

# **Charter Township of Orion**

**Ordinance No. 100**

**Officer & Employee Benefits**

Adopted April 20, 1992

**AMENDED**

October 4, 1993

**AN ORDINANCE ENACTED PURSUANT TO ACT. NO. 77 OF THE PUBLIC ACTS OF 1989, AS AMENDED, TO AUTHORIZE THE TOWNSHIP TO ENTER INTO CONTRACTS OF INSURANCE WITH INSURANCE COMPANIES AUTHORIZED TO TRANSACT BUSINESS WITHIN THE STATE OF MICHIGAN; AND TO AUTHORIZE THE TOWNSHIP TO ESTABLISH AND/OR MAINTAIN A RETIREMENT SYSTEM FOR QUALIFIED OFFICERS AND EMPLOYEES OF THE TOWNSHIP.**

### **Section 1 - Title**

This Ordinance shall be known and cited as the Charter Township of Orion Officer and Employee Benefits Ordinance, and may be referred to as Ordinance No. 100.

### **Section 2 - Definitions**

1. Terms used in this Ordinance shall have the following meaning:

- A. Elected Official: An elected official shall be a person who has been elected to serve in a public office of the Township by the qualified electors of the Township. The term "elected officials" shall also include an official who has been appointed to serve part or all of the remainder of an elected official's term of office. Elected officials include the Supervisor, Clerk, Treasurer, and the four (4) Trustees of the Board. *(amended 10.04.93)*
- B. Full-Time Employee: A full-time employee shall be a person who is scheduled to work 35-40 hours per week in a calendar year. For purposes of this definition, "full-time employee" shall include the Supervisor, Clerk and Treasurer, and shall exclude the four (4) Trustees of the Board. *(amended 10.04.93)*
- C. Part-Time Employee: A part-time employee is a person who is scheduled to work fewer than thirty-five (35) hours per week in a calendar year.
- D. Co-Op Employee: A co-op employee is a high school or college student employed by the Township on an hourly basis. For purposes of this Ordinance only, a co-op employee shall not be considered a full-time or part-time employee.
- E. Seasonal Employee: A seasonal employee is a person who is employed on a temporary basis to assist the Township with work loads of a temporary nature. For purposes of this Ordinance only, a seasonal employee shall not be considered a full-time or part-time employee.
- F. Contract Employee: A contract employee is a person who is employed by the Township on a per-contract basis. For purposes of this Ordinance only, contract employees shall not be considered full-time or part-time.
- G. On-Call Employees: On-call employees are persons who are on standby to perform services for the Township periodically pursuant to public or private need or emergency. An example of an on-call employee is a fireman.
- H. Personnel Policy: "Personnel Policy" shall mean the Personnel Policy, as amended, adopted, and in effect for the Township.

### **Section 3 - Retirement System**

- 1. Pursuant to Act No. 77, of the Public Acts of 1989, as amended, the Township Board of the Charter Township of Orion is hereby authorized to create and establish or maintain an existing annuity or pension program for the pensioning of its qualified employees, in addition to the salary or wage of each qualified employee as determined by the Township Board.
- 2. For purposes of creating and establishing, or maintaining an existing annuity or pension program, the Township Supervisor and the Township Clerk are hereby authorized to contract in the name of the Township Board with any company authorized to transact such business within the State of Michigan for annuities or pensions.
- 3. The annuity or pension plans created and established under this Ordinance, or the annuity or pension plans maintained hereafter, shall cover each qualified employee as defined in the adopted plan, according to the criteria as established under the plan initially, and as amended from time to time.

4. Full-time employees of the Township shall be covered under any such plan created and established or maintained pursuant to the terms of this Ordinance.
5. The Township Board may, in its discretion, provide annuity or pension plan coverage under the terms of this Ordinance for the on-call employees of the Township, pursuant to the criteria established under the plan, or as amended from time to time.
6. The Township may make contributions to the annuity or pension plan created or maintained under this Ordinance for each qualified employee, according to the terms of the plan created or maintained, and amended from time to time, and by the Personnel Policy.
7. The responsibility and method of each qualified employee for the employee's individual contributions to the annuity or pension plan, and the method for making the same, shall be governed by the terms of the plan created or maintained and amended from time to time, and by the terms of the Personnel Policy.
8. Each qualified employee's eligibility to participate in the annuity or pension plan created or maintained pursuant to this Ordinance and the vesting of the employee's right or interest in the plan, shall be governed by the criteria established under the plan, as amended from time to time, and by the terms of the Personnel Policy.

#### **Section 4 - Other Benefits**

1. Pursuant to Act No. 77, of the Public Acts of 1989, as amended, the Township Board of the Charter Township of Orion, is hereby authorized to make arrangements with a pre-payment plan authorized to transact business within the State of Michigan, to insure and cover Township elected or appointed officers and employees or any class of elected or appointed officers and employees under policies of group insurance or pre-payment plan contracts, or both, covering life, accident, health, hospitalization, dental, medical, and surgical service insurance, including hospitalization and medical and surgical service and expense, for dependents of the officers and employees.
2. The Township may contract for insurance or arrange for pre-payment plan coverage, as set forth in Subsection 1 above, to cover its full-time employees as defined herein.
3. The Township may, in its sole discretion, contract for insurance or arrange for pre-payment plan coverage, to cover other employees of the Township, including part-time, seasonal, co-op, contract, and on-call employees, as the same are defined herein.
4. Employee eligibility for insurance or coverage shall be governed by the terms of the Personnel Policy and the terms of the contract or arrangement, as both may be amended from time to time.

#### **Section 5 - Scope of Ordinance**

1. This Ordinance shall not affect any additional benefits provided for in the Personnel Policy of a nature not described herein. Such benefits provided in the Personnel Policy shall remain in full force and effect.
2. This Ordinance shall not affect any benefits which the Township is required to provide pursuant to the laws of the State of Michigan. Said benefits shall remain in full force and effect.
3. The authority given under this Ordinance is in addition to and not in derogation of any power existing in the Township under the laws of the State of Michigan.

#### **Section 6 - Ratification of Existing Plans**

The Township hereby ratifies and confirms the validity of any annuity or pension plan, insurance or pre-payment plan arrangement in existence on the effective date of this Ordinance.

#### **Section 7 - Effective Date**

This Ordinance shall take effect on the date of its publication, as provided by law. All ordinances or parts of ordinances in conflict herewith are hereby repealed.