


#100460

VILLAGE OF LOMBARD  
REQUEST FOR BOARD OF TRUSTEES ACTION

_____	Resolution or Ordinance (Blue)
_____	Recommendations of Boards, Commissions & Committees (Green)
_____	Other Business (Pink)
<u>  X  </u>	Waiver of First requested

TO: PRESIDENT AND BOARD OF TRUSTEES

FROM: David Hulseberg, Village Manager 

DATE: August 25, 2010 (B of T) Date: September 2, 2010

TITLE: Amendment added to the Discovery Benefits Flexible Spending Plan

SUBMITTED BY: Kathleen Dunne, Human Resource Administrator

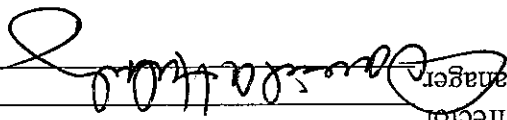
BACKGROUND/POLICY IMPLICATIONS:

GINA (Genetic Information Nondiscrimination Act) Amendment added to the Village of Lombard Cafeteria Plan

“The Cafeteria Plan shall not use genetic information for underwriting purposes or disclose genetic information to any person or party.”

See attachment.

FISCAL IMPACT/FUNDING SOURCE: Funded through employee contributions.

_____	Village Attorney
_____	Finance Director
_____	Village Manager 
_____	Date
_____	Date
_____	Date

RESOLUTION  
R \_\_\_\_\_ 11

A RESOLUTION AUTHORIZING SIGNATURE OF  
PRESIDENT AND CLERK ON AN APPLICATION

**WHEREAS**, the Corporate Authorities of the Village of Lombard have received an amendment for the Village of Lombard Cafeteria Plan; and

**WHEREAS**, the Corporate Authorities deem it to be in the best interest of the Village of Lombard to approve the application as attached hereto and marked Exhibit "A".

NOW, THEREFORE, BE IT RESOLVED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF LOMBARD, DUPAGE COUNTY, ILLINOIS as follows:

**SECTION I:** That the Village President be and hereby is authorized to sign on behalf of the Village of Lombard said application as attached hereto.

**SECTION 2:** That the Village Clerk be and hereby is authorized to attest said application as attached hereto.

Adopted this \_\_\_\_\_ day of \_\_\_\_\_, 2010.

Ayes: \_\_\_\_\_

Nays: \_\_\_\_\_

Absent: \_\_\_\_\_

Approved this \_\_\_\_\_ day of \_\_\_\_\_, 2010.

William J. Mueller  
Village President

ATTEST:

Britte O'Brien  
Village Clerk

APPROVAL AS TO FORM:

Thomas P. Bayer  
Village Attorney

By: \_\_\_\_\_  
Name: \_\_\_\_\_  
Title: \_\_\_\_\_

**VILLAGE OF LOMBARD**

The *Village of Lombard Cafeteria Plan* is hereby amended on this the \_\_\_\_\_ day of \_\_\_\_\_, 2010, by adding the new Appendix Article A, as set forth on the following page, effective as of the dates set forth therein.

**GINA  
AMENDMENT  
TO THE  
VILLAGE OF LOMBARD  
Cafeteria Plan**

**APPENDIX ARTICLE A**

**A.1 General.** This Article A shall supplement the main portion of the plan document for the Cafeteria Plan ("Cafeteria Plan"), as modified by this Appendix, to reflect certain applicable provisions of the Genetic Information Nondiscrimination Act of 2008. This Article A shall supersede the provisions of the Cafeteria Plan to the extent those provisions are inconsistent with the provisions of this Article A.

**A.4 Genetic Information Nondiscrimination Act (GINA).** This Section A.4 is effective from and after May 20, 2009 and shall apply to the component of the Cafeteria Plan providing health flexible spending account benefits.

The Cafeteria Plan shall not use genetic information for underwriting purposes or disclose genetic information to any person or party. For purposes of this paragraph, "genetic information" and "underwriting purposes" shall have the meaning given to it in Section 105(a) of GINA and applicable guidance issued pursuant thereto.