

MEMORANDUM OF AGREEMENT
BETWEEN
MIDDLEBOROUGH GAS AND ELECTRIC DEPARTMENT
AND
AFSCME COUNCIL 93, LOCAL 3502 and Local 1700

For good and valuable consideration, each to the other given, the Middleborough Gas and Electric Department (hereinafter the "Department") and the AFSCME Council 93, Local 3502 and Local 1700 (hereinafter the "Union") hereby agree to the following terms:

1. The Union agrees to accept certain increases in co-payments and deductibles adopted by the Town of Middleborough, effective July 1, 2010.
2. The Union hereby acknowledges that the increase in co-payments and deductibles has resulted in a decrease in the amount employees will be assessed for health insurance costs, as compared to the cost had the Town not implemented the new co-payments and deductibles.
3. The Department agrees to reimburse employees for the increases in co-payments shown on Exhibit A and any other co-payments and deductibles that might have been increased but not realized at the time of this agreement, subject to the conditions below:
 - a. Employees shall complete the attached form ("Middleborough Gas and Electric Co-pay Reimbursement Form" Exhibit A, within, along with receipts or summaries of payments from the medical provider. Employees may redact any information describing treatment or prescribed medications.
4. The Union agrees that the Department, as the Employer under M.G.L. Ch. 150E, has satisfied the obligation(s) to bargain the foregoing changes pursuant to M.G.L. Chapter 150E.
5. In exchange for the foregoing, the Union agrees to withdraw the Complaint of Prohibited Practice and any grievances filed against the Department regarding implementation of the above co-payments and deductibles, and waives any right to contest said implementation in any forum, including, but not limited to the grievance and arbitration process, and before the Division of Labor Relations.
6. The parties acknowledge that the Town, acting through its Board of Selectmen and Town Manager, has agreed not to make any changes to deductibles, co-payments or any other health insurance changes that would take effect on or before July 1, 2012.

Nothing contained in this memorandum shall constitute an admission of wrongdoing or misconduct on the part of either party.

