

MEMORANDUM OF UNDERSTANDING

This Memorandum of Understanding is entered between the City of Hollywood ("City") and the Hollywood Professional Fire Fighters, Local 1375 ("Union") to allow for modification of the disability benefit provisions of the City of Hollywood Firefighters' Retirement System ("Firefighters' Pension Plan") as described herein.

WHEREAS, the City and the Union are parties to a CBA that expires on September 30, 2017, in which Article 28, Section 1 states that: "Except as provided in [the current CBA], the City will maintain the existing Pension Plan Ordinance provisions regarding benefits and contributions for bargaining unit employees for the duration of this *Agreement*."; and

WHEREAS, the Firefighters' Pension Plan is the only City pension plan that does not have any discretionary alternative/option for the continued employment of an employee who has been determined eligible for a disability pension benefit, and the parties have agreed it is in the best interest of the City and the bargaining unit members to create such an alternative/option in the Fire Pension Plan; and

WHEREAS, the City and the Union have reached agreement regarding a modification of the CBA to provide a discretionary alternative/option for the continued employment, under certain conditions, of employee(s) who have been determined eligible for a disability pension benefit under the requirements of the Firefighters' Pension Plan; and

WHEREAS, the City and the Union have also reached agreement regarding any member of the Firefighter Pension Plan who is participating in the DROP in the Firefighter Pension Plan, who was previously a member of the General Employees Pension Plan, and for whom a DROP benefit is being held in the General Plan;

NOW THEREFORE, the parties agree the CBA shall be modified as follows:

1. Subsection 33.042 (H) of the Firefighters Pension Plan Ordinance shall be created to read as follows:

"Modified Duty" or "Light Duty" positions as an alternative to a disability pension benefit. In the event the Board finds that a member is totally and permanently disabled by reason of a medically determinable physical or mental impairment as defined in Section 33.042 (A) or (C), which renders him or her incapable of performing all the regular duties of a Firefighter, the city may, based upon availability of a vacancy, assign the member to a "modified duty" or "light duty" position. A "*modified duty*" or "*light duty*" position as used in this section is defined as any position within the Fire Department

which does not require the member to perform all the duties of a Firefighter. If the city makes available a modified duty or light duty position, and a member rejects the assignment, said member shall be ineligible for either continued employment or disability retirement benefits.

2. The City hereby agrees to make one (1) budgeted light duty or modified duty position available in the Fire Department budget in which to assign a member who has been determined by the Firefighters' Pension Plan Board to be permanently and totally disabled and entitled to a disability pension benefit under the terms of the Hollywood Firefighters' Pension Plan.
3. The Firefighters Pension Plan Ordinance shall be amended to provide that regarding the DROP account benefit of any current City employee who was previously a member of the General Employees Pension Plan and who later moved to a Firefighter position and is a member of the Firefighter Pension Plan and is now participating in the DROP in the Firefighter Pension Plan, any DROP benefit being held for that employee in the General Plan may be moved from the General Pension Plan into the Firefighter Pension Plan. The DROP account earnings for the DROP money transferred into the Firefighter Pension Plan shall not be subject to the earning requirements of the Firefighter Pension Plan DROP accounts but instead shall be subject to the net investment rate earned or lost by the Firefighter Pension Plan.
4. In the event of a conflict between the CBA and this Memorandum of Understanding, this Memorandum of Understanding shall control.

The Memorandum of Understanding is executed on this _____ day of _____, 2016, between the City and the Union, and shall become effective upon its ratification by the IAFF Local 1372 members and by the City Commission, and the related changes to the Fire Pension Plan Ordinance shall thereafter be submitted for approval as required in that Ordinance.

CITY OF HOLLYWOOD:

Peter Bober, Mayor

Date: _____

HOLLYWOOD PROFESSIONAL
FIRE FIGHTERS, LOCAL 1375:



William Huddleston, President

Date: 3/31/16

MOU WITH HOLLYWOOD PROFESSIONAL FIRE FIGHTERS, LOCAL 1375 AMENDING
PENSION PLAN REGARDING LIGHT DUTY AND TRANSFER OF DROP ACCOUNTS
FROM GENERAL EMPLOYEES PENSION PLAN

Dr. Wazir Ishmael, City Manager

Date: _____

APPROVED AS TO FORM AND LEGALITY
For the use and reliance of the
City of Hollywood, Florida, only

Jeffrey P. Sheffel, City Attorney

Date: _____