



WAYNE COUNTY RETIREE SUB-CHAPTER 38

WE MAKE MICHIGAN HAPPEN

Ronald Yee
President

Membership Meeting

Gilbert J. Cox
Vice-President

November 13, 2018

Hugh S. Macdonald
Secretary Treasurer

The meeting was called to order at 1:00 PM by President Yee. The meeting was opened with the Pledge of Allegiance.

Mary Etta Kreklau
Recording Secretary

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

Douglas Wadlin
Sergeant-At-Arms

EXCUSED: Cox and Parker

ABSENT: None

Richard Noelke
John McCall
James Sockolosky
Executive Board

ROLL CALL OF OFFICERS: Brother Macdonald made the motion, properly supported by Brother Pendracki, 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.

President Yee announced to the Membership that three (3) dental insurance representatives were present in the adjoining room to explain and/or enroll members in dental programs. Members should plan on visiting with the representatives during the Membership meeting.

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 Sub-Chapter 38

Motion by Brother Macdonald, properly supported by Brother Pendracki, to receive and file all items and post Item 4 to the Sub-Chapter 38 website. Motion carried.

READING OF MINUTES

Brother Macdonald made the motion, properly supported by Sister Cairgle, 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 Pendracki, properly supported by Brother Noelke, 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 Pendracki, 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 "13th 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 13th 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, for service it is 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 Pendracki, properly supported by Sister Bauman, to accept the Secretary's Report. The motion carried.

COMMITTEE REPORTS

Chapter 255:

Brother John McCall, Sub-Chapter 38 representative on the Executive Board of Chapter 255, gave a verbal report. There will be a Chapter 255 Executive Board meeting at Council 25 AFSCME headquarters at 600 W. Lafayette, Detroit, MI on December 4, 2018 at 11 am. Brother McCall would like to know if you plan on attending so refreshments can be provided. In addition, they are trying to get the adjoining parking lot opened for parking.

Motion by Sister O'Leary-MacGillis, properly supported by Sister Bauman, to accept the Chapter 255 report. The motion carried.

UNFINISHED BUSINESS: None

NEW BUSINESS: None

GOOD AND WELFARE:

Sister Janet Wiktor wished to thank Anthony Fuller for providing the luncheon today. She requested volunteers for 2019. There is a schedule for luncheons and volunteers to bring the luncheon one month. The Sub-Chapter does reimburse volunteers for the cost of providing the luncheon.

President Yee reminded the membership that the dental programs representatives were still available in the adjoining room.

Sister Kim Curry-Smith notified the membership that the first black Councilperson has been elected in the City of Ecorse.

Brother McCall notified the membership that Brother Charlie Parker is currently hospitalized and he is in stable condition.

There was a moment of silence for deceased members.

ATTENDANCE DRAWING:

There were 44 members present.

\$20 - #39 - Joe Mitchell

\$10 - #9 - Jerry Smith

\$10 - #40 - Kim Curry-Smith

Motion by Brother Pendracki, supported by Brother Wadlin, to adjourn the meeting at 1:42 pm.