

**EMERGENCY MANAGER OF THE CITY OF LINCOLN PARK**

**ORDER 47**

**NOTICE FIRE FIGHTERS ON PENSION BENEFIT MODIFICATION**

BY THE AUTHORITY VESTED IN THE EMERGENCY MANAGER FOR THE CITY OF LINCOLN PARK  
PURSUANT TO MICHIGAN'S PUBLIC ACT 436 OF 2012

BRAD COULTER, THE EMERGENCY MANAGER, ISSUES THE FOLLOWING ORDER:

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WHEREAS, Pursuant to Public Act 436, the Emergency Manager has broad powers in receivership to rectify the financial emergency and to assure the fiscal accountability of the City of Lincoln Park and its capacity to provide or cause to be provided necessary services essential to the public health, safety and welfare; and

WHEREAS, Pursuant to Public Act 436, the Emergency Manager acts in place of local officials, specifically the Mayor and City Council, unless the Emergency Manager delegates specific authority; and

WHEREAS, Pursuant to Public Act 436, the Emergency Manager has broad power to manage the local government, and may issue orders to elected and appointed officials necessary to accomplish the purpose of the act; and

WHEREAS, Pursuant to PA 436, Section 12(1)(g), the Emergency Manager may make, approve, or disapprove any appropriation, contract, expenditure, or loan, the creation of any new position, or the filling of any vacancy a position, and

WHEREAS, The City of Lincoln Park Police Fire Fighters are represented by the International Association of Firefighters, Local 1292; and

WHEREAS, There is presently a Collective Bargaining Agreement between the parties continuing through July 1, 2016; and

WHEREAS, The present Collective Bargaining Agreement was the result of negotiations between the parties; and

WHEREAS, The Collective Bargaining Agreement states in Article XXXIV Section 2 that effective March 1, 2015, new pension or retirement benefits can be issued by the Emergency Manager at his/her sole discretion; and

WHEREAS, In accordance with the powers granted in the Collective Bargaining Agreement between the Parties and Pursuant to PA 436 the Emergency Manager is hereby exercising his rights as contained in the Collective Bargaining Agreement and statute; and

WHEREAS, the Agreement requires that the Employer provide the Union with notification if the Emergency Manager should chose to utilize the powers granted in the Collective Bargaining Agreement required; and

WHEREAS, the necessary notification was provided previously to the Union; and

WHEREAS, As a result, consistent with the Authority granted under PA 436 and in compliance with the Statute, the Emergency Manager has made modifications to the members Pension Benefits, which will take effect as specified in this order.

**NOW, THEREFORE, BE IT RESOLVED** that

Effective March 1, 2015 member's hired before July 1, 2013 shall earn a two percent (2.0%) pension multiplier prospectively.

BE IT FURTHER RESOLVED, If an employee stays to retirement, as defined in the agreement, the pension multiplier will be recalculated to two and one half percent (2.5%) for the same period.

BE IT FURTHER RESOVLED, Effective January 1, 2016 the annual interest rate earned on an employee's annuity contribution shall be from 0-4% annually based on plan performance as determined by the Police / Fire Pension Board. This new rate shall apply to the valuation period ending June 30, 2015.

This order may be amended, modified , replaced or terminated by any subsequent Order as otherwise ordered under PA 436.

So ORDERED this 21<sup>st</sup> day of December, 2015.



Brad Coulter  
Emergency Manager  
City of Lincoln Park