RESOLUTION NO. 174003

ELECTING TO BE SUBJECT TO THE PUBLIC EMPLOYEES' MEDICAL AND HOSPITAL CARE ACT AT UNEQUAL AMOUNTS FOR EMPLOYEES AND ANNUITANTS WITH RESPECT TO A RECOGNIZED EMPLOYEE ORGANIZATION

BERKELEY COUNCIL OF CLASSIFIED EMPLOYEES, AFT LOCAL 6192, AFL-CIO (001 CLASSIFIED LOCAL 6192)

WHEREAS, Code	(1)	A contracting agency meeting the eligibility requirements set forth in Government
		Section 22920, may obtain health benefit plan(s), as defined under Government Code Section 22777, by submitting a resolution to the Board of Administration of the California Public Employees' Retirement System (the "Board"), and upon approval of such resolution by the Board, become subject to the Public Employees' Medical and Hospital Care Act (the "Act"); and
WHEREAS, Act	(2)	Berkeley Unified School District is a contracting agency eligible to be subject to the
		under Government Code Section 22920; and
WHEREAS,	(3)	Government Code Section 22892(a) provides that a contracting agency subject to Act shall fix the amount of the employer contribution by resolution; and
WHEREAS, an	(4)	Government Code Section 22892(b) provides that the employer contribution shall be
		equal amount for both employees and annuitants, but may not be less than the amount prescribed by Section 22892(b) of the Act; and
WHEREAS,	(5)	Government Code Section 22892(c) provides that, notwithstanding Section 22892(b), a contracting agency may establish a lesser monthly employer contribution for annuitants than for employees, provided that the monthly employer 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 five percent of the current monthly employer contribution for employees, and the amounts are equal; and
WHEREAS, who	(6)	Berkeley Unified School District desires to obtain for its employees and annuitants
		are members of the Berkeley Council of Classified Employees, AFT Local 6192, AFL-CIO the benefit of the Act and to accept the liabilities and obligations of an employer under the Act; now, therefore, be it
RESOLVED, be	(a)	Berkeley Unified School District elects to be subject to the provisions of the Act; and
		it further
RESOLVED, pay	(b)	That the employer contribution for each employee shall be the amount necessary to

		the full cost of his/her enrollment, including the enrollment of family members, in a health benefits plan up to a maximum of the PEMHCA Minimum per month, and be it further
RESOLVED, pay	(c)	That the employer contribution for each annuitant shall be the amount necessary to
în a k		the full cost of his/her enrollment, including the enrollment of 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 contribution for each annuitant shall be increased annually by five percent of the monthly contribution for employees, multiplied by the number of years the contracting agency has been subject to the Act, 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 Public Agency for administrative fees and to the Contingency Reserve Fund; and be it further
RESOLVED,	(e)	Berkeley 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 participation of the employees and annuitants of Berkeley Unified School District shall be subject to determination of its status as an "agency or instrumentality of the state or political subdivision of a State" that is eligible to participate in a governmental plan within the meaning of Section 414(d) of the Internal Revenue Code, upon publication of final Regulations pursuant to such Section. If it is determined that Berkeley Unified School District would not qualify as an agency or instrumentality of the state or political subdivision of a State under such final
		Regulations, CalPERS may be obligated, and reserves the right to terminate the health coverage of all participants of the employer.
RESOLVED,	(g)	That the executive body appoint and direct, and it does hereby appoint and direct, Javetta Cleveland to file with the Board a verified copy of this resolution, and to perform on behalf of Berkeley Unified School District all functions required of it under the Act; and be it further
RESOLVED,	(h)	That coverage under the Act be effective on January 1, 2017.
		Adopted at a regular or special meeting of the Governing Board at Location, this Day day of Month, Year.
		Signed:
		(President, Chairman, etc.)

Attest: (Secretary or appropriate officer)

RESOLUTION NO. 17-007 ELECTING TO BE SUBJECT TO SECTION 22807 FOR LESS THAN HALF-TIME EMPLOYEES UNDER THE PUBLIC EMPLOYEES' MEDICAL AND HOSPITAL CARE ACT WITH RESPECT TO A RECOGNIZED EMPLOYEE ORGANIZATION

BERKELEY COUNCIL OF CLASSIFIED EMPLOYEES, AFT LOCAL 6192, AFL-CIO (001 CLASSIFIED LOCAL 6192)

WHEREAS, Code	(1)	A contracting agency meeting the eligibility requirements set forth in Government
		Section 22920, may obtain health benefit plan(s), as defined under Government Code Section 22777, by submitting a resolution to the Board of Administration of the California Public Employees' Retirement System (the "Board"), and upon approval of such resolution by the Board, become subject to the Public Employees' Medical and Hospital Care Act (the "Act"); and
WHEREAS, Act	(2)	Berkeley Unified School District is a contracting agency eligible to be subject to the
		under Government Code Section 22920; and
WHEREAS,	(3)	Government Code Section 22807 permits a contracting agency subject to the Act to provide benefits to its less than half-time employees, upon proper application; now, therefore, be it
RESOLVED, Council	(a)	Berkeley Unified School District desires to obtain for members of the Berkeley
		of Classified Employees, AFT Local 6192, AFL-CIO the benefit of Section 22807 and accepts the liabilities and obligations of a contracting agency under the Section; and be it further
RESOLVED,	(b)	Berkeley Unified School District elects to be subject to the provisions of Section 22807 of the Government Code; and be it further
RESOLVED,	(c)	That the participation of the employees and annuitants of Berkeley Unified School District shall be subject to determination of its status as an "agency or instrumentality of the state or political subdivision of a State" that is eligible to participate in a governmental plan within the meaning of Section 414(d) of the Internal Revenue Code, upon publication of final Regulations pursuant to such Section. If it is determined that Berkeley Unified School District would not qualify as an agency or instrumentality of the state or political subdivision of a State under such final Regulations, CalPERS may be obligated, and reserves the right to terminate the health coverage of all participants of the employer.
RESOLVED,	(d)	That the executive body appoint and direct, and it does hereby appoint and direct, Javetta Cleveland to file with the Board a verified copy of this resolution, and to perform on behalf of Berkeley Unified School District all functions required of it under the Act.

RESOLVED, (e) That coverage under the Act be effective on **January 1, 2017**.

Adopted at a regular or special meeting of the Governing Board at Location, this Day day of Month, Year.

Signed:

(President, Chairman, etc.)

Attest:

RESOLUTION NO. 17-008 ELECTING TO BE SUBJECT TO SECTION 22895 TO ESTABLISH HEALTH VESTING REQUIREMENTS FOR FUTURE ANNUITANTS UNDER THE PUBLIC EMPLOYEES' MEDICAL AND HOSPITAL CARE ACT WITH RESPECT TO A RECOGNIZED EMPLOYEE ORGANIZATION

BERKELEY COUNCIL OF CLASSIFIED EMPLOYEES, AFT LOCAL 6192, AFL-CIO (010 CLASSIFIED LOCAL 6192 VESTING 100%)

WHEREAS,	(1)	Public Employees' Medical and Hospita the Board of the California Public Empl	des that a contracting agency subject to the al Care Act (the "Act") may file a resolution with oyees' Retirement System to provide a requirement to employees who retire for at Code Section 22895; and
WHEREAS,	(2)		ntracting agency under Government Code r participation by members of the Berkeley ocal 6192, AFL-CIO; and
WHEREAS,	(3)	Berkeley Unified School District certific unit and there is an applicable memory	es, employees are represented by a bargaining and understanding; and
WHEREAS,	(4)		or purposes of determining the percentage of er Government Code Section 22895 shall mean e Section 22826; and
WHEREAS,		(5) The employer contribution for defined in Government Code Section 2	active employees cannot be less then what is 2892(b); now, therefore be it
RESOLVED,	(a)	That employees retired on or after Jan requirements defined in this vesting re	
RESOLVED,	(b)	the amount necessary to pay the cost of of family members, in a health benefit Minimum per month, but not less that	ch annuitant subject to this provision shall be of his/her enrollment, including the enrollment ts plan up to a maximum of the PEMHCA n the amount prescribed by Section 22892(b), ncy Reserve Fund assessments; and be it further
RESOLVED,	(c)	annuitants with less than 40 years of c District. The percentage of the employ	ment health benefits shall not be paid to redited service with Berkeley Unified School ver contribution payable for post-retirement II be based on the annuitant's completed years ied School District.
		Credited Years of Service	Percentage of Employer Contribution

100%

40 years

and be it further

RESOLVED,	(d)	In order to receive the employer contribution payable for post-retirement health benefits, annuitants who retire for disability must meet the credited years of service requirement set forth in RESOLVED (c); and be it further
RESOLVED,	(e)	Berkeley 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 participation of the employees and annuitants of Berkeley Unified School District shall be subject to determination of its status as an "agency or instrumentality of the state or political subdivision of a State" that is eligible to participate in a governmental plan within the meaning of Section 414(d) of the Internal Revenue Code, upon publication of final Regulations pursuant to such Section. If it is determined that Berkeley Unified School District would not qualify as an agency or instrumentality of the state or political subdivision of a State under such final Regulations, the California Public Employees' Retirement System may be obligated, and reserves the right to terminate the health coverage of all participants of the employer; and be it further
RESOLVED,	(g)	That the executive body appoint and direct, and it does hereby appoint and direct, Javetta Cleveland to file with the Board a verified copy of this resolution, and to perform on behalf of Berkeley Unified School District all functions required of it under the Act; and be it further.
RESOLVED,	(h)	That coverage under the Act be effective on January 1, 2017.

Adopted at a regular or special meeting of the Governing Board at Location, this Day day of Month, Year.

Signed:

(President, Chairman, etc.)

Attest:

RESOLUTION NO. 17-009 ELECTING TO BE SUBJECT TO THE PUBLIC EMPLOYEES' MEDICAL AND HOSPITAL CARE ACT AT UNEQUAL AMOUNTS FOR EMPLOYEES AND ANNUITANTS WITH RESPECT TO A RECOGNIZED EMPLOYEE ORGANIZATION

INTERNATIONAL FEDERATION OF PROFESSIONAL & TECHNICAL ENGINEERS, LOCAL 21, AFL-CIO (002 PROF-TECH ENGINEERS LOCAL 21)

WHEREAS, Code	(1)	A contracting agency meeting the eligibility requirements set forth in Government
		Section 22920, may obtain health benefit plan(s), as defined under Government Code Section 22777, by submitting a resolution to the Board of Administration of the California Public Employees' Retirement System (the "Board"), and upon approval of such resolution by the Board, become subject to the Public Employees' Medical and Hospital Care Act (the "Act"); and
WHEREAS, Act	(2)	Berkeley Unified School District is a contracting agency eligible to be subject to the
		under Government Code Section 22920; and
WHEREAS,	(3)	Government Code Section 22892(a) provides that a contracting agency subject to Act shall fix the amount of the employer contribution by resolution; and
WHEREAS, an	(4)	Government Code Section 22892(b) provides that the employer contribution shall be
		equal amount for both employees and annuitants, but may not be less than the amount prescribed by Section 22892(b) of the Act; and
 WHEREAS,	(5)	Government Code Section 22892(c) provides that, notwithstanding Section 22892(b), a contracting agency may establish a lesser monthly employer contribution for annuitants than for employees, provided that the monthly employer 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 five percent of the current monthly employer contribution for employees, until such time as the amounts are equal; and
WHEREAS, who	(6)	Berkeley Unified School District desires to obtain for its employees and annuitants
		are members of the International Federation of Professional & Technical Engineers, Local 21, AFL-CIO the benefit of the Act and to accept the liabilities and obligations of an employer under the Act; now, therefore, be it
RESOLVED, be	(a)	Berkeley Unified School District elects to be subject to the provisions of the Act; and
		it further
RESOLVED, pay	(b)	That the employer contribution for each employee shall be the amount necessary to

		the full cost of his/her enrollment, including the enrollment of family members, in a health benefits plan up to a maximum of the PEMHCA Minimum per month, and be it further
RESOLVED, pay	(c)	That the employer contribution for each annuitant shall be the amount necessary to
, -		the full cost of his/her enrollment, including the enrollment of 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 contribution for each annuitant shall be increased annually by five percent of the monthly contribution for employees, multiplied by the number of years the contracting agency has been subject to the Act, 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 Public Agency for administrative fees and to the Contingency Reserve Fund; and be it further
RESOLVED,	(e)	Berkeley 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 participation of the employees and annuitants of Berkeley Unified School District shall be subject to determination of its status as an "agency or instrumentality of the state or political subdivision of a State" that is eligible to participate in a governmental plan within the meaning of Section 414(d) of the Internal Revenue Code, upon publication of final Regulations pursuant to such Section. If it is determined that Berkeley Unified School District would not qualify as an agency or instrumentality of the state or political subdivision of a State under such final Regulations, CalPERS may be obligated, and reserves the right to terminate the health coverage of all participants of the employer.
RESOLVED,	(g)	That the executive body appoint and direct, and it does hereby appoint and direct, Javetta Cleveland to file with the Board a verified copy of this resolution, and to perform on behalf of Berkeley Unified School District all functions required of it under the Act; and be it further
RESOLVED,	(h)	That coverage under the Act be effective on January 1, 2017.
		Adopted at a regular or special meeting of the Governing Board at Location, this Day day of Month, Year.
		Signed: (President, Chairman, etc.)
		Attest:
		(Secretary or appropriate officer)

RESOLUTION NO. 17-010 ELECTING TO BE SUBJECT TO SECTION 22807 FOR LESS THAN HALF-TIME EMPLOYEES UNDER THE PUBLIC EMPLOYEES' MEDICAL AND HOSPITAL CARE ACT WITH RESPECT TO A RECOGNIZED EMPLOYEE ORGANIZATION

INTERNATIONAL FEDERATION OF PROFESSIONAL & TECHNICAL ENGINEERS, LOCAL 21, AFL-CIO (002 PROF-TECH ENGINEERS LOCAL 21)

WHEREAS,	(1)	A contracting agency meeting the eligibility requirements set forth in Government
Code		Section 22920, may obtain health benefit plan(s), as defined under Government Code Section 22777, by submitting a resolution to the Board of Administration of the California Public Employees' Retirement System (the "Board"), and upon approval of such resolution by the Board, become subject to the Public Employees' Medical and Hospital Care Act (the "Act"); and
WHEREAS,	(2)	Berkeley Unified School District is a contracting agency eligible to be subject to the
Act		under Government Code Section 22920; and
WHEREAS,	(3)	Government Code Section 22807 permits a contracting agency subject to the Act to provide benefits to its less than half-time employees, upon proper application; now, therefore, be it
RESOLVED,	(a)	Berkeley Unified School District desires to obtain for members of the International Federation of Professional & Technical Engineers, Local 21, AFL-CIO the benefit of Section 22807 and accepts the liabilities and obligations of a contracting agency under
		the Section; and be it further
RESOLVED,	(b)	Berkeley Unified School District elects to be subject to the provisions of Section 22807 of the Government Code; and be it further
RESOLVED,	(c)	That the participation of the employees and annuitants of Berkeley Unified School District shall be subject to determination of its status as an "agency or instrumentality of the state or political subdivision of a State" that is eligible to participate in a governmental plan within the meaning of Section 414(d) of the Internal Revenue Code, upon publication of final Regulations pursuant to such Section. If it is determined that Berkeley Unified School District would not qualify as an agency or instrumentality of the state or political subdivision of a State under such final Regulations, CalPERS may be obligated, and reserves the right to terminate the health coverage of all participants of the employer.
RESOLVED,	(d)	That the executive body appoint and direct, and it does hereby appoint and direct, Javetta Cleveland to file with the Board a verified copy of this resolution, and to perform on behalf of Berkeley Unified School District all functions required of it under the Act.

RESOLVED, (e) That coverage under the Act be effective on January 1, 2017.

Adopted at a regular or special meeting of the Governing Board at Location, this Day day of Month, Year.

Signed:

(President, Chairman, etc.)

Attest:

RESOLUTION NO. 17-011 ELECTING TO BE SUBJECT TO SECTION 22895 TO ESTABLISH HEALTH VESTING REQUIREMENTS FOR FUTURE ANNUITANTS UNDER THE PUBLIC EMPLOYEES' MEDICAL AND HOSPITAL CARE ACT WITH RESPECT TO A RECOGNIZED EMPLOYEE ORGANIZATION

INTERNATIONAL FEDERATION OF PROFESSIONAL & TECHNICAL ENGINEERS, LOCAL 21, AFL-CIO (020 PROF-TECH ENGINEERS LOCAL 21 VESTING 100%)

WHEREAS,	(1)	the Board of the California Publ postretirement health benefits	5 provides that a contracting agency subject to the Hospital Care Act (the "Act") may file a resolution with ic Employees' Retirement System to provide a vesting requirement to employees who retire for ernment Code Section 22895; and
WHEREAS,	(2)	Section 22920 and subject to the	is a contracting agency under Government Code Act for participation by members of the International chnical Engineers, Local 21, AFL-CIO ; and
WHEREAS,	(3)	Berkeley Unified School District unit and there is an applicable m	certifies, employees are represented by a bargaining nemorandum of understanding; and
WHEREAS,	(4)	The credited service of an emplo employer contribution applicabl service as defined in Governmer	oyee for purposes of determining the percentage of e under Government Code Section 22895 shall mean at Code Section 22826; and
WHEREAS,		(5) The employer contribution (5) The employer contribution defined in Government Code Sec	on for active employees cannot be less then what is ction 22892(b); now, therefore be it
RESOLVED,	(a)	That employees retired on or aft requirements defined in this ves	er January 1, 2017 shall be subject to the ting resolution; and be it further
RESOLVED,	(b)	of family members, in a health be Minimum per month, but not les	or each annuitant subject to this provision shall be cost of his/her enrollment, including the enrollment enefits plan up to a maximum of the PEMHCA is than the amount prescribed by Section 22892(b), tingency Reserve Fund assessments; and be it further
RESOLVED,	(c)	District. The percentage of the en	retirement health benefits shall not be paid to s of credited service with Berkeley Unified School nployer contribution payable for post-retirement it shall be based on the annuitant's completed years Unified School District.
		Credited Years of Service	Percentage of Employer Contribution
		Less than 40 years	0%
		40 years	100%

100%

VESTING 22895 - NEW, ALL BY GROUP OR BY GROUP, 1 FIXED (REV. 5/2015)

and be it further

RESOLVED,	(d)	In order to receive the employer contribution payable for post-retirement health benefits, annuitants who retire for disability must meet the credited years of service requirement set forth in RESOLVED (c); and be it further
RESOLVED,	(e)	Berkeley 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 participation of the employees and annuitants of Berkeley Unified School District shall be subject to determination of its status as an "agency or instrumentality of the state or political subdivision of a State" that is eligible to participate in a governmental plan within the meaning of Section 414(d) of the Internal Revenue Code, upon publication of final Regulations pursuant to such Section. If it is determined that Berkeley Unified School District would not qualify as an agency or instrumentality of the state or political subdivision of a State under such final Regulations, the California Public Employees' Retirement System may be obligated, and reserves the right to terminate the health coverage of all participants of the employer; and be it further
RESOLVED,	(g)	That the executive body appoint and direct, and it does hereby appoint and direct, Javetta Cleveland to file with the Board a verified copy of this resolution, and to perform on behalf of Berkeley Unified School District all functions required of it under the Act; and be it further.
RESOLVED,	(h)	That coverage under the Act be effective on January 1, 2017.

Adopted at a regular or special meeting of the Governing Board at Location, this Day day of Month, Year.

Signed:

(President, Chairman, etc.)

Attest: _____

RESOLUTION NO. 17-012

ELECTING TO BE SUBJECT TO THE PUBLIC EMPLOYEES' MEDICAL AND HOSPITAL CARE ACT AT UNEQUAL AMOUNTS FOR EMPLOYEES AND ANNUITANTS WITH RESPECT TO A RECOGNIZED EMPLOYEE ORGANIZATION

BERKELEY FEDERATION OF TEACHERS (BFT) (701 NPERS BFT)

WHEREAS, Code	(1)	A contracting agency meeting the eligibility requirements set forth in Government
		Section 22920, may obtain health benefit plan(s), as defined under Government Code Section 22777, by submitting a resolution to the Board of Administration of the California Public Employees' Retirement System (the "Board"), and upon approval of such resolution by the Board, become subject to the Public Employees' Medical and Hospital Care Act (the "Act"); and
WHEREAS, Act	(2)	Berkeley Unified School District is a contracting agency eligible to be subject to the
		under Government Code Section 22920; and
WHEREAS,	(3)	Government Code Section 22892(a) provides that a contracting agency subject to Act shall fix the amount of the employer contribution by resolution; and
WHEREAS, an	(4)	Government Code Section 22892(b) provides that the employer contribution shall be
		equal amount for both employees and annuitants, but may not be less than the amount prescribed by Section 22892(b) of the Act; and
WHEREAS,	(5)	Government Code Section 22892(c) provides that, notwithstanding Section 22892(b), a contracting agency may establish a lesser monthly employer contribution for annuitants than for employees, provided that the monthly employer 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 five percent of the current monthly employer contribution for employees, until such time as the amounts are equal; and
WHEREAS, who	(6)	Berkeley Unified School District desires to obtain for its employees and annuitants
		are members of the Berkeley Federation of Teachers (BFT) the benefit of the Act and to accept the liabilities and obligations of an employer under the Act; now, therefore, be it
RESOLVED, be	(a)	Berkeley Unified School District elects to be subject to the provisions of the Act; and
		it further
RESOLVED, pay	(b)	That the employer contribution for each employee shall be the amount necessary to

		the full cost of his/her enrollment, including the enrollment of family members, in a health benefits plan up to a maximum of the PEMHCA Minimum per month, and be it further
RESOLVED, pay	(c)	That the employer contribution for each annuitant shall be the amount necessary to
haì		the full cost of his/her enrollment, including the enrollment of 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 contribution for each annuitant shall be increased annually by five percent of the monthly contribution for employees, multiplied by the number of years the contracting agency has been subject to the Act, 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 Public Agency for administrative fees and to the Contingency Reserve Fund; and be it further
RESOLVED,	(e)	Berkeley 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 participation of the employees and annuitants of Berkeley Unified School District shall be subject to determination of its status as an "agency or instrumentality of the state or political subdivision of a State" that is eligible to participate in a governmental plan within the meaning of Section 414(d) of the Internal Revenue Code, upon publication of final Regulations pursuant to such Section. If it is determined that Berkeley Unified School District would not qualify as an agency or
		instrumentality of the state or political subdivision of a State under such final Regulations, CalPERS may be obligated, and reserves the right to terminate the health coverage of all participants of the employer.
RESOLVED,	(g)	That the executive body appoint and direct, and it does hereby appoint and direct, Javetta Cleveland to file with the Board a verified copy of this resolution, and to perform on behalf of Berkeley Unified School District all functions required of it under the Act; and be it further
RESOLVED,	мЪ)	That coverage under the Act be effective on January 1, 2017.
		Adopted at a regular or special meeting of the Governing Board at Location, this Day day of Month, Year.
		Signed:
		(President, Chairman, etc.)

RESOLUTION NO. 17-013 ELECTING TO BE SUBJECT TO SECTION 22807 FOR LESS THAN HALF-TIME EMPLOYEES UNDER THE PUBLIC EMPLOYEES' MEDICAL AND HOSPITAL CARE ACT WITH RESPECT TO A RECOGNIZED EMPLOYEE ORGANIZATION

BERKELEY FEDERATION OF TEACHERS (BFT) (701 NPERS BFT)

WHEREAS, Code	(1)	A contracting agency meeting the eligibility requirements set forth in Government
coue		Section 22920, may obtain health benefit plan(s), as defined under Government Code Section 22777, by submitting a resolution to the Board of Administration of the California Public Employees' Retirement System.(the "Board"), and upon approval of such resolution by the Board, become subject to the Public Employees' Medical and Hospital Care Act (the "Act"); and
WHEREAS, Act	(2)	Berkeley Unified School District is a contracting agency eligible to be subject to the
		under Government Code Section 22920; and
WHEREAS,	(3)	Government Code Section 22807 permits a contracting agency subject to the Act to provide benefits to its less than half-time employees, upon proper application; now, therefore, be it
RESOLVED,	(a)	Berkeley Unified School District desires to obtain for members of the Berkeley Federation of Teachers (BFT) the benefit of Section 22807 and accepts the liabilities and obligations of a contracting agency under the Section; and be it further
RESOLVED,	(b)	Berkeley Unified School District elects to be subject to the provisions of Section 22807 of the Government Code; and be it further
RESOLVED,	(c)	That the participation of the employees and annuitants of Berkeley Unified School District shall be subject to determination of its status as an "agency or instrumentality of the state or political subdivision of a State" that is eligible to participate in a governmental plan within the meaning of Section 414(d) of the Internal Revenue Code, upon publication of final Regulations pursuant to such Section. If it is determined that Berkeley Unified School District would not qualify as an agency or instrumentality of the state or political subdivision of a State under such final Regulations, CalPERS may be obligated, and reserves the right to terminate the health coverage of all participants of the employer.
RESOLVED,	(d)	That the executive body appoint and direct, and it does hereby appoint and direct, Javetta Cleveland to file with the Board a verified copy of this resolution, and to perform on behalf of Berkeley Unified School District all functions required of it under the Act.
RESOLVED,	(e)	That coverage under the Act be effective on January 1, 2017.

LESS THAN HALF-TIME 22807 - ALL BY GROUP OR BY GROUP (REV. 5/2015)

Adopted at a regular or special meeting of the Governing Board at Location, this Day day of Month, Year.

Signed:

(President, Chairman, etc.)

Attest: _____

(Secretary or appropriate officer)

LESS THAN HALF-TIME 22807 - ALL BY GROUP OR BY GROUP (REV. 5/2015)

RESOLUTION NO. 17-014 ELECTING TO BE SUBJECT TO SECTION 22895 TO ESTABLISH HEALTH VESTING REQUIREMENTS FOR FUTURE ANNUITANTS UNDER THE PUBLIC EMPLOYEES' MEDICAL AND HOSPITAL CARE ACT WITH RESPECT TO A RECOGNIZED EMPLOYEE ORGANIZATION

BERKELEY FEDERATION OF TEACHERS (BFT) (710 NPERS BFT VESTING 100%)

WHEREAS,	(1)	Government Code Section 22895 provides that a contracting agency subject to the Public Employees' Medical and Hospital Care Act (the "Act") may file a resolution with the Board of the California Public Employees' Retirement System to provide a postretirement health benefits vesting requirement to employees who retire for service in accordance with Government Code Section 22895; and	
WHEREAS,	(2)		ontracting agency under Government Code or participation by members of the Berkeley
WHEREAS,	(3)	Berkeley Unified School District certificular of the second secon	ies, employees are represented by a bargaining and understanding; and
WHEREAS,	(4)		or purposes of determining the percentage of er Government Code Section 22895 shall mean le Section 22826; and
WHEREAS,		(5) The employer contribution for defined in Government Code Section 3	active employees cannot be less then what is 22892(b); now, therefore be it
RESOLVED,	(a)	That employees retired on or after Jar requirements defined in this vesting r	
RESOLVED,	(b)	the amount necessary to pay the cost of family members, in a health benefi Minimum per month, but not less tha	ch annuitant subject to this provision shall be of his/her enrollment, including the enrollment ts plan up to a maximum of the PEMHCA n the amount prescribed by Section 22892(b), ncy Reserve Fund assessments; and be it further
RESOLVED,	(c)	Employer contributions for post-retirement health benefits shall not be paid to annuitants with less than 40 years of credited service with Berkeley Unified School District. The percentage of the employer contribution payable for post-retirement health benefits for each annuitant shall be based on the annuitant's completed years of credited service with Berkeley Unified School District.	
		Credited Years of Service	Percentage of Employer Contribution
		Less than 40 years	0%
		40 years	100%

and be it further

- RESOLVED, (d) In order to receive the employer contribution payable for post-retirement health benefits, annuitants who retire for disability must meet the credited years of service requirement set forth in RESOLVED (c); and be it further
- RESOLVED, (e) **Berkeley 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 participation of the employees and annuitants of **Berkeley Unified School District** shall be subject to determination of its status as an "agency or instrumentality of the state or political subdivision of a State" that is eligible to participate in a governmental plan within the meaning of Section 414(d) of the Internal Revenue Code, upon publication of final Regulations pursuant to such Section. If it is determined that **Berkeley Unified School District** would not qualify as an agency or instrumentality of the state or political subdivision of a State under such final Regulations, the California Public Employees' Retirement System may be obligated, and reserves the right to terminate the health coverage of all participants of the employer; and be it further
- RESOLVED, (g) That the executive body appoint and direct, and it does hereby appoint and direct, Javetta Cleveland to file with the Board a verified copy of this resolution, and to perform on behalf of **Berkeley Unified School District** all functions required of it under the Act; and be it further.

RESOLVED, (h) That coverage under the Act be effective on January 1, 2017.

Adopted at a regular or special meeting of the Governing Board at Location, this Day day of Month, Year.

Signed:

(President, Chairman, etc.)

Attest:

RESOLUTION NO. 17-015

ELECTING TO BE SUBJECT TO THE PUBLIC EMPLOYEES' MEDICAL AND HOSPITAL CARE ACT AT UNEQUAL AMOUNTS FOR EMPLOYEES AND ANNUITANTS WITH RESPECT TO A RECOGNIZED EMPLOYEE ORGANIZATION

UNION OF BERKELEY ADMINISTRATORS (UBA) (702 NPERS UBA)

WHEREAS, Code	(1)	A contracting agency meeting the eligibility requirements set forth in Government
		Section 22920, may obtain health benefit plan(s), as defined under Government Code Section 22777, by submitting a resolution to the Board of Administration of the California Public Employees' Retirement System (the "Board"), and upon approval of such resolution by the Board, become subject to the Public Employees' Medical and Hospital Care Act (the "Act"); and
WHEREAS, Act	(2)	Berkeley Unified School District is a contracting agency eligible to be subject to the
		under Government Code Section 22920; and
WHEREAS,	(3)	Government Code Section 22892(a) provides that a contracting agency subject to Act shall fix the amount of the employer contribution by resolution; and
WHEREAS, an	(4)	Government Code Section 22892(b) provides that the employer contribution shall be
		equal amount for both employees and annuitants, but may not be less than the amount prescribed by Section 22892(b) of the Act; and
WHEREAS,	(5)	Government Code Section 22892(c) provides that, notwithstanding Section 22892(b), a contracting agency may establish a lesser monthly employer contribution for annuitants than for employees, provided that the monthly employer 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 five percent of the current monthly employer contribution for employees, until such time as the amounts are equal; and
WHEREAS, who	(6)	Berkeley Unified School District desires to obtain for its employees and annuitants
		are members of the Union of Berkeley Administrators (UBA) the benefit of the Act and to accept the liabilities and obligations of an employer under the Act; now, therefore, be it
RESOLVED, be	(a)	Berkeley Unified School District elects to be subject to the provisions of the Act; and
~ ~		it further
RESOLVED, pay	(b)	That the employer contribution for each employee shall be the amount necessary to

		the full cost of his/her enrollment, including the enrollment of family members, in a health benefits plan up to a maximum of the PEMHCA Minimum per month, and be it further
RESOLVED, pay	(c)	That the employer contribution for each annuitant shall be the amount necessary to
		the full cost of his/her enrollment, including the enrollment of 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 contribution for each annuitant shall be increased annually by five percent of the monthly contribution for employees, multiplied by the number of years the contracting agency has been subject to the Act, 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 Public Agency for administrative fees and to the Contingency Reserve Fund; and be it further
RESOLVED,	(e)	Berkeley 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 participation of the employees and annuitants of Berkeley Unified School District shall be subject to determination of its status as an "agency or instrumentality of the state or political subdivision of a State" that is eligible to participate in a governmental plan within the meaning of Section 414(d) of the Internal Revenue Code, upon publication of final Regulations pursuant to such Section. If it is determined that Berkeley Unified School District would not qualify as an agency or instrumentality of the state or political subdivision of a State under such final
		Regulations, CalPERS may be obligated, and reserves the right to terminate the health coverage of all participants of the employer.
RESOLVED,	(g)	That the executive body appoint and direct, and it does hereby appoint and direct, Javetta Cleveland to file with the Board a verified copy of this resolution, and to perform on behalf of Berkeley Unified School District all functions required of it under the Act; and be it further
RESOLVED,		That coverage under the Act be effective on January 1, 2017.
		Adopted at a regular or special meeting of the Governing Board at Location, this Day day of Month, Year.
		Signed:
		(President, Chairman, etc.)
		Attest: (Secretary or appropriate officer)

RESOLUTION NO. 17-016 ELECTING TO BE SUBJECT TO SECTION 22807 FOR LESS THAN HALF-TIME EMPLOYEES UNDER THE PUBLIC EMPLOYEES' MEDICAL AND HOSPITAL CARE ACT WITH RESPECT TO A RECOGNIZED EMPLOYEE ORGANIZATION

UNION OF BERKELEY ADMINISTRATORS (UBA) (702 NPERS UBA)

WHEREAS, Code	(1)	A contracting agency meeting the eligibility requirements set forth in Government
		Section 22920, may obtain health benefit plan(s), as defined under Government Code Section 22777, by submitting a resolution to the Board of Administration of the California Public Employees' Retirement System (the "Board"), and upon approval of such resolution by the Board, become subject to the Public Employees' Medical and Hospital Care Act (the "Act"); and
WHEREAS, Act	(2)	Berkeley Unified School District is a contracting agency eligible to be subject to the
		under Government Code Section 22920; and
WHEREAS,	(3)	Government Code Section 22807 permits a contracting agency subject to the Act to provide benefits to its less than half-time employees, upon proper application; now, therefore, be it
RESOLVED, Berkeley	(a)	Berkeley Unified School District desires to obtain for members of the Union of
		Administrators (UBA) the benefit of Section 22807 and accepts the liabilities and obligations of a contracting agency under the Section; and be it further
RESOLVED,	(b)	Berkeley Unified School District elects to be subject to the provisions of Section 22807 of the Government Code; and be it further
RESOLVED,	(c)	That the participation of the employees and annuitants of Berkeley Unified School District shall be subject to determination of its status as an "agency or instrumentality of the state or political subdivision of a State" that is eligible to participate in a governmental plan within the meaning of Section 414(d) of the Internal Revenue Code, upon publication of final Regulations pursuant to such Section. If it is determined that Berkeley Unified School District would not qualify as an agency or instrumentality of the state or political subdivision of a State under such final Regulations, CalPERS may be obligated, and reserves the right to terminate the health coverage of all participants of the employer.
RESOLVED,	(d)	That the executive body appoint and direct, and it does hereby appoint and direct, Javetta Cleveland to file with the Board a verified copy of this resolution, and to perform on behalf of Berkeley Unified School District all functions required of it under the Act.

RESOLVED, (e) That coverage under the Act be effective on January 1, 2017.

Adopted at a regular or special meeting of the Governing Board at Location, this Daviday of Month, Year.

Signed:

(President, Chairman, etc.)

Attest: _____

RESOLUTION NO. 17-017 ELECTING TO BE SUBJECT TO SECTION 22895 TO ESTABLISH HEALTH VESTING REQUIREMENTS FOR FUTURE ANNUITANTS UNDER THE PUBLIC EMPLOYEES' MEDICAL AND HOSPITAL CARE ACT WITH RESPECT TO A RECOGNIZED EMPLOYEE ORGANIZATION

UNION OF BERKELEY ADMINISTRATORS (UBA) (720 NPERS UBA VESTING 100%)

WHEREAS,	(1)	Public Employees' Medical and Hospita the Board of the California Public Empl	des that a contracting agency subject to the al Care Act (the "Act") may file a resolution with loyees' Retirement System to provide a ; requirement to employees who retire for at Code Section 22895; and
WHEREAS,	(2)		ntracting agency under Government Code r participation by members of the Union of
WHEREAS,	(3)	Berkeley Unified School District certifi unit and there is an applicable memor	es, employees are represented by a bargaining andum of understanding; and
WHEREAS,	(4)		or purposes of determining the percentage of er Government Code Section 22895 shall mean e Section 22826; and
WHEREAS,		(5) The employer contribution for defined in Government Code Section 2	active employees cannot be less then what is 22892(b); now, therefore be it
RESOLVED,	(a)	That employees retired on or after Jan requirements defined in this vesting re	
RESOLVED,	(b)	the amount necessary to pay the cost of of family members, in a health benefit Minimum per month, but not less that	ch annuitant subject to this provision shall be of his/her enrollment, including the enrollment ts plan up to a maximum of the PEMHCA n the amount prescribed by Section 22892(b), ncy Reserve Fund assessments; and be it further
RESOLVED,	(c)	Employer contributions for post-retirement health benefits shall not be paid to annuitants with less than 40 years of credited service with Berkeley Unified School District. The percentage of the employer contribution payable for post-retirement health benefits for each annuitant shall be based on the annuitant's completed year of credited service with Berkeley Unified School District.	
		Credited Years of Service	Percentage of Employer Contribution
		Less than 40 years	0%

100%

40 years

and be it further

- RESOLVED, (d) In order to receive the employer contribution payable for post-retirement health benefits, annuitants who retire for disability must meet the credited years of service requirement set forth in RESOLVED (c); and be it further
- RESOLVED, (e) **Berkeley 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 participation of the employees and annuitants of **Berkeley Unified School District** shall be subject to determination of its status as an "agency or instrumentality of the state or political subdivision of a State" that is eligible to participate in a governmental plan within the meaning of Section 414(d) of the Internal Revenue Code, upon publication of final Regulations pursuant to such Section. If it is determined that **Berkeley Unified School District** would not qualify as an agency or instrumentality of the state or political subdivision of a State under such final Regulations, the California Public Employees' Retirement System may be obligated, and reserves the right to terminate the health coverage of all participants of the employer; and be it further
- RESOLVED, (g) That the executive body appoint and direct, and it does hereby appoint and direct, **Javetta Cleveland** to file with the Board a verified copy of this resolution, and to perform on behalf of **Berkeley Unified School District** all functions required of it under the Act; and be it further.

RESOLVED, (h) That coverage under the Act be effective on January 1, 2017.

Adopted at a regular or special meeting of the Governing Board at Location, this Day day of Month, Year.

Signed:

(President, Chairman, etc.)

Attest: ___

RESOLUTION NO. 17-018

ELECTING TO BE SUBJECT TO THE PUBLIC EMPLOYEES' MEDICAL AND HOSPITAL CARE ACT AT UNEQUAL AMOUNTS FOR EMPLOYEES AND ANNUITANTS WITH RESPECT TO A RECOGNIZED EMPLOYEE ORGANIZATION

NON CERTIFICATED MANAGEMENT (703 NPERS CERT MGMT)

WHEREAS, Code	(1)	A contracting agency meeting the eligibility requirements set forth in Government
		Section 22920, may obtain health benefit plan(s), as defined under Government Code Section 22777, by submitting a resolution to the Board of Administration of the California Public Employees' Retirement System (the "Board"), and upon approval of such resolution by the Board, become subject to the Public Employees' Medical and Hospital Care Act (the "Act"); and
WHEREAS, Act	(2)	Berkeley Unified School District is a contracting agency eligible to be subject to the
		under Government Code Section 22920; and
WHEREAS,	(3)	Government Code Section 22892(a) provides that a contracting agency subject to Act shall fix the amount of the employer contribution by resolution; and
WHEREAS, an	(4)	Government Code Section 22892(b) provides that the employer contribution shall be
		equal amount for both employees and annuitants, but may not be less than the amount prescribed by Section 22892(b) of the Act; and
WHEREAS,	(5)	Government Code Section 22892(c) provides that, notwithstanding Section 22892(b), a contracting agency may establish a lesser monthly employer contribution for annuitants than for employees, provided that the monthly employer 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 five percent of the current monthly employer contribution for employees, until such time as the amounts are equal; and
WHEREAS, who	(6)	Berkeley Unified School District desires to obtain for its employees and annuitants
		are members of the Non Certificated Management the benefit of the Act and to accept the liabilities and obligations of an employer under the Act; now, therefore, be it
RESOLVED, be	(a)	Berkeley Unified School District elects to be subject to the provisions of the Act; and
		it further
RESOLVED, pay	(b)	That the employer contribution for each employee shall be the amount necessary to

		the full cost of his/her enrollment, including the enrollment of family members, in a health benefits plan up to a maximum of the PEMHCA Minimum per month, and be it further
RESOLVED, pay	(c)	That the employer contribution for each annuitant shall be the amount necessary to
		the full cost of his/her enrollment, including the enrollment of 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 contribution for each annuitant shall be increased annually by five percent of the monthly contribution for employees, multiplied by the number of years the contracting agency has been subject to the Act, 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 Public Agency for administrative fees and to the Contingency Reserve Fund; and be it further
RESOLVED,	(e)	Berkeley 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 participation of the employees and annuitants of Berkeley Unified School District shall be subject to determination of its status as an "agency or instrumentality of the state or political subdivision of a State" that is eligible to participate in a governmental plan within the meaning of Section 414(d) of the Internal Revenue Code, upon publication of final Regulations pursuant to such Section. If it is determined that Berkeley Unified School District would not qualify as an agency or
		instrumentality of the state or political subdivision of a State under such final Regulations, CalPERS may be obligated, and reserves the right to terminate the health coverage of all participants of the employer.
RESOLVED,	(g)	That the executive body appoint and direct, and it does hereby appoint and direct, Javetta Cleveland to file with the Board a verified copy of this resolution, and to perform on behalf of Berkeley Unified School District all functions required of it under the Act; and be it further
RESOLVED,	(h)	That coverage under the Act be effective on January 1, 2017.
		Adopted at a regular or special meeting of the Governing Board at Location, this Day day of Month, Year.
		Signed:
		(President, Chairman, etc.)
		Attest:

RESOLUTION NO. 17-019 ELECTING TO BE SUBJECT TO SECTION 22807 FOR LESS THAN HALF-TIME EMPLOYEES UNDER THE PUBLIC EMPLOYEES' MEDICAL AND HOSPITAL CARE ACT WITH RESPECT TO A RECOGNIZED EMPLOYEE ORGANIZATION

NON CERTIFICATED MANAGEMENT (703 NPERS CERT MGMT)

WHEREAS, Code	(1)	A contracting agency meeting the eligibility requirements set forth in Government
		Section 22920, may obtain health benefit plan(s), as defined under Government Code Section 22777, by submitting a resolution to the Board of Administration of the California Public Employees' Retirement System (the "Board"), and upon approval of such resolution by the Board, become subject to the Public Employees' Medical and Hospital Care Act (the "Act"); and
WHEREAS, Act	(2)	Berkeley Unified School District is a contracting agency eligible to be subject to the
		under Government Code Section 22920; and
WHEREAS,	(3)	Government Code Section 22807 permits a contracting agency subject to the Act to provide benefits to its less than half-time employees, upon proper application; now, therefore, be it
RESOLVED, Certificated	(a)	Berkeley Unified School District desires to obtain for members of the Non
		Management the benefit of Section 22807 and accepts the liabilities and obligations of a contracting agency under the Section; and be it further
RESOLVED,	(b)	Berkeley Unified School District elects to be subject to the provisions of Section 22807 of the Government Code; and be it further
RESOLVED,	(c)	That the participation of the employees and annuitants of Berkeley Unified School District shall be subject to determination of its status as an "agency or instrumentality of the state or political subdivision of a State" that is eligible to participate in a governmental plan within the meaning of Section 414(d) of the Internal Revenue Code, upon publication of final Regulations pursuant to such Section. If it is determined that Berkeley Unified School District would not qualify as an agency or instrumentality of the state or political subdivision of a State under such final Regulations, CalPERS may be obligated, and reserves the right to terminate the health coverage of all participants of the employer.
RESOLVED,	(d)	That the executive body appoint and direct, and it does hereby appoint and direct, Javetta Cleveland to file with the Board a verified copy of this resolution, and to perform on behalf of Berkeley Unified School District all functions required of it under the Act.

RESOLVED,

(e) That coverage under the Act be effective on January 1, 2017.

Adopted at a regular or special meeting of the Governing Board at Location, this Day day of Month, Year.

Signed:

(President, Chairman, etc.)

Attest:

RESOLUTION NO. 17-020 ELECTING TO BE SUBJECT TO SECTION 22895 TO ESTABLISH HEALTH VESTING REQUIREMENTS FOR FUTURE ANNUITANTS UNDER THE PUBLIC EMPLOYEES' MEDICAL AND HOSPITAL CARE ACT WITH RESPECT TO A RECOGNIZED EMPLOYEE ORGANIZATION

CERTIFICATED MANAGEMENT (730 NPERS CERT MGMT VESTING 100%)

WHEREAS,	(1)	the Board of the California Public Em	vides that a contracting agency subject to the ital Care Act (the "Act") may file a resolution with iployees' Retirement System to provide a ng requirement to employees who retire for ent Code Section 22895; and
WHEREAS,	(2)	Berkeley Unified School District is a Section 22920 and subject to the Act Certificated Management; and	contracting agency under Government Code for participation by members of the Non
WHEREAS,	(3)	Berkeley Unified School District cert bargaining unit and there is no applic	ifies, employees are not represented by a table memorandum of understanding; and
WHEREAS,	(4)	The credited service of an employee employer contribution applicable un service as defined in Government Co	for purposes of determining the percentage of der Government Code Section 22895 shall mean de Section 22826; and
WHEREAS,		(5) The employer contribution fo defined in Government Code Section	r active employees cannot be less then what is 22892(b); now, therefore be it
RESOLVED,	(a)	That employees retired on or after Ja requirements defined in this vesting	nuary 1, 2017 shall be subject to the resolution; and be it further
RESOLVED,	(b)	of family members, in a health benefi Minimum per month, but not less tha	ich annuitant subject to this provision shall be of his/her enrollment, including the enrollment its plan up to a maximum of the PEMHCA in the amount prescribed by Section 22892(b), ncy Reserve Fund assessments; and be it further
RESOLVED,	(c)	Employer contributions for post-retirement health benefits shall not be paid to annuitants with less than 40 years of credited service with Berkeley Unified Scho District . The percentage of the employer contribution payable for post-retirement health benefits for each annuitant shall be based on the annuitant's completed ye of credited service with Berkeley Unified School District .	
		Credited Years of Service	Percentage of Employer Contribution
		Less than 40 years	0%

100%

40 years

and be it further

RESOLVED,	(d)	In order to receive the employer contribution payable for post-retirement health benefits, annuitants who retire for disability must meet the credited years of service requirement set forth in RESOLVED (c); and be it further
RESOLVED,	(e)	Berkeley 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 participation of the employees and annuitants of Berkeley Unified School District shall be subject to determination of its status as an "agency or instrumentality of the state or political subdivision of a State" that is eligible to participate in a governmental plan within the meaning of Section 414(d) of the Internal Revenue Code, upon publication of final Regulations pursuant to such Section. If it is determined that Berkeley Unified School District would not qualify as an agency or instrumentality of the state or political subdivision of a State under such final Regulations, the California Public Employees' Retirement System may be obligated, and reserves the right to terminate the health coverage of all participants of the employer; and be it further
RESOLVED,	(g)	That the executive body appoint and direct, and it does hereby appoint and direct, Javetta Cleveland to file with the Board a verified copy of this resolution, and to perform on behalf of Berkeley Unified School District all functions required of it under the Act; and be it further.
RESOLVED,	(h)	That coverage under the Act be effective on January 1, 2017

Adopted at a regular or special meeting of the Governing Board at Location, this Day day of Month, Year.

Signed:

(President, Chairman, etc.)

Attest:

RESOLUTION NO. 17-021

ELECTING TO BE SUBJECT TO THE PUBLIC EMPLOYEES' MEDICAL AND HOSPITAL CARE ACT AT UNEQUAL AMOUNTS FOR EMPLOYEES AND ANNUITANTS WITH RESPECT TO A RECOGNIZED EMPLOYEE ORGANIZATION

UNREPRESENTED CLASSIFIED (003 UNREP CLASSIFIED)

WHEREAS, Code	(1)	A contracting agency meeting the eligibility requirements set forth in Government
		Section 22920, may obtain health benefit plan(s), as defined under Government Code Section 22777, by submitting a resolution to the Board of Administration of the California Public Employees' Retirement System (the "Board"), and upon approval of such resolution by the Board, become subject to the Public Employees' Medical and Hospital Care Act (the "Act"); and
WHEREAS, Act	(2)	Berkeley Unified School District is a contracting agency eligible to be subject to the
		under Government Code Section 22920; and
WHEREAS,	(3)	Government Code Section 22892(a) provides that a contracting agency subject to Act shall fix the amount of the employer contribution by resolution; and
WHEREAS, an	(4)	Government Code Section 22892(b) provides that the employer contribution shall be
		equal amount for both employees and annuitants, but may not be less than the amount prescribed by Section 22892(b) of the Act; and
WHEREAS,	. (5)	Government Code Section 22892(c) provides that, notwithstanding Section 22892(b), a contracting agency may establish a lesser monthly employer contribution for annuitants than for employees, provided that the monthly employer 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 five percent of the current monthly employer contribution for employees, until such time as the amounts are equal; and
WHEREAS, who	(6)	Berkeley Unified School District desires to obtain for its employees and annuitants
		are members of the Unrepresented Classified the benefit of the Act and to accept the liabilities and obligations of an employer under the Act; now, therefore, be it
RESOLVED, be	(a)	Berkeley Unified School District elects to be subject to the provisions of the Act; and
		it further
RESOLVED, pay	(b)	That the employer contribution for each employee shall be the amount necessary to

		the full cost of his/her enrollment, including the enrollment of family members, in a health benefits plan up to a maximum of the PEMHCA Minimum per month, and be it further	
RESOLVED, pay	(c)	That the employer contribution for each annuitant shall be the amount necessary to	
		the full cost of his/her enrollment, including the enrollment of 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 contribution for each annuitant shall be increased annually by five percent of the monthly contribution for employees, multiplied by the number of years the contracting agency has been subject to the Act, 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 Public Agency for administrative fees and to the Contingency Reserve Fund; and be it further	
RESOLVED,	(e)	Berkeley 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 participation of the employees and annuitants of Berkeley Unified School District shall be subject to determination of its status as an "agency or instrumentali of the state or political subdivision of a State" that is eligible to participate in a governmental plan within the meaning of Section 414(d) of the Internal Revenue Code, upon publication of final Regulations pursuant to such Section. If it is determined that Berkeley Unified School District would not qualify as an agency or	
		instrumentality of the state or political subdivision of a State under such final Regulations, CalPERS may be obligated, and reserves the right to terminate the health coverage of all participants of the employer.	
RESOLVED,	(g)	That the executive body appoint and direct, and it does hereby appoint and direct, Javetta Cleveland to file with the Board a verified copy of this resolution, and to perform on behalf of Berkeley Unified School District all functions required of it under the Act; and be it further	
RESOLVED,	(h)	That coverage under the Act be effective on January 1, 2017.	
		Adopted at a regular or special meeting of the Governing Board at Location, this Day day of Month, Year.	
		Signed:	
		(President, Chairman, etc.)	

Attest: __________(Secretary or appropriate officer)

RESOLUTION NO. 17-022 ELECTING TO BE SUBJECT TO SECTION 22807 FOR LESS THAN HALF-TIME EMPLOYEES UNDER THE PUBLIC EMPLOYEES' MEDICAL AND HOSPITAL CARE ACT WITH RESPECT TO A RECOGNIZED EMPLOYEE ORGANIZATION

UNREPRESENTED CLASSIFIED (003 UNREP CLASSIFIED)

WHEREAS, Code	(1)	A contracting agency meeting the eligibility requirements set forth in Government
		Section 22920, may obtain health benefit plan(s), as defined under Government Code Section 22777, by submitting a resolution to the Board of Administration of the California Public Employees' Retirement System (the "Board"), and upon approval of such resolution by the Board, become subject to the Public Employees' Medical and Hospital Care Act (the "Act"); and
WHEREAS, Act	(2)	Berkeley Unified School District is a contracting agency eligible to be subject to the
		under Government Code Section 22920; and
WHEREAS,	(3)	Government Code Section 22807 permits a contracting agency subject to the Act to provide benefits to its less than half-time employees, upon proper application; now, therefore, be it
RESOLVED,	(a)	Berkeley Unified School District desires to obtain for members of the Unrepresented Classified the benefit of Section 22807 and accepts the liabilities and obligations of a contracting agency under the Section; and be it further
RESOLVED,	(b)	Berkeley Unified School District elects to be subject to the provisions of Section 22807 of the Government Code; and be it further
RESOLVED,	(c)	That the participation of the employees and annuitants of Berkeley Unified School District shall be subject to determination of its status as an "agency or instrumentality of the state or political subdivision of a State" that is eligible to participate in a governmental plan within the meaning of Section 414(d) of the Internal Revenue Code, upon publication of final Regulations pursuant to such Section. If it is determined that Berkeley Unified School District would not qualify as an agency or instrumentality of the state or political subdivision of a State under such final Regulations, CalPERS may be obligated, and reserves the right to terminate the health coverage of all participants of the employer.
RESOLVED,	(d)	That the executive body appoint and direct, and it does hereby appoint and direct, Javetta Cleveland to file with the Board a verified copy of this resolution, and to perform on behalf of Berkeley Unified School District all functions required of it under the Act.
RESOLVED,	(e)	That coverage under the Act he effective as the second

RESOLVED, (e) That coverage under the Act be effective on January 1, 2017.

LESS THAN HALF-TIME 22807 - ALL BY GROUP OR BY GROUP (REV. 5/2015)

Adopted at a regular or special meeting of the Governing Board at Location, this Day day of Month, Year.

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Signed:

(President, Chairman, etc.)

Attest:

(Secretary or appropriate officer)

LESS THAN HALF-TIME 22807 - ALL BY GROUP OR BY GROUP (REV. 5/2015)

RESOLUTION NO. 17-023 ELECTING TO BE SUBJECT TO SECTION 22895 TO ESTABLISH HEALTH VESTING REQUIREMENTS FOR FUTURE ANNUITANTS UNDER THE PUBLIC EMPLOYEES' MEDICAL AND HOSPITAL CARE ACT WITH RESPECT TO A RECOGNIZED EMPLOYEE ORGANIZATION

UNREPRESENTED CLASSIFIED (003 UNREP CLASSIFIED VESTING 100%)

WHEREAS,	(1)	Government Code Section 22895 provides that a contracting agency subject to the Public Employees' Medical and Hospital Care Act (the "Act") may file a resolution with the Board of the California Public Employees' Retirement System to provide a postretirement health benefits vesting requirement to employees who retire for service in accordance with Government Code Section 22895; and			
WHEREAS,	(2)	Berkeley Unified School District is Section 22920 and subject to the A Unrepresented Classified; and	a contracting agency under Government Code ct for participation by members of the		
WHEREAS,	(3)	Berkeley Unified School District certifies, employees are not represented by a bargaining unit and there is no applicable memorandum of understanding; and			
WHEREAS,	(4)	The credited service of an employee for purposes of determining the percentage of employer contribution applicable under Government Code Section 22895 shall mean service as defined in Government Code Section 22826; and			
WHEREAS,		(5) The employer contribution defined in Government Code Section	for active employees cannot be less then what is on 22892(b); now, therefore be it		
RESOLVED,	(a)	That employees retired on or after January 1, 2017 shall be subject to the requirements defined in this vesting resolution; and be it further			
RESOLVED,	(b)	That the employer contribution for each annuitant subject to this provision shall be the amount necessary to pay the cost of his/her enrollment, including the enrollment of family members, in a health benefits plan up to a maximum of the PEMHCA Minimum per month, but not less than the amount prescribed by Section 22892(b), plus administrative fees and Contingency Reserve Fund assessments; and be it further			
RESOLVED,	(c)	Employer contributions for post-retirement health benefits shall not be paid to annuitants with less than 40 years of credited service with Berkeley Unified School District. The percentage of the employer contribution payable for post-retirement health benefits for each annuitant shall be based on the annuitant's completed years of credited service with Berkeley Unified School District.			
		Credited Years of Service	Percentage of Employer Contribution		
		Less than 40 years	0%		
		40 years	10.0%		

100%

and be it further

RESOLVED,	(d)	In order to receive the employer contribution payable for post-retirement health benefits, annuitants who retire for disability must meet the credited years of service requirement set forth in RESOLVED (c); and be it further
RESOLVED,	(e)	Berkeley 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 participation of the employees and annuitants of Berkeley Unified School District shall be subject to determination of its status as an "agency or instrumentality of the state or political subdivision of a State" that is eligible to participate in a governmental plan within the meaning of Section 414(d) of the Internal Revenue Code, upon publication of final Regulations pursuant to such Section. If it is determined that Berkeley Unified School District would not qualify as an agency or instrumentality of the state or political subdivision of a State under such final Regulations, the California Public Employees' Retirement System may be obligated, and reserves the right to terminate the health coverage of all participants of the employer; and be it further
RESOLVED,	(g)	That the executive body appoint and direct, and it does hereby appoint and direct, Javetta Cleveland to file with the Board a verified copy of this resolution, and to perform on behalf of Berkeley Unified School District all functions required of it under the Act; and be it further.
RESOLVED,	(h)	That coverage under the Act be effective on January 1, 2017

Adopted at a regular or special meeting of the Governing Board at Location, this Day day of Month, Year.

Signed:

(President, Chairman, etc.)

Attest: _____