

TOPEKA METRO

**REQUEST FOR BIDS
OPEB Actuarial Services
TO-22-10**

**Appendix I
KS Statute 12-5040, Articles of
Agreement, Employee Policy**

2018 Kansas Statutes

12-5040. Group health care benefits plan; availability for retirants; coverage, end; eligibility; cost of coverage; definitions. (a) Each local government which provides an employer-sponsored group health care benefits plan for the employees of the local government shall make coverage under such group health care benefits program available to retired former employees and their dependents, upon written application filed with the clerk or secretary thereof within 30 days following retirement of the employee, as provided by this section. Coverage under the employee group health care benefits plan may cease to be made available upon (1) the retired employee attaining age 65, (2) the retired employee failing to make required premium payments on a timely basis, or (3) the retired employee becoming covered or becoming eligible to be covered under a plan of another employer.

(b) Each such local government shall make such coverage available to all persons who were employed by the local government for not less than 10 years and who retired from such employment after December 31, 1988, and may make such coverage available to other retired employees and their dependents. Each such retired employee who elects to continue such coverage may be required to contribute to the employee group health benefits plan, including the administrative costs thereof, but such contribution shall not exceed 125% of the premium cost for other similarly situated employees. The local government may pay for all or part of the cost of continuing the employee group health care benefits plan coverage for such retired former employees and their dependents.

(c) As used in this section, "local government" means any county, city, township, special district, unified school district or any instrumentality of any one or several of such governmental entities; and "retired" means any employee who has terminated employment and is receiving a retirement or disability benefit for service with the local government from which they terminated employment.

History: L. 1988, ch. 302, § 18; July 1.

1.9.4 Death Benefit TMTA will provide a Three Thousand Dollar (\$3,000) death benefit for those employees who retire after age sixty-five (65) if they have at least fifteen (15) years of service with TMTA.

1.10 Physicals

1.10.1.1 No physicals will be required of any employee on a regular basis. The TMTA, at their option, may require any employee to have a physical examination. The TMTA will pay for the cost and reimburse the employee for the time spent during a required physical.

1.10.1.2 DOT Medical Card

All CDL employees must have a current medical examiner's certificate or medical card on file with the HR department showing that the employee has passed a USDOT physical examination and has been medically certified as physically qualified to drive a commercial motor vehicle by a medical examiner of the employee's choice listed on the National Registry of Certified Medical Examiners of the Federal Motor Carrier Safety Administration. Applications for waivers recognized by the Motor Carrier Regulations of the Kansas Corporation Commission and the Federal Motor Carrier Safety Regulations will be reviewed by an independent medical provider and TMTA will grant the waiver if that independent review determines the employee is eligible for the waiver. The TMTA will pay for the cost and reimburse the employee for the time spent during a USDOT physical examination a maximum of once per year.

Primary Duties – Driving over 50%

An employee whose primary job duties (50% or more) involve operating an agency revenue vehicle and is temporarily unable to obtain a medical card will be placed on leave for up to twelve (12) weeks. The employee must use any earned sick, vacation, or other paid leave to which they are entitled.

If the employee has not obtained a medical card after twelve (12) weeks, the employee may be terminated and paid in full for any remaining earned vacation and sick leave.

Primary Duties – Driving under 50%

An employee whose primary job duties (50% or more) do not involve operating an agency revenue vehicle and is temporarily unable to obtain a medical card will continue to perform all other job duties, if medically certified as able to do so.

If the employee is not medically certified as able to continue to perform all other job duties, the employee will be placed on leave for up to twelve (12) weeks. The employee must use earned sick, vacation, and any other paid leave to which they are entitled. If the employee has not obtained a medical card after twelve (12) weeks, the employee may be terminated and paid in full for any remaining earned vacation and sick leave.

If the employee continues to perform all other job duties and, after three (3) months, the employee has not obtained a medical card, the employee will be placed on leave for up to twelve (12) weeks. The employee must use earned sick, vacation, and any other leave to which they are entitled. If the employee has not obtained a medical card after twelve (12) weeks, the employee may be terminated and paid in full for any remaining earned vacation and sick leave.

Under this provision, employees will remain on TMTA's group health plan unless terminated.

1.10.2 If an employee is disqualified as a result of the examination, he or she will retain seniority rights up to the amount of his or her accumulated seniority. However, he or she will not retain any other benefits contained in the contract from date of disqualifying examination.

1.18.4 The TMTA hereby agrees to honor contribution deduction authorizations from its employees who are union members, in the following form:

I hereby assign to Local Union 1360 of the Amalgamated Transit Union from any wages earned or to be earned by me as your employee, my periodic dues, initiation fee and assessments, or the fee equivalent, in such amounts as are now or hereafter established by the Union and to become due to it, as my membership dues, or the fee equivalent, in said Union. I authorize and direct you to deduct and withhold such amount from my pay and to remit the same to said Union.

This assignment, authorization and direction shall be irrevocable for the period of one year from the date hereof or until the termination of the collective bargaining agreement between the Employer and the Union, whichever occurs sooner. I understand that Union membership is not a condition of this authorization and that this authorization may only be revoked as specifically provided by its terms.

I agree and direct that this assignment, authorization and direction shall be automatically renewed for successive periods of one year each or for the period of each succeeding applicable collective bargaining agreement between the Employer and the Union, whichever shall be shorter, unless written notice or revocation is given by me to the Employer not more than twenty (20) days and not less than ten (10) days prior to the expiration of each period of one year, or of each applicable collective bargaining agreement between the Employer and the Union, whichever occurs sooner.

_____	_____
Name (Signature)	Classification
_____	_____
Witness	Date
Amalgamated Transit Union	Local Union 1360

Dues, contributions or gifts to the Amalgamated Transit Union are not deductible as charitable contributions for federal income tax purposes.

1.19 Bereavement Allowances

1.19.1 Bereavement leave will apply to spouse's or domestic partner's family equally. The TMTA shall allow the following days of bereavement leave with pay to attend the funeral services:

- Three (3) days for spouse, child or step-child, parent or step-parent, parent-in-law, grandparent, grandchild, sister or brother;
- Two (2) days for a grandparent-in-law, brother- or sister-in-law, daughter-or son-in-law.

1.19.2 The rate of pay for regular operators shall be the operator's regular run time times the regular rate of pay. The rate of pay for all other employees shall be the regular rate of pay times eight (8) hours per day.

1.19.3 All requests for funeral leave shall be accompanied by verification, such as obituaries and service bulletins, or other proofs of relationship to the satisfaction of TMTA.

1.20 Passes for Retired Employees

1.20.1 Those employees who have worked for the TMTA and/or the Topeka Transportation Company, Inc. and have retired from their employment will be eligible for a free complimentary pass to ride the buses of TMTA. A pass will also be provided to the spouse of the retired employee. It is mutually agreed that if any abuse comes from the complimentary privilege, the TMTA retains the option of calling in the pass.

TOPEKA METROPOLITAN TRANSIT AUTHORITY

AGENCY EMPLOYEE POLICY

TITLE/SUBJECT: Employee, Retiree, and Family Bus Passes
Policy Number: 14-022
Effective Date: January 27, 2014

Purpose: To provide a uniform policy on bus passes for active employees, retirees, and qualifying dependents.

Policy: Active Topeka Metro employees and qualifying dependents receive free transportation on Topeka Metro fixed-route buses. Topeka Metro retirees and their spouse are eligible to receive a free complimentary pass to ride the fixed-route buses of Topeka Metro.

Guidelines:

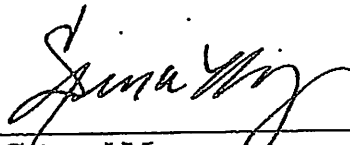
Free transportation on Topeka Metro fixed-route buses shall be provided to the active employee, spouse, unmarried dependent children of employees under the age of nineteen (19) years or to the age of twenty-three (23) years if attending school as a full-time student; provided that such family members shall, upon boarding a Topeka Metro vehicle, display to the driver of the vehicle a pass to ride the bus without charge. The pass is not transferable to any other person. Any attempt to transfer or other abuse of the pass will result in termination of the pass.

An agency ID (including a picture) will be issued to all new employees. Application forms for qualifying dependents are available from Human Resources. Qualifying dependents can receive an ID card at the Quincy Street Station. The ID card serves as a pass. All lost ID card (passes) shall be reported immediately. Employee and family ID cards (passes) must be returned upon separation from Topeka Metro.

Employees who have worked for Topeka Metro and have retired from their employment will be eligible for a complimentary pass to ride the fixed-route buses of Topeka Metro. A pass will also be provided to the spouse of the retired employee. Any attempt to transfer or other abuse of the pass will result in termination of the pass.

For all union covered positions, additional information regarding retiree and family bus passes is noted in the Collective Bargaining Agreement between the Union and Topeka Metro.

Any and all past practices and/or previous policies regarding employee, retiree, and family bus passes are hereby rescinded.



General Manager

6/20/2018

Date

Board Review: January 27, 2014
Board Review: June 18, 2018
Next Scheduled Review: June 2021