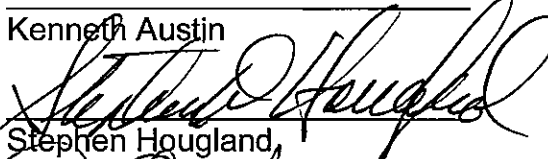
Voting Affirmative:

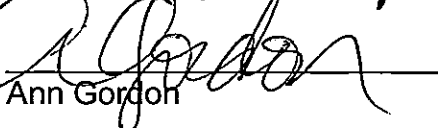

Dr. William Murphy, President


Joseph Abban

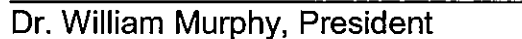

Joseph Ault

Absent
Kenneth Austin

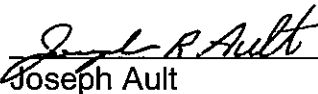

Stephen Hougland

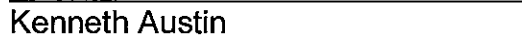

Ann Gordon

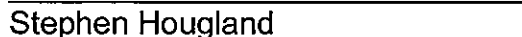
Voting Opposed:


Dr. William Murphy, President

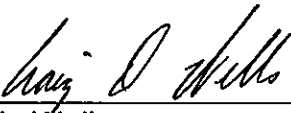

Joseph Abban


Joseph Ault


Kenneth Austin


Stephen Hougland


Ann Gordon



Craig Wells

Craig Wells

Attest:



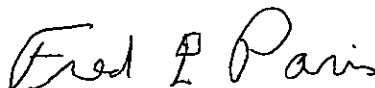
Janet P. Alexander, Clerk-Treasurer

Presented by me to the Mayor of the City of Franklin for his approval or veto pursuant to Indiana Code § 36-4-6-15,16, this 15 day of September 2008 at 7:00 o'clock p.m.



Janet P. Alexander, Clerk-Treasurer

This Ordinance having been passed by the legislative body and presented to me this [Approved by me and duly adopted, pursuant to Indiana Code § 36-4-6-16(a)(1)] [Vetoed, pursuant to Indiana Code § 36-4-6-16(a)(2), this 15th day of September at 7:00 o'clock p.m.



Fred Paris, Mayor

Attest:



Janet P. Alexander, Clerk-Treasurer

Prepared by:
Robert H. Schafstall
Atty. No. 16944-41