



# WAYNE COUNTY RETIREE SUB-CHAPTER 38

## WE MAKE MICHIGAN HAPPEN

### Executive Board Meeting

**Ronald Yee**  
*President*

November 13, 2018

**Gilbert J. Cox**  
*Vice-President*

The meeting was called to order at 11:30 AM by President Yee, and was opened with the Pledge of Allegiance.

**Hugh S. Macdonald**  
*Secretary Treasurer*

**PRESENT:** Cairgle, Kreklau, Macdonald, McCall, Noelke, Parker, Smith, Sockolosky, Smith, Wadlin and Yee

**Mary Etta Kreklau**  
*Recording Secretary*

**EXCUSED:** Cox and Parker

**Douglas Wadlin**  
*Sergeant-At-Arms*

**ABSENT:** None

**Richard Noelke**  
**John McCall**  
**James Sockolosky**  
*Executive Board*

**ROLL CALL OF OFFICERS:** Brother Macdonald made the motion, properly supported by Sister Cairgle, to accept the roll call of officers. The motion carried.

**Faith Cairgle**  
**Charles Parker**  
**Jerry Smith**  
*Trustees*

**Sub-Chapter 38 minutes for the Executive and Membership meetings are recorded to help the Recording Secretary to produce minutes for each meeting. Pursuant to the previous direction of the membership these recordings shall be disposed of as soon as reasonably possible after the Sub-Chapter 38 membership has approved the minutes. The minutes are not or intended to be an actual verbatim record of the proceedings but are summarized notes of the agenda items, motions maker of the motion, votes and lengthy discussions.**

### CORRESPONDENCE

- Sub-Chapter 38: Letter to AFSCME President Saunders and Michigan Council 25 President Roehrig announcing the results of the October 2018 Sub-Chapter elections. Receive and File
- MiARA October 2018 newsletter including the MiARA Statewide endorsements for the November 6, 2018 elections plus a "Spotlight" article on MiARA President Dick Long and a discussion on the trade agreement to replace The North American Free Trade Agreement (NAFTA). The next membership meeting was not announced. Receive and File
- WC Benefits An email from the Director, Ms. Claire Mason Lee, reporting that Wayne County is in the process of mailing letters to all Non-Medicare eligible retirees that have sent in their 2019 stipend paperwork acknowledging receipt of the paperwork. Receive and File
- Sandra MacGillis An email with the names and contact information for the Wayne County employees that administer benefits for retirees. Receive and File and Post on Website Subchapter 38
- Motion by Brother Macdonald, properly supported by Sister Cairgle, to receive and file all items. Motion carried.

## **READING OF MINUTES**

Brother Macdonald made the motion, properly supported by Brother Noelke, to waive the reading and approve the minutes of the Executive Board meeting of October 9, 2018, leaving the record open to the end of the meeting for corrections, additions, or deletions and adopt as corrected. The motion carried.

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## **REPORT OF OFFICERS**

### **PRESIDENT:**

President Yee informed the Board that as a result of the election changes will be coming to the Wayne County Board of Commissioners: Gary Woronchak will be replaced on the Board by Sam Baydoun; Joe Barone (a Republican) lost his seat to Melissa Daub; and Reggie Davis will be replaced by Monique Baker McCormick. There will be one Republican on the Board – Terri Marecki.

The Board is looking at our options for the stipend increase in the next budget hearings in 2019.

The County has been notified that under the Settlement Agreement that established the retiree healthcare stipend that a 2% increase is required retroactive to April 2018.

The Democrats were able to win the statewide races of U.S. Senate, Governor, Attorney General, and Secretary of State. The Democrats picked up seats in both the state house and senate but the Republicans still control both houses by (6) seats. We will watch the lame-duck sessions for attempts to pass legislation that is detrimental to middle class workers and retirees.

On the Michigan Supreme Court, we did get one of the candidates endorsed by the Democratic party, Megan Cavanagh. Elizabeth Clement is the other Judge re-elected and while she was appointed by Governor Snyder, she has shown to be more independent by voting to allow Proposal 2 on Gerrymandering on the ballot. We did win a majority in the U.S. House but we did lose seats in the Senate. Hopefully, the President will become a better negotiator since he will need the House to get any legislation passed.

Those receiving the retiree monthly health-care stipend must send in a new enrollment form to TASC to re-qualify for the stipend in 2019. Everyone should have received forms in the mail to re-enroll or for direct deposit.

Motion by Brother Macdonald, properly supported by Sister Cairgle to accept the President's report. The motion carried.



Vice-President: None

## **SECRETARY TREASURER**

### **Financial Report**

Brother Macdonald reported that the Sub-Chapter has \$122,690.90 in cash and investments as of October 31, 2018. There are 1,396 current members with 204 participating in the PEOPLE Plan and (75) members lost this calendar year due either death or cancellation.

Motion by Brother Macdonald, properly supported by Sister Cairgle, to accept the Treasurer report as presented. The motion carried.

## **Secretary-Treasurer Report, Comments and Announcements**

### **THREE (3) GRIEVANCES:**

There are three (3) grievances filed by AFSCME and its Local Unions relating to pension issues. The three (3) grievances deal with the following issues:

1. **Pension Funding:** AFSCME takes the position that the retirement ordinance is incorporated into the various CBAs and that the Union has a right to arbitrate the fact that Wayne County has not funded the pension plan.
2. **Elimination of 13th Check:** The second grievance dealt with the changes Evans and the County Commission to eliminate the funding of the 13th check, taking that money (\$32+ million) away from retirees and using the thirty-two + million dollars, in the "13<sup>th</sup> check account, as a required County contribution to the pension system.
3. **Medical Insurance for Disability Retirees:** For (30) years, the County had a practice which was supported by the various CBAs and the pension ordinance which provided that people who retired on a duty or non-duty disability pension were entitled to medical insurance as part of their retirement. In 2010, CEO Ficano eliminated this program and the Union filed an unfair labor practice and prevailed. The County then filed a challenge in the Michigan Court of Appeals and the Court of Appeals ruled that the matter must be resolved by way of grievance arbitration.

On September 20, 2018 the Michigan Court of Appeals issued a decision ruling that the Pension Funding issue was not subject to arbitration, affirmed that the Disability Retiree Health Care Benefits issue had previously been ruled as subject to arbitration and lastly that the elimination of the 13<sup>th</sup> Check was subject to arbitration. Arbitration on the open matters has not been scheduled.

### **RETIREE COALITION TO PROTECT PUBLIC SECTOR BENEFITS**

Sub-Chapter along with the other Wayne County retiree organizations has loosely organized many public employees groups, including police and fire, into a coalition for the purpose of protecting public employees' benefits and pensions. The Sub-Chapter has been alerted by some state legislators that some seriously anti-public sector employee/retiree legislation is being drafted for introduction during the "lame duck" session of the legislature. That coalition is preparing for the pending "lame duck" session. Rest assured that this membership will be asked to be involved by letter writing, telephone calls and possibly rallies.



## **WAYNE COUNTY LAWSUIT TO SEAT EVAN'S BOARD**

Wayne County CEO Evans filed a lawsuit against the Wayne County Employees' Retirement System Commissioners (WCERS) demanding the ability to seat his handpicked WCERS Board by expanding the Board to ten (10) members while eliminating one (1) active employee Commissioner and one (1) retired member Commissioner. As a direct result of an intense lobbying effort by your Retiree leadership the Wayne County Commission intervened on our behalf. Judge Leslie Kim Smith issued an opinion on July 31, 2017 denying Evans the ability to seat his WCERS Board. Wayne County has filed an appeal with the Michigan Court of Appeals and the briefing period ended on May 30, 2018. We are now waiting on the court to schedule oral arguments which we do expect before the New Year. (Case No. 339714).

## **PRESCRIPTION CO-PAY SETTLEMENT**

This Sub-Chapter continues to reconcile stipends for the Non-Medicare eligible retirees. The latest reconciliation is through the November 1, 2018 pension payment finding that seven (7) account balances remain incorrect of which one (1) is an underpayment and six (6) are overpayments. Since December 12, 2017 six (6) grievances have been filed with Wayne County demanding resolution of some Non-Medicare stipend issues. One (1) of the overpayments is part of Grievance #1 which is an otherwise resolved matter. We believe a settlement of Grievance #6 is forthcoming. Grievances #2, #4 and #5 have been withdrawn due to retiree ineligibility or lack of cooperation from the retiree. Grievance #3 is still open and addresses the many problems with TASC (formerly Genesis). The Sub-Chapter is attempting to gather information about the Medicare eligible stipend administrative process at TASC. It is becoming clear that the only resolution to Grievance #3 is a mutually acceptable Health Reimbursement Account (HRA) Plan so that every Medicare eligible class member will know their rights and responsibilities under the plan. The Sub-Chapter is demanding that every Medicare eligible retiree receive a copy of the mutually agreed upon HRA or at least a summary plan document.

Please be aware that Medicare eligible must file a new "RECURRING INDIVIDUAL PREMIUM REIMBURSEMENT REQUEST" with Genesis Employee Benefits to receive reimbursements during 2019. AmWins has sent letters to the Medicare eligible retirees advising them that the Genesis name will no longer be used and is replaced by TASC. The letter also includes updated contact information for TASC and reimbursement forms. The Sub-Chapter has been advised that TASC will accept the old (2015 form) "RECURRING INDIVIDUAL PREMIUM REIMBURSEMENT REQUEST" for 2019 from those retirees who had already submitted their requests using the old form(s). The new website for TASC is:

<https://mybenefitsportal.tasconline.com/Mvc/Home/Index>. The website for claims is [claims@tasconline.com](mailto:claims@tasconline.com), for service it is [svchelp@tasconline.com](mailto:svchelp@tasconline.com) or toll free (866) 678-8322

The group representing this Sub-Chapter continues to demand that Wayne County fulfill its obligations under the settlement agreement.

## **ANNOUNCEMENTS**

The annual luncheon sponsored by the Sub-Chapter for WCERS staff is scheduled for December 12, 2018 starting 12:00 PM in the WCERS Board Room.

Motion by Brother Macdonald, properly supported by Sister Cairgle, to accept the Secretary's Report. The motion carried.

**COMMITTEE REPORTS:** None

**UNFINISHED BUSINESS:** None

**NEW BUSINESS: Chapter 255:** Brother McCall gave a brief report on Chapter 255. He announced that the next Executive Board meeting will be held on December 4, 2018, at Council 25 headquarters. He would like a head-count so they may prepare refreshments for the meeting. All Sub-Chapter 38 members are invited to attend however; it is an Executive Board meeting so there will not be any input from the audience. Brother McCall has met with the Chapter 255 Treasurer and he has assured Brother McCall that everything will be in place to adopt a budget.

Motion by Sister Cairgle, properly supported by Brother Noelke, to accept Brother McCall's report.

Brother McCall asked for authorization to invite a speaker for the December 2018 meeting on mortgage fraud. The Wayne County Register of Deeds has set up a task force to educate the public on this.

Motion by Sister Kreklau, properly supported by Sister Cairgle, to authorize Brother McCall to make arrangements for a mortgage fraud speaker at the December 2018 meeting. The motion carried.

**GOOD AND WELFARE**

Brother McCall informed the Board that Brother Charlie Parker is in the hospital, but just for a few days to attempt to get a medical condition under control.

There was a moment of silence for deceased members.

**ADJOURNMENT**

Motion by Brother Macdonald, properly supported by Brother Wadlin to adjourn the meeting at 12:08 pm. The motion carried.