

REDDING RANCHERIA TRIBAL GOVERNMENT POLICIES

Chapter TP 7-200

Tribal Elders Pension and Supplemental Life Insurance Program



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Index

<u>Text</u>	<u>Page</u>
SECTION 1: PURPOSE	2
SECTION 2: BACKGROUND AND INTENT	2
SECTION 3: DEFINITIONS (Reserved)	3
SECTION 4: DELEGATED AUTHORITY	3
SECTION 5: AUTHORIZED PROGRAMS AND SERVICES	3
SECTION 6: PROGRAM PRIORITIES	4
SECTION 7: BENEFITS NOT AN ENTITLEMENT	4
SECTION 8: ANTI-ALIENATION	5
SECTION 9: EVALUATION	5

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Chapter TP 7-200
Tribal Elders Pension and Supplemental Life Insurance Program

SECTION 1: PURPOSE

The purpose of the Redding Rancheria Tribal Elders' Pension Program is to provide financial support for the tribal elders, a higher quality of life and to enhance their comfort and financial security during their later years of life.

SECTION 2: BACKGROUND AND INTENT

Ensuring the well being of tribal elders is an important traditional value of the Redding Rancheria members. It was recognized early, when the Tribe began receiving earnings from its casino, including per capita payments and other benefits, that the elders had not had significant opportunities for education, employment, pension plans and personal asset accumulation during their younger years. Many elders suffer from health conditions, such as diabetes. Because the membership is committed to ensuring that elders have maximum enjoyment of resources while they are alive, the Elder Pension Program was initiated in 1999.

Although there is no guarantee that tribal revenues will continue at their current levels in the future, the members are optimistic that they will continue for a number of years. In 2004, the membership voted to lower the age at which the pension is paid to the age of 50. The membership makes provisions for current benefit payments within the annual budget, and continues to set aside funds for future payments.

The members anticipated and began saving to ensure future financing for this program in 1995 and increased the commitment to long term savings in 2004. The Elder Benefit Permanent Fund was established to ensure that resources are available in the future without reliance on current tribal revenues to finance the elder pension benefit and other elder assistance. The Redding Rancheria is dedicated to assuring the continuation of the benefit in future years without reliance on gaming and other current revenue sources, in order to provide income security for elders. This program and the trust fund both respond to the Redding Rancheria strategic goals to honor and support a high quality of life for tribal elders and to maintain financial security for elders.

Provisions have been made to finance the benefit from minors rabbi trust in the case of those turning 18 after December 31, 2006. However, there is no guarantee that amounts available in the trust will provide the desired level of benefit in the future. Therefore, this policy anticipates that all members will be eligible for this program and the amount of benefits will be reduced by amounts available from the Minors' Rabbi Trust "Senior Benefit."

It is recognized that annual revenues might not be adequate to finance future benefits for the program or to set aside a sufficient amount within the trust fund to finance future benefits. The membership has expressed the need to place a priority on eldest members first, as they have not had the opportunities afforded younger members. This policy

REDDING RANCHERIA TRIBAL GOVERNMENT POLICIES
Chapter TP 7-200
Tribal Elders Pension and Supplemental Life Insurance Program

establishes that priority, consistent with the adopted directives of the membership, in the event that funds in the future are insufficient to meet the needs of all members.

Finally, the Tribe has provided a life insurance benefit to aid the families of members who are deceased. For the eldest members, the present insurance benefit is reduced as they achieve older age. This policy provides for the extension of additional benefits after each member is deceased to bring the total benefit to the same level as provided for younger adult members.

SECTION 3: DEFINITIONS (Reserved)

SECTION 4: DELEGATED AUTHORITY

The Chief Executive Officer is delegated the authority to implement the program and appropriate procedures and activities to implement this policy.

SECTION 5: AUTHORIZED PROGRAMS AND SERVICES

(a) Monthly Pension Benefit

There is hereby authorized a monthly pension benefit for each enrolled member of the Redding Rancheria that has achieved the age of 50. The benefit shall be paid beginning with the month following the month in which each enrolled member achieves the age of 50 years up to and including the month in which a member is deceased.

(b) Amount of Benefit

The amount of the monthly benefit shall be established pursuant to the annual budget, which shall be reduced dollar for dollar by the amount of any payment from the Redding Rancheria Minors' Rabbi Trust "Senior Benefit Payment" for members of the Redding Rancheria born after December 31, 1988.

(c) Additional Benefit for Family of Deceased Members

There is hereby authorized to be paid under this program a survivor benefit, which shall be an amount equal to the sum of the life insurance benefit for members prior to age-based policy benefit reduction, less the amount of actual life insurance benefit actually paid under the tribal life insurance program. The benefit shall be paid to beneficiaries as stipulated for the life insurance program. This supplemental benefit shall be paid within ten business days of the Tribe receiving proof of the payment of the life insurance. The payment shall be made to the same recipients as the life

REDDING RANCHERIA TRIBAL GOVERNMENT POLICIES
Chapter TP 7-200
Tribal Elders Pension and Supplemental Life Insurance Program

insurance in the same proportions. Because the supplemental payment is not a tax-exempt benefit, the appropriate tax withholdings will be made at the time of payment.

SECTION 6: PROGRAM PRIORITIES

- (a) Except for supplemental life insurance benefits authorized pursuant to Section 5 (c) of this policy, funds shall be budgeted from annual revenues to finance benefit payments until such time as the Elder Pension Trust Fund has sufficient resources to finance all future benefits to be paid by the program, based on its current level of benefit.
- (b) If annual revenues are not available to finance benefit payments, then benefit payments shall be made from the Elder Benefit Permanent Fund. In such event, benefits to be paid from the fund shall be prioritized to the amounts that can be made for the remaining life of members to receive the benefit, beginning with the oldest member first and including each subsequent oldest member until the present value of future benefits payable is equal to the amount available within the trust fund.
- (c) If the amount available within the permanent fund is not adequate to finance future benefit payments for all members who are age 50 or over at the time that funds are to be paid from the trust fund under paragraph (b) above, the Tribal Council, or the General Membership may reduce the monthly benefit to an amount that will assure the benefit for all members who are age 50 or over at the time.
- (d) If the benefit payable under this program is increased, a plan will be adopted to provide for additional contributions to the trust fund, or the amount of the increase will be considered temporary, subject to the availability of annual revenues until such time as sufficient funds are available within the trust fund to meet future payments based on the increased amount.

SECTION 7: BENEFITS NOT AN ENTITLEMENT

Benefits payable pursuant to this policy are subject to the availability of funds. No entitlement to a benefit payment under this program shall accrue prior to the payment date of each monthly payment. The benefit is not a guaranteed payment, nor is the Tribe liable to make such a payment. The establishment of this program shall in no way create an entitlement or claim by any person on the assets or revenues of the Redding Rancheria.

REDDING RANCHERIA TRIBAL GOVERNMENT POLICIES
Chapter TP 7-200
Tribal Elders Pension and Supplemental Life Insurance Program

SECTION 8: ANTI-ALIENATION

A tribal member's rights and eligibility to receive a benefit payment under this policy are not subject to anticipation, alienation, sale, transfer, assignment, pledge, encumbrance, attachment or garnishment by creditors of the tribal member or his or her beneficiaries.

SECTION 9: EVALUATION

The Chief Executive Officer shall provide for an evaluation of the program each year following adoption of this policy. The evaluation shall consist of:

- (a) An assessment of the level of income and benefits available from the Redding Rancheria to members age 50 and over, including the pension benefits payable under this policy.
- (b) The present value of future benefits payable to members of the Redding Rancheria based on the stated level of the monthly benefit, compared to the balance of the Elder Benefit Permanent Fund.
- (c) When the trust fund is not of sufficient size to finance future benefits for all tribal members, a statement of the age of the youngest member that would be provided full benefits under the priority provisions of this policy.

Legislative History:

Originally Adopted by Tribal Council Resolution #021-04-12-07 dated April 12, 2007.

Amended by Tribal Council Resolution #026-03-10-09 dated March 10, 2009.

Amended by Tribal Council Resolution #050-10-22-13 dated October 22, 2013.