

MEMORANDUM OF AGREEMENT  
HEALTH BENEFIT VESTING

This bilateral Agreement made and entered into this day August 15, 2016 by and between the parties: Berkeley Unified School District (BUSD) and The Union of Berkeley Administrators (UBA)

Effective on the day of ratification, any bargaining unit member who has been employed 40 years or more of creditable service with the District shall be entitled upon retirement to the minimum health employer contribution set by Public Employees' Medical and Hospital Care Act (PEMHCA).

Only employees retiring on or after January 1, 2017 shall be subject to the years of service criteria defined in this agreement.

All members who have retired before the effective date of this memorandum are eligible for the minimum health employer contribution.

In order to receive the employer's contribution payable for post-retirement health benefits, annuitants who retire for disability must meet the credited years of service requirements set forth above.

Nothing in this Memorandum effects or requires a change to BUSD health benefits contribution to active employees and early retirees as defined in the UBA collective bargaining agreement.

This Memorandum shall apply only if the District elects to participate in the CalPERS program and if the CalPERS program continues to mandate the vesting requirements herein.

Agreed to:

District Signature: \_\_\_\_\_

Title: \_\_\_\_\_

Bargaining Unit Signature: \_\_\_\_\_

Title: \_\_\_\_\_

Date: \_\_\_\_\_

**Tentative Agreement  
between the  
Berkeley Unified School District  
and the  
Union of Berkeley Administrators  
August 4, 2016**

The Berkeley Unified School District (District) and the Union of Berkeley Administrators (UBA) tentatively agree on the following changes to the collective bargaining agreement:

## **6. RETIREMENT/PART-TIME EMPLOYMENT**

### 6.1 CalPERS Health Benefits

6.1.1 Effective January 1, 2017, retirees who are annuitants and purchase health benefits through CalPERS will receive a District monthly contribution for health benefits provided that they either:

a) retired before January 1, 2017, or

b) they retired on or after January 1, 2017 and have been employed by the District for at least forty (40) years.

6.1.2 For 2017, this monthly contribution shall be one dollar (\$1). This monthly contribution shall be increased annually as required by Government Code section 22892 (c).

6.1.3 Retirees who do not meet the forty (40)-year requirement in section 6.1.1, but are annuitants under CalPERS or STRS, may purchase health benefits through CalPERS.

6.1.4 Retirees receiving CalPERS health benefits will have their share of the premium (i.e. the full premium minus the District monthly contribution as provided in sections 6.1.1 and 6.1.2) deducted from their annuitant checks as required by CalPERS. Retirees may receive reimbursement for their share of the premiums if they are eligible for supplemental benefits as provided in section 6.2.

### ~~6.1 Eligibility~~

~~6.1.1 To be eligible to participate in the health and dental coverage, a retiree must be at least fifty-five (55) years of age and retired under a State of California retirement system or other system that meets the approval of the Assistant Superintendent, Human Resources. Normally, non-public systems will not be approved.~~

## 6.2 Supplemental Health and Dental Benefits

6.2.1 To be eligible to participate in the supplemental health and dental coverage, a retiree must be at least fifty-five (55) years of age and retired under a State of California retirement system or other system that meets the approval of the Assistant Superintendent, Human Resources. Normally, non-public systems will not be approved.

6.2.2+ Until age sixty-five (65), a retiree shall receive the same health and dental benefit coverage provided for other certificated personnel covered by this Agreement. In addition, retirees who have served in the Berkeley Unified School District for twenty (20) or more years shall receive medical coverage for themselves only until age sixty-seven (67); provided, however, that the carrier or carriers of such health and dental coverage for the other certificated personnel covered by this Agreement shall provide such coverage for retirees. In the event that the present carrier or carriers of such coverage cancel said coverage for retirees, The District will endeavor to provide health and dental coverage for retirees under a different carrier or carriers. If a retiree is employed in an occupation in which he/she is eligible to receive comparable health and/or dental benefits coverage, the District shall not provide such coverage for the retiree.

6.2.3 Effective January 1, 2017, retirees receiving supplemental health benefits will have their share of the premiums (i.e. the full premium minus the District monthly contribution as provided in sections 6.1.1 and 6.1.2) deducted from their annuitant checks as required by CalPERS and then receive reimbursement from the District by the end of the month to meet the District's obligations under sections 6.2.2. If requested, the retiree will submit proof of payment to the District or its designated administrator.

## 6.6 District Contributions

Effective July 1, 2005, the District contribution to the cost of the health plan selected by the retiree shall be as stated in section 13.1614. For retirees who opt to enroll in a health plan with premium costs greater than the maximum amount provided by the District, it will be required that they pay the portion of the premium in excess of the above referenced maximum annual premium. This section shall apply to employees who retire on or after June 30, 1991. Employees who retired prior to June 30, 1991 shall not be affected by the provisions of this section.

6.7 After District paid benefits expire, retirees and spouses may choose to remain covered by the District coverage plan so long as they are on a self-pay basis.

## 13.14 Medical Benefits

- 13.14.1 The Board agrees to provide hospital, surgical and major medical insurance coverage through the term of this Agreement, subject to requirements of the various insurance carriers. The District agrees to provide dental, employee assistance plan, and life insurance coverage. Effective January 1, 2017, all eligibility rules for health benefits for both active employees and retirees will be governed by CalPERS.

Out of the total compensation dollars indicated in 13.1 above, the District will pay toward health and medical benefits the maximum amounts as shown below:

Kaiser - employee only	\$358.27
Kaiser - employee plus one	\$716.54
Kaiser - employee plus two or more	\$1,013.90
Health Net - employee only	\$431.80
Health Net - employee plus one	\$866.12
Health Net - employee plus two or more	\$1,013.90

Health Net maximum amounts apply to all Health Net plans including regular, PPO and POS plans.

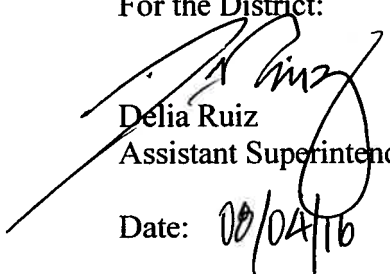
- 13.14.2 The benefit levels paid for by the District for medical coverage will remain the same as 2007-08 until December 31, 2015. Effective January 1, 2016, the District will increase its contribution to health benefits by the equivalent of one percent (1%) increase in compensation divided by the total number of bargaining unit members enrolled in the District's health benefits which the parties agree equates to \$112/month increase (\$1,344/annual) to the District's contribution for Employee Only, Employee Plus One, and Employee Plus Two or More. This is equivalent to the increase implemented for the Berkeley Federation of Teachers (BFT). Co-payments and monthly costs that exceed the cap will be determined with all units participating in the Cost Containment Committee.

Effective January 1, 2017 and continuing thereafter until a different compensation agreement between the District and the Union is reached, the maximum District contribution to health benefits shall be established at the following levels:

<u>Employee only</u>	<u>\$473.03</u>
<u>Employee plus one</u>	<u>\$831.30</u>
<u>Employee plus two or more</u>	<u>\$1,128.66</u>

Effective January 1, 2017, pursuant to Government Code section 22892 (b) and notwithstanding any other provision of this agreement, the District contribution for active employees shall not be less than CalPERS minimum required contribution (i.e. \$125/month for 2016).

For the District:



Delia Ruiz  
Assistant Superintendent, Human Resources

Date: 08/04/16

For UBA:



Janet Levenson  
President

Date: 8/4/16