

OHIO TURNPIKE COMMISSION

Resolution Authorizing Executive Director to Implement Voluntary Separation Incentive Plan for Full-time and Part-time Toll Collectors

WHEREAS, the Commission implemented electronic toll collection on October 1, 2009 in order to offer customers using the Ohio Turnpike Commission the added convenience of paying tolls electronically utilizing *E-ZPass*[®]; and

WHEREAS, the Executive Director has reported that the implementation of electronic tolling or *E-ZPass*[®] is expected to increase the operating efficiency of the Toll Operations Department on a long term basis whereby the number of personnel required to operate the toll collection system will be reduced; and

WHEREAS, Section 5.03 of the Master Trust Agreement between the Commission and Huntington National Bank dated February 15, 1994 requires the Commission to maintain and operate the Turnpike System in an efficient and economical manner, and further specifies that the Commission shall only employ those personnel required for the economical and efficient operation of the Turnpike System; and

WHEREAS, the Commission is authorized by the provisions of Sections 5537.04 to establish the terms and conditions of the compensation for its employees, and is required by O.R.C. Chapter 4117, *et seq.* to negotiate the terms and conditions of employment for bargaining unit personnel with their exclusive representative; and

WHEREAS, the Executive Director has advised the Commission that staff members have engaged in negotiations with the Teamster Local Union 436 as the exclusive representative for the full-time toll collectors and part-time toll collectors as required by Side Letter D of the collective bargaining agreement between the Commission and the Teamsters Local Union 436 for the Full-Time Bargaining Unit; and

WHEREAS, the Executive Director and CFO/Comptroller have recommended that the Commission adopt a proposed Voluntary Separation Incentive Plan ("VSIP") for full-time and part-time toll collectors, as described in the attached plan document, in an effort to permanently reduce the number of personnel who are no longer required for the economical and efficient operation of the Toll Operations Department; and

WHEREAS, the General Counsel has advised the Commission that it may legally implement the proposed Voluntary Separation Incentive Plan for full-time and part-time toll collectors included in the bargaining units represented by the Teamsters Local Union 436; and

WHEREAS, the Commission has determined that the implementation of the proposed VSIP will increase the operating efficiency of the Toll Operations Department on a long term basis, and implementation of the Voluntary Separation Incentive Plan will help minimize any negative impact on current employees by providing them with a one-time payment in exchange for voluntarily separating from the Commission's employment.

NOW, THEREFORE, BE IT

RESOLVED that the Executive Director, CFO/Comptroller or Director of Human Resources are authorized to implement and administer the attached Voluntary Separation Incentive Plan to all Full-time and Part-time Toll Collectors; and

FURTHER RESOLVED, the Executive Director is authorized to take any and all actions necessary to implement and administer the terms of the Voluntary Separation Incentive Program.

FURTHER RESOLVED, the Executive Director is authorized to extend the time period during which the VSIP shall remain in effect, in consultation with the Chairman, if they deem such action to be appropriate and consistent with the purpose of the VSIP.

(Resolution No. 32-2009 adopted November 16, 2009)

**OHIO TURNPIKE COMMISSION
VOLUNTARY SEPARATION INCENTIVE PROGRAM FOR
FULL-TIME AND PART-TIME TOLL COLLECTORS**

I. INTRODUCTION

The Ohio Turnpike Commission is offering a one-time Voluntary Separation Incentive Plan ("VSIP") to Full-Time and Part-Time Toll Collectors currently employed in the Toll Operations Department in an effort to minimize any negative impact resulting from the implementation of electronic tolling. All Toll Collectors are eligible to participate in this plan subject to and contingent upon the terms and conditions set forth below.

II. ELIGIBILITY

All Full-Time and Part-Time Toll Collectors will be eligible to receive a lump sum payment described in this plan if they are employed by the Commission on the date the VSIP is approved by the Commission. Toll Collectors who have applied for or are currently receiving disability retirement benefits from the Ohio Public Employee Retirement System ("OPERS") are not eligible to participate in this plan unless they have been returned to work by OPERS from disability retirement leave of absence and have been re-employed in active pay status by the OTC, during the period of time this plan is in effect. Any Full-Time or Part-Time Toll Collector who is terminated for just cause prior to the employee's self-designated date for retiring or resigning shall not be eligible to participate in the VSIP.

III. FULL-TIME TOLL COLLECTORS

Full-Time Toll Collectors who are in good standing and wish to voluntarily separate from their employment with the Commission may participate in this VSIP by executing a voluntary irrevocable written agreement to either resign or retire from their position of employment prior to April 1, 2010. In order to be eligible to receive the one-time payment, any Full-Time Toll Collector wishing to participate in the VSIP must comply with the following terms and conditions:

1. (a) Execute and deliver a fully completed and signed "VSIP Enrollment Form, and Voluntary Irrevocable Written Agreement to Accept the Terms and Conditions of the Plan Form" to the Human Resources Department prior to April 1, 2010 and execute and deliver to the Human Resources Department a signed letter of resignation with an effective date not later than April 1, 2010; or
- (b) Execute and deliver a fully completed and signed "VSIP Enrollment Form and Voluntary Irrevocable Written Agreement to Accept the Terms and Conditions of the Plan Form" to the Human Resources Department prior to April

1, 2010, which contains the employee's agreement to retire on or before December 1, 2010;

and

2. Comply with the Separation Procedures outlined in Section V of this plan document.

Full-Time Toll Collectors who fail to execute and deliver the above-required documents to the Human Resources Department prior to April 1, 2010, and/or the applicable deadline for applying for age and/or service credit retirement with OPERS shall not be eligible to participate in the VSIP. Delivery shall constitute physical delivery or delivery by mail, postage prepaid, sent to: Ohio Turnpike Commission, Human Resources Department, 682 Prospect Street, Berea, Ohio 44017, Attention: Robin Carlin. If mailed, the required documents must be fully completed, signed and received by the Human Resources Department prior to April 1, 2010. Electronic or faxed copies will not be accepted or sufficient to constitute delivery. If the required forms are incomplete and/or filled out incorrectly, the Human Resources Department will notify the affected employee and provide the employee with an additional ten (10) days to correct the omission(s) or error(s). If the employee fails to correct the omission(s) or error(s) within the ten (10) day time period, the application to participate in the plan will be rejected by the Commission. In addition, Full-Time Toll Collectors must comply with the Separation Procedures outlined in Section V of this document.

Full-Time Toll Collectors who elect to participate in the VSIP and have complied with all of the terms and conditions of the VSIP shall receive a one-time payment in the amount of thirty-five thousand dollars (\$35,000) from the Commission within thirty (30) days of their last date of employment. Said payment shall only be made upon separation of employment with the Commission. Full-Time Toll Collectors who participate in the VSIP will also be eligible to receive any vacation leave and/or sick leave payout as specified in the collective bargaining agreement.

IV. PART-TIME TOLL COLLECTORS

Part-Time Toll Collectors who are in good standing and wish to voluntarily separate from their employment with the Commission may participate in the VSIP by executing an irrevocable written agreement to resign or retire from their position of employment with the OTC prior to February 1, 2010. In order to be eligible to receive the one-time payment, any Part-Time Toll Collector wishing to participate in the VSIP must comply with all of the terms and conditions as follows:

1. (a) Execute and deliver a fully completed and signed "VSIP Enrollment Form, and Voluntary Irrevocable Written Agreement to Accept the Terms and Conditions of the Plan Form" to the Human Resources Department prior to February 1, 2010 and execute and deliver to the Human Resources Department a

signed letter of resignation with an effective date not later than February 1, 2010;
or

(b) Execute and deliver a fully completed and signed "VSIP Enrollment Form and Voluntary Irrevocable Written Agreement to Accept the Terms and Conditions of the Plan Form" to the Human Resources Department prior to February 1, 2010, which contains the employee's agreement to retire on or before December 1, 2010;

and

2. Comply with the Separation Procedures outlined in Section V of this plan document.

Part-Time Toll Collectors who fail to execute and deliver the above-required documents to the Human Resources Department prior to February 1, 2010 and/or the applicable deadline for applying for age and/or service credit retirement with OPERS shall not be eligible to participate in the VSIP. Delivery shall constitute physical delivery or delivery by mail sent to: Human Resources Department, Ohio Turnpike Commission, 682 Prospect Street, Berea, Ohio 44017, Attention: Robin Carlin. If mailed, the required documents must be fully completed, signed, and received by the Human Resources Department prior to February 1, 2010. Electronic or faxed copies will not be accepted or sufficient to constitute delivery. If the required forms are incomplete and/or filled out incorrectly, the Human Resources Department will notify the affected employee and provide the employee with ten (10) days in which to correct the omission or errors. If the employee fails to correct the omission or error(s) within the ten (10) day time period, the application to participate in the VSIP will be rejected by the Commission.

Part-Time Toll Collectors who elect to participate in the VSIP and have complied with all of the terms and conditions of the VSIP are eligible to receive a one-time, lump sum payment based upon their continuous length of service with the Commission as follows:

0-5 Years of Continuous Service	Five Thousand Dollars (\$5,000.00)
5-10 Years of Continuous Service	Ten Thousand Dollars (\$10,000.00)
Over 10 Years of Continuous Service	Fifteen Thousand Dollars (\$15,000.00)

The payment shall be made within thirty (30) days of their last date of employment within the Commission. Said payment shall only be made upon separation of employment.

V. COMPLIANCE WITH SEPARATION PROCEDURES

Employees shall only be eligible to receive the incentive payment upon complying with all of the Commission's separation procedures as set forth herein. An employee who has elected to participate in the VSIP, but has not complied with all of the Commission's separation procedures will be notified of their failure to comply with the separation procedures. The Human Resources Department will notify the affected employee of the specific omission or error in the separation procedure and provide the employee with ten (10) days in which to correct the omission(s) or error(s). Notification shall be made in writing and delivered by U.S. Mail, postage prepaid, to the employee's last known address. Employees are responsible for providing the Human Resources Department with their contact information prior to their last date of employment with the Commission. All Full-Time and Part-Time Toll Collectors participating in this VSIP are required to comply with existing separation procedures including, but not limited to, returning clothing, badges, identification, non-revenue transponders, etc.

VI. NO ELIGIBILITY FOR RE-EMPLOYMENT

Employees who elect to participate in the plan shall not be eligible for re-employment with the Commission.

VII. MISCELLANEOUS

Nothing in this proposal should be construed as offering the purchase of service credit with OPERS by the Ohio Turnpike Commission. Employees wishing to defer a portion of their separation incentive payment in order to purchase qualifying service credit from prior public employment or into their deferred compensation account are responsible for contacting the Ohio Public Employee Retirement System or the Ohio Public Employee Deferred Compensation Board directly to make arrangements for such payments. Employees may also contact Payroll Manager Linda Birth at 440-234-2081, ext. 1141 to obtain additional information regarding these programs.

The Commission reserves the right to extend the period during which eligible employees may participate in the VSIP, if the Executive Director deems such action to be appropriate and consistent with the intent of the VSIP.