

1 BILL NO. G-13-05-15 (AS AMENDED)(AS AMENDED)

2 GENERAL ORDINANCE NO. _____

3 AN ORDINANCE AMENDING CHAPTER 40:
4 COLLECTIVE BARGAINING OF THE CITY OF FORT
5 WAYNE, INDIANA, CODE OF ORDINANCES ADDING
6 §40.13 AND §40.36.

7 **WHEREAS**, the implementation of property tax caps by the Indiana General
8 Assembly has resulted in a loss of \$53 million in revenue to the City of
9 Fort Wayne; and

10 **WHEREAS**, the loss of revenue has created a sustained and unprecedented
11 fiscal crisis that threatens to severely compromise the City's ability to
12 continue to provide essential services necessary to maintain the public
13 welfare; and

14 **WHEREAS**, Mayor Tom Henry has appointed a Fiscal Policy Group
15 comprised of local and state experts, members of City Council and
16 City staff to gain a full understanding of fiscal conditions and to identify
17 financial options available to the City to meet fiscal challenges in 2014
18 and beyond; and

19 **WHEREAS**, the Fiscal Policy Group has completed its review and has
20 developed a framework of ideas, which included a recommendation
21 that the benefits provided to City employees would align more closely
22 with those provided to employees in the private sector; and

23 **WHEREAS**, the City has the unilateral right to establish various terms and
24 conditions for employee health insurance including the right to
25 establish costs (premiums, out of pockets and deductibles), and to
26 determine the number of plans, vendors, plan design and co-pays;

27 **NOW, THEREFORE, BE IT ORDAINED BY THE COMMON**
28 **COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:**

1 **SECTION 1.** Chapter 40: Collective Bargaining of the City of Fort
2 Wayne, Indiana, Code of Ordinances is amended to add the following
3 Sections:

4 **§40.13 PROHIBITION ON PROVISIONS REGARDING HEALTH**
5 **INSURANCE**

6 (A) *Applicability.* This section shall be effective for all agreements or
7 contracts (including collective bargaining agreements) covering employees of
8 the City of Fort Wayne (excluding Police Officers or Firefighters as defined in
9 § 14.22) entered into after the effective date of this ordinance by the City of
10 Fort Wayne, or entered into by any City of Fort Wayne subdivision,
11 department, division, commission, authority, institution, establishment,
12 facility, or governmental unit under the supervision of the City of Fort Wayne.

13 (B) *Prohibition against provisions regarding spousal and/or retiree health*
14 *insurance.* The City of Fort Wayne, and any City of Fort Wayne subdivision,
15 department, division, commission, authority, institution, establishment,
16 facility, or governmental unit under the supervision of the City of Fort Wayne
17 is prohibited from entering into any agreement or contract (including
18 collective bargaining agreements) that includes any provision that purports to
19 establish the terms and conditions of eligibility or coverage, for spousal
20 health insurance, and/or retiree health insurance.

21 (C) Employees hired prior to January 1, 2014 who retire from the City of
22 Fort Wayne shall be provided health insurance subject to the same terms
23 and conditions, and with the same premium contributions, deductibles, and
24 co-pays as active employees.

25 (D) Nothing in this section shall limit the City's authority or ability to
26 contract for employee health insurance with a health insurance provider or
27 broker.

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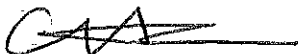
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SECTION 2. That this Ordinance be in full force and effect from and after its passage and any and all necessary approval by the Mayor.

Council Member

APPROVED AS TO FORM AND LEGALITY



Carol Helton, City Attorney