

**RESOLUTION ELECTING TO BE SUBJECT TO
PUBLIC EMPLOYEES' MEDICAL AND HOSPITAL CARE ACT
ONLY WITH RESPECT TO MEMBERS OF A SPECIFIC EMPLOYEE ORGANIZATION
AND
FIXING THE EMPLOYER'S CONTRIBUTION FOR EMPLOYEES AND THE
EMPLOYER CONTRIBUTION FOR ANNUITANTS AT DIFFERENT AMOUNTS**

- WHEREAS, (1) Government Code Section 22922(b) provides that a contracting agency may elect upon proper application to participate under the Public Employees' Medical and Hospital Care Act with respect to a recognized employee organization only; and
- WHEREAS, (2) Government Code Section 22920(a) defines a school employer as a contracting agency, and
- WHEREAS, (3) Government Code Section 22892(c) provides that a contracting agency may fix the amount of the employer's contribution for employees and the employer's contribution for annuitants at different amounts, provided that the monthly contribution for annuitants is annually increased to equal an amount not less than the number of years the contracting agency has been subject to this subdivision multiplied by 5 percent of the current monthly contribution for employees, until such time as the amounts are equal; and
- WHEREAS, (4) XXX Unified School District, hereinafter referred to as School Employer is an entity meeting the above definition; and
- WHEREAS, (5) The School Employer desires to obtain for the members of _____ Enter Bargaining Unit name here _____, who are employees and annuitants of the agency, the benefit of the Act and to accept the liabilities and obligations of an employer under the Act and Regulations; now, therefore, be it
- RESOLVED, (a) That the School Employer elect, and it does hereby elect, to be subject to the provisions of the Act; and be it further
- RESOLVED, (b) That the employer's contribution for each employee shall be the amount necessary to pay the full cost of his enrollment, including the enrollment of his family members in a health benefits plan up to a maximum of \$101.00 per month plus administrative fees and Contingency Reserve Fund assessments; and be it further;
- RESOLVED, (c) That the employer's contribution for each annuitant shall be the amount necessary to pay the cost of his enrollment, including the enrollment of his family members, in a health benefits plan up to a maximum of \$1.00 per month; and be it further
- RESOLVED, (d) That the employer's contribution for each annuitant shall be increased annually by 5 percent of the monthly contribution for employees,

multiplied by number of years of employer's participation in PEMHCA, until such time as the contributions are equal;

And that the contributions for employees and annuitants shall be in addition to those amounts contributed by the School Employer for administrative fees and to the Contingency Reserve Fund; and be it further

RESOLVED, (e) XXX Unified School District has fully complied with any and all applicable provisions of Government Code Section 7507 in electing the benefits set forth above; and be it further

RESOLVED, (f) That the executive body appoint and direct, and it does hereby appoint and direct, the Executive Director of Business Services to file with the Board of Administration of the Public Employees' Retirement System a verified copy of this Resolution, and to perform on behalf of said School Employer all functions required of it under the Act and Regulations of the Board of Administration; and be it further

RESOLVED, (g) That coverage under the Act be effective on _____.

Adopted at a regular/special meeting of the _____
at _____ this _____ day of _____
20__.

Signed: _____
(President, Chairman, etc.)

Attest: _____
(Secretary or appropriate officer)

INSTRUCTIONS

RESOLUTION FOR MEMBERS OF A SPECIFIC EMPLOYEE ORGANIZATION ELECTING UNEQUAL CONTRIBUTIONS

This resolution form is the approved form designated by the Public Employees' Retirement System. It should be used by a School Employer to assure proper filing with the Public Employees' Retirement System for the combined purpose of:

1. Contracting for coverage under the Public Employees' Medical and Hospital Care Act (PEMHCA), for one employee organization, and
2. Fixing the employer's contribution toward employees' health insurance at one amount and the contribution for the annuitants at another amount with annual increases of at least 5%, multiplied by number of years of participation in PEMHCA, multiplied by current contribution toward employees, until the contribution for active employees and annuitants are equal.

WHEREAS (4) should be completed with full name of the contracting agency/School Employer.

WHEREAS (5) should be completed with the employee organization name. Annuitant refers to retired employees and their survivors who receive a retirement allowance, as defined in Section 22760.

RESOLVED (b) should be completed to specify the amount of the employer's (agency's) contribution toward the cost of its employees' enrollments. The amount specified by this resolution would be an amount equal to or greater than that specified in Section 22892(b), as authorized by Section 22892(a) of the Government Code. Minimum employer contributions as prescribed in Section 22892(b) are as follows:

2003	\$16.00
2004	\$32.20
2005	\$48.40
2006	\$64.60
2007	\$80.80
2008	\$97.00
2009	Beginning January 1, 2009, the employer contribution shall be adjusted annually by the Board to reflect any change in the medical component of the Consumer Price Index, and shall be rounded to the nearest dollar. The 2009 amount is \$101.

Section 22892(a) of PEMHCA provides that a local contracting agency may fix the amount of the employer's contribution from time to time by resolution. The amount shall not be less than the amount required under Section 22892(b). The resolution will be effective on the first day of the second month following the month in which the resolution is received.

RESOLVED (c) should be completed to specify the amount of the employer's contribution, a minimum of \$1.00, toward the cost of its annuitants' enrollment.

RESOLVED (d) should be completed to specify the percentage factor of the annual increase to the contribution for annuitants. The increased amount will be calculated by PERS staff based on the agency's contribution for its employees multiplied by this percentage factor, multiplied by years of employer's participation in PEMHCA, to be effective with the January coverage each year.

RESOLVED (e) should be completed with full name of the contracting agency/School Employer.

RESOLVED (f) requests the position title of the individual who handles the Public Employees' Medical and Hospital Care Act contract for the School Employer.

RESOLVED (g) provides that if a Resolution is filed in the office of the Board **on or before the tenth day of any month**, the coverage is to become effective on the first of the following month.

Because resolutions serve as our legal contract we require either the original resolution, certified copy with original signatures or a copy of the resolution with the agency's raised seal.

The certification shown following the Resolution is to be completed by those individuals authorized to sign for the School Employer in legal actions and is to include the name of the executive body; i.e., Board of Directors, Board of Trustees, etc., the location and date of signing.