

110204

DISTRICT #

**VILLAGE OF LOMBARD**  
**REQUEST FOR BOARD OF TRUSTEES ACTION**  
**For Inclusion on Board Agenda**

  X   Resolution or Ordinance (Blue)                      Waiver of First Requested \_\_\_\_\_  
\_\_\_\_\_ Recommendations of Boards, Commissions & Committees (Green)  
\_\_\_\_\_ Other Business (Pink)

**TO :**            PRESIDENT AND BOARD OF TRUSTEES

**FROM:**        David A. Hulseberg, Village Manager

**DATE :**        April 4, 2011                                      **B of T:**    April 7, 2011

**SUBJECT:**    Public Safety Employee Benefits Act

**SUBMITTED BY:** David A. Hulseberg, Village Manager

**BACKGROUND/POLICY IMPLICATIONS:**

Resolution urging the Illinois State Legislature to amend the Public Safety Employee Benefits Act (PSEBA) with regard to a specific definition for "catastrophic Injury".

**Fiscal Impact/Funding Source:**

Review (as necessary):  
Finance Director \_\_\_\_\_ Date \_\_\_\_\_  
Village Manager \_\_\_\_\_ Date \_\_\_\_\_

**NOTE:**        **All materials must be submitted to and approved by the Village Manager's Office by 12:00 noon, Wednesday, prior to the agenda distribution.**

submit



**MEMO TO** : The Honorable President  
and Board of Trustees

**FROM** : David A. Hulseberg  
Village Manager

**DATE** : April 4, 2011

**SUBJECT** : Public Safety Employee Benefit Act (PSEBA)

The Village has received a letter and copy of a resolution that the City Council of Granite City, Illinois recently adopted. The Mayor is urging other municipalities to join in asking the Legislature to amend the PSEBA law with regard to the definition of "catastrophic injury" as it relates to employees covered by this Act.

As you are aware, staff has been working diligently to make changes to help with the escalating costs of pensions for firefighters and police officers. The Public Safety Employee Benefit Act does not provide a specific definition to the term "catastrophic injury" so that it limits the employer's obligation in paying for health benefits unless the employee's injuries render the employee unemployable and unable to perform gainful employment.

I am adding this matter to the agenda for your action. If you have any questions, please feel free to contact me.

/cb

PSEBARRESOLUTION2011MEMO

**RESOLUTION**  
**R - \_\_\_\_\_**  
**RESOLUTION CALLING FOR AMENDMENT TO THE PUBLIC**  
**SAFETY EMPLOYEE BENEFITS ACT**

WHEREAS, the Village of Lombard has for decades for the protection of its residents maintained at public expense a Police Department and Fire Department with full-time, skilled employees; and

WHEREAS, the Illinois State Legislature adopted the Public Safety Employee Benefits Act, 820 ILCS 320/1 et seq (the Act); and

WHEREAS, a portion of the Public Safety Employee Benefits Act reads in part as follows:

An employer who employs a full-time law enforcement, correctional or correctional probation officer, or firefighter, who, on or after the effective date of this Act suffers a catastrophic injury or is killed in the line of duty shall pay the entire premium of the employer's health insurance plan for the injured employee, the injured employee's spouse, and for each dependent child of the injured employee until the child reaches the age of majority or until the end of the calendar year in which the child reaches the age of 25 if the child continues to be dependent for support or the child is a full-time or part-time student and is dependent for support.

WHEREAS, the Legislature did not adopt, in the Public Safety Employee Benefits Act and its amendments, an express definition of the term "catastrophic injury"; and

WHEREAS, the Village of Lombard Board of Trustees hereby finds the Illinois State Legislature intended in the Act to limit the long-term insurance obligations of Illinois municipalities, to eligible persons employed full-time in law enforcement or firefighting duties, who were either killed or who suffered injuries in the line of duty that were clearly catastrophic – that is, injuries that render the employee unemployable generally, and unable to perform gainful employment; and

WHEREAS, the Village of Lombard Board of Trustees finds numerous claims for lifetime health insurance coverage have been presented against Illinois municipalities, by retired fire and police personnel, who are readily employable generally and who are eligible for health insurance coverage from successor employers; and

WHEREAS, the Village of Lombard Board of Trustees finds that such a broad and unintended interpretation of the phrase "catastrophic injury" in the Public Safety Employee Benefits Act, causes and will cause decades of financial hardship upon Illinois municipalities and taxpayers, without good cause;

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

Section 1: That the Illinois State Legislature should clarify its original intent and amend the Public Safety Employee Benefits Act, to define "catastrophic injury", to be expressly limited to line of duty injuries that render a full-time law enforcement, correctional, corrections probation officer, or firefighter unemployable generally and unable to perform gainful employment.

Section 2: That the Office of the Mayor is authorized to share this form of Resolution with members of the Illinois General Assembly and Illinois Senate and with the governing bodies of other municipalities in Illinois.

Adopted this \_\_\_\_\_ day of April, 2011 pursuant to a roll call vote as follows:

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

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

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

Approved by me this \_\_\_\_\_ day of April 2011.

\_\_\_\_\_  
William J. Mueller  
Village President

ATTEST:

\_\_\_\_\_  
Brigitte O'Brien  
Village Clerk