



VOLUNTARY SEPARATION PLAN

**Montgomery County
Voluntary Separation Plan (VSP)
Plan Document**

1. Montgomery County is offering a Voluntary Separation Plan (“VSP”).
2. The VSP is available to full-time and regular part-time employees, (pending union approval, for employees covered by a collective bargaining agreement) who work for the Montgomery County Department of Job & Family Services, including Job & Family Services, Child Support Enforcement Agency, and Children Services Division.

Retired/rehired employees, appointed board members and employees that have not completed their initial probation period by August 15, 2009 are not eligible to participate in this program.

3. The VSP is only offered from September 15, 2009 through October 30, 2009, inclusive.
4. Employees electing to participate in the VSP must accept all conditions and terms of the VSP, no later than 5:00 p.m. on October 30, 2009, by submitting the fully completed and signed VSP Application and Resignation Form to the Montgomery County Human Resources (HR) Department.
5. The original of the VSP application must be completed, signed, and physically delivered to the Montgomery County Human Resources Department (HR), located at 451 W. Third Street, 9th Floor, by the deadline. When the employee delivers the VSP Application Form to HR, he/she will receive a copy which is witnessed and date stamped. HR will immediately notify and provide a copy of the form to the appointing authority.
6. Electronic or faxed copies, and/or copies submitted by inter-departmental mail are not sufficient.
7. Human Resources will send the signed VSP Resignation/Acknowledgement Form to the employee and the appointing authority’s Human Resource contact, after verifying the information on the VSP Application form and calculating the amount of the lump sum payment. If the VSP application is incomplete and/or filled out incorrectly, HR will allow the affected employee to correct and/or complete the application in HR within three (3) business days. If the employee fails to correct the problems and/or complete the VSP application within that period of time, the VSP application will be rejected.
8. Employees electing to participate in the VSP must agree to terminate their employment effective no later than the close of business on December 31, 2009.

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9. County employees participating in the VSP will receive a lump sum payment, after the separation of their employment, equal to 25% of the first \$50,000 of their "base rate of pay" and an additional 5% of the portion of the "base rate of pay" that exceeds \$50,000.
10. "Base rate of pay" is calculated by using the employee's regular hourly rate as of August 15, 2009. The "base rate of pay" does not include any amounts for overtime, salary roll-ups, or any benefits.
11. The regular hourly rate is multiplied by the number of annual regularly scheduled hours to determine the "base rate of pay."
12. In the event that an employee, whether full-time or part-time, has not been employed for at least one year immediately preceding the termination date, the "base salary" will be the regular hourly rate multiplied by the actual number of hours physically worked (i.e., paid or unpaid leave will not be included) during the previous twelve months.
13. Employees are not eligible for the VSP if the resignation does not result in a severance from all County appointing authorities.
14. Employees are not eligible for the VSP if their resignation is in lieu of a disciplinary action related to termination of employment.
15. Employees who elect to participate in the VSP will continue to receive health benefits through the end of the month of the date of termination.
16. Employees who elect to participate in the VSP will be eligible for COBRA coverage for the 18 months following their termination date.
17. Employees participating in the VSP waive the right to be placed on any eligibility list for hire into the position classification that they vacate, a higher classification and/or reinstatement list for their current position with the same appointing authority.
18. The County cannot and does not give any representation as to the treatment given to the Voluntary Separation Plan by the Ohio Department of Job and Family Services. Employees who elect to participate in the VSP acknowledge that acceptance of the lump sum payment herein is a voluntary resignation by them, and is not considered a buyout in lieu of layoff. Employees waive the right to apply for unemployment compensation as a result of the voluntary resignation.

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19. The County cannot and does not give any representation as to the treatment given to the Voluntary Separation Plan by the Ohio Public Employee Retirement System (OPERS).
20. Any employee who elects to participate in the VSP will also receive the normal vacation payout, pursuant to the relevant Personnel Policy and/or Collective Bargaining Agreement, after they sever County service.
21. If an employee elects to voluntarily sever service under the VSP and elects to retire, the employee will also receive his/her sick leave payout pursuant to the relevant Personnel Policy and/or Collective Bargaining Agreement. In order to receive a sick leave payout, the County will need to receive written confirmation of the eligible employee's election to receive an age and service pension from OPERS, immediately upon the termination of County service.

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**Voluntary Separation Plan Application (VSP)
And
Voluntary Resignation Form**

I, _____, do hereby agree
(Print Name)

and/or certify to the following and my initialing each term and condition below indicates my acceptance of that item:

_____ 1. I am aware that effective September 15, 2009 until 5:00 p.m. October 30, 2009, Montgomery County ("County") is offering a Voluntary Separation Plan ("VSP") to eligible employees of the Montgomery County Department of Job & Family Services.

_____ 2. I elect to participate in the VSP.

_____ 3. The relevant terms and conditions of the VSP are contained within the VSP Plan Document. I acknowledge receipt of the VSP Plan Document and agree that it is incorporated herein by reference.

_____ 4. I have read the VSP Plan Document and agree to all of the terms and conditions of the VSP Plan Document.

_____ 5. I agree to voluntarily resign at the close of business on _____, 2009. I am aware that my employment with the County will sever on this date.

I understand that the effective date of my termination cannot be later than December 31, 2009.

_____ 6. I understand that my resignation is irrevocable.

I hereby acknowledge that by signing this Voluntary Separation Plan Application, I am voluntarily submitting my resignation. My participation and acceptance of the lump sum payment is not to be considered a buyout in lieu of layoff. I likewise acknowledge that I waive the right to apply for unemployment compensation based on the voluntary resignation.

The County cannot and does not give any representation as to the treatment given to the Voluntary Separation Plan by the Ohio Public Employee Retirement System (OPERS).

Signed by:

Witnessed:

Date: _____

Date: _____



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Frequently Asked Questions

**Voluntary Separation Plan (VSP)
Frequently Asked Questions**

Q. How long do I have to work for the County to be eligible for the VSP?

A. You must have completed your initial probationary period and be a full-time or regular part-time employee in good standing to be eligible for the VSP.

Q. Do I have to be physically at work to be eligible for the VSP?

A. No, however, if you elect the VSP, you forfeit any reinstatement rights to your current position.

Q. If I am close to retirement, can I buy time I need to meet the service requirements?

A. No, you can only buy back time for which you have already worked and received a refund or payout.

Q. What is a retire/rehire?

A. A retire/rehire is a person who retired from a public retirement system in the State of Ohio and was hired to work for Montgomery County at a later time.

Q. If I work in one of the eligible or participating County Departments and I retired through a private employer, am I eligible for the VSP?

A. Yes. If you are a retiree/rehire through OPERS or other public retirement system, you are not eligible for the VSP.

Q. What if I elect the VSP and plan to leave later in 2009 and my situation changes, e.g., I move into a different position within the County?

A. If your situation changes and you do not leave employment with Montgomery County, your VSP election will be cancelled.

Q. If I am currently on Leave Without Pay, what “base rate of pay” will be used for calculating my lump sum payment?

A. The base rate of pay used for calculating your lump sum payment will be your rate of pay prior to the leave without pay if your leave began prior to August 15, 2009. If the leave without pay began after August 15, 2009, your base rate of pay will be calculated on your base rate of pay as of August 15, 2009.

Q. Who do I notify that I want to elect the VSP?

A. You need to complete and sign the Voluntary Separation Plan Application and Voluntary Resignation Form and submit the form to the Montgomery County Human Resources Department no later than 5:00 p.m. October 30, 2009. You should also notify your immediate supervisor of your election.

Q. How do I apply for the VSP?

A. The original of the VSP application must be completed, signed, and physically delivered to the Montgomery County Human Resources Department (HR), located at 451 W. Third Street, 9th Floor, by the deadline. When the employee delivers the VSP Application Form to HR, he/she will receive a copy which is witnessed and date stamped. HR will immediately notify and provide a copy of the form to the appointing authority.

Q. Will I receive my VSP Resignation Acknowledgement Form at the time I drop off my Application and Resignation Form?

A. No. Human Resources will send the signed VSP Resignation Acknowledgement Form to the employee after verifying the information on the VSP Application form and calculating the amount of the lump sum payment. If the VSP application is incomplete and/or filled out incorrectly, HR will allow the affected employee to correct and/or complete the application in HR within three (3) business days. If the employee fails to correct the problems and/or complete the VSP application within that period of time, the VSP application will be rejected.

Q. Can I be hired back into a similar position or into a position not paid out of the General Fund?

A. You cannot be hired into the same or higher position classification nor be reinstated into the same position within any County department or office if you participate in the VSP. However, you can apply for and be selected for any other County position in a similar or lower classification after your separation under the VSP.

Q. When will I get my payment?

A. You will receive your lump sum payment within 30 days of the effective date of termination.

Q. How will the lump sum payment be taxed?

A. The lump sum payment will be subject to all applicable federal, state and local taxes in addition to Medicare.

Q. Can I put some or all of the lump sum payment from the VSP into my deferred compensation account?

A. Yes, in 2009, you can contribute up to \$16,500, or 100% of your includible income per year, whichever is less. Your deferred compensation plan manager will need at least 6 week's notice of your intent in order to get this implemented.

Q. If I elect the VSP when will my benefits end?

A. Your medical and dental benefits end on the last day of the month in which you terminate. Your County paid life insurance and short-term disability coverage end on the day you terminate.

Q. Am I eligible for the American Recovery and Reinvestment Act of 2009 (ARRA - COBRA subsidy)?

A. No. The COBRA subsidy is only available to individuals who are involuntarily terminated. However, you are eligible for regular COBRA after your Montgomery County benefits end.

Q. If I elect the VSP will I have to pay back any Tuition Reimbursement I receive in the 12 months prior to my termination?

A. No.