



WAYNE COUNTY RETIREE SUB-CHAPTER 38

WE MAKE MICHIGAN HAPPEN

Ronald Yee
President

Membership Meeting

Gilbert J. Cox
Vice-President

December 11, 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, Sockolosky, Wadlin, and Yee

Douglas Wadlin
Sergeant-At-Arms

EXCUSED: Parker and Smith
ABSENT: None

Richard Noelke
John McCall
James Sockolosky
Executive Board

ROLL CALL OF OFFICERS: Brother Macdonald made the motion, properly supported by Sister O'Leary-MacGillis, 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.

Motion by Brother Macdonald, properly supported by Brother Hubert, to suspend the regular order of business allow Wayne County Register of Deeds, Bernard Youngblood and Alexandra Kasperson, Dept. Executive – Attorney, Wayne County Register of Deeds, to make a presentation on mortgage fraud. The motion carried. President Yee introduced Brother Bernard Youngblood to the membership.

They explained the Mortgage and Deed Fraud Unit in the Wayne County Register of Deeds; gave tips to avoid this happening to your property; and urged property owners **IN WAYNE COUNTY** to sign up for fraud alerts so that if someone attempts to sell property that you own or record documents in your name, you will be notified by e-mail. They urged property owners to visit: waynecountylandrecords.com and click on the "Fraud Alert". There is also a complaint submission form on the website.

Motion by Brother Macdonald, properly supported by Brother Wadlin, to return to the regular order of business at 1:50 pm. The motion carried.

CORRESPONDENCE

MiARA

November 2018 newsletter discussing the recent mid-term election results and warning about the Michigan Legislature in "Lame Duck" session. This Edition also includes a

spotlight on Sub-Chapter member Douglas Wadlin The next membership meeting was not announced.

Receive and File

Genesis/TASC An email dated December 1, 2018 advising participants on how to access the website and their account at [www//mybenefitsportal.tasconline.com](http://www/mybenefitsportal.tasconline.com). The email also states that claims may be filed by email to an **unsecure** website claims@tasconline.com.

Receive and File

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 Sister Bauman, to waive the reading and approve the minutes of the Executive Board meeting of November 13, 2018, leaving the record open to the end of the meeting for corrections, additions, or deletions and adopt as corrected. The motion carried.

Brother Macdonald made the motion, properly supported by Sister Cairgle, to waive the reading and approve the minutes of the Executive Board meeting of November 13, 2018, leaving the record open to the end of the meeting for corrections, additions, or deletions and adopt as corrected. The motion carried.

REPORT OF OFFICERS

PRESIDENT:

President Yee informed the membership that they are hoping to meet with County officials in early January 2019 to begin discussions regarding development of a Health Care Retirement Savings Account document. There is a current document however it does not appear to ever have been signed by the Wayne County Board of Commissioners which is required by the County Charter prior to the CEO entering into a contract. Our concern is that the document agreement allows for amendments to the agreement so we have no idea what the current agreement terms are. We are trying to meet with the County representative in early January and start getting a plan document and adoption agreement.

Some of the Sub-Chapter 38 members attended the AFSCME Chapter 255 Executive Board meeting on December 4, 2018, which was held at Council 25 offices in Detroit. There were 21 people in attendance at the Executive Board meeting. Ten of the people present were from Sub-Chapter 38. Brother Henry Lykes is President of AFSCME Chapter 255 and Brother John McCall is the Sub-Chapter 38 representative on the Executive Board. There was a refusal to give copies of the minutes or financial report to attendees (outside of the Chapter 255 Executive Board) and the details of those reports were not discussed verbally at the meeting. There was also no audience participation nor question period allowed. Someone in our group asked what was in the financial report and was told that information was only for Executive Board members and not guests. We have not paid Chapter 255 any dues since they have not provided Sub-Chapter 38 with a copy of the adopted budget or financial reports. In addition, the Executive

Board has amended the demand to include a completely executed copy of the Chapter 255 AFSCME Constitution – executed by AFSCME International. The proposed constitution that was adopted in October 2017 at the Constitutional Convention required certain things that are not being provided.

President Yee then brought up actions being taken at this time by the Republican legislature in Lansing. They are doing their best to take apart legislation on the minimum wage and sick leave that was passed earlier this year to keep those items off the ballot in November 2018. They are also attempting to pass a series of bills that will take away some of the powers of the Governor, Attorney General, and Secretary of State, all positions that will be held by Democratic women beginning January 2019. They are going after unions by making it illegal for employers to allow time off with pay by employee representatives to investigate grievances and negotiate contracts and by making unions recertify every two years by a majority vote – not of the employees voting, but by a majority of the employees covered by the contract. In addition, they are changing the requirements for ballot petitions which will make it almost impossible for ballot initiatives to happen. They want to limit to a maximum of 10% signatures from any one voting district. All signatures must be collected by individuals that show whether they are being paid or not paid. A big issue is that they will disqualify all signatures collected by an individual if one signatory says they were “misled” into signing the petition.

The Governor has said he will look at each of these issues individually and he will “do what’s best for the State”. We are encouraging everyone to contact their legislators and the Governor’s office and put in their approval or disapproval of what’s going on.

Finally, I would like to take this opportunity to thank all the members that have supported the leadership and made calls, wrote letters, and appeared at court hearings and meetings showing our solidarity for the things we are fighting for. I wish everyone a Merry Christmas and Happy Holidays and a Happy New Years.

Motion by Brother Pendracki, properly supported by Brother Noelke, to accept the President’s report. The motion carried.

VICE-PRESIDENT:

The Labor Coalition meeting in December has been cancelled but the January meeting will be Wednesday, January 23, 2019, at noon in Council 25 offices. The December 2018 WCERS Executive Board meeting will be Monday, December 17, 2018, at 9:15 am in the Retirement Commission offices.

Motion by Brother Pendracki, properly supported by Sister Bauman, to accept the Vice-President’s report. The motion carried.

SECRETARY TREASURER

Financial Report

Brother Macdonald reported that the Sub-Chapter has \$121,115.92 in cash and investments as of November 30, 2018. There are 1,387 current members with 202 participating in the PEOPLE Plan and (89) members were 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) Retiree 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

The Michigan legislature is currently in "Lame Duck" session. No doubt you have heard and read about proposed legislation coming out of the legislature intended to severally cripple public employee unions. There is also proposed legislation to subvert the will of the voters concerning minimum wages and family time off plus attempting to re-write the constitution amendments adopted by the voters. During the legislative process there was little or no debate and if testimony was allowed, only testimony in support of the proposed bill was permitted. We can only hope that Snyder does not sign these bills otherwise it will take us years to undo the damage done.

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 will not occur until 2019. (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 December 1, 2018, pension payment finding that there are still 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 Non-Medicare stipend issues. One (1) of the overpayments is part of Grievance #1 which is otherwise resolved, pending an acceptable settlement agreement from Wayne County. 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.

Non-Medicare retirees within the settlement class are reminded of the letter dated August 8, 2018 reminding them to file the annual stipend determination paperwork. All of those that filed the paperwork should have received a confirmation that included their 2019 stipend amount.

Under the date of October 29, 2018 AmWins sent a letter to Medicare eligible retirees within the settlement advising them about what AmWins offers. Included with that mailing was information from TASC (formerly Genesis) with commonly asked questions and answers about participation in a Retiree HRA also included were claims forms. That letter was followed up with another letter at the demand of this Sub-Chapter, making it clear that the plan B and Plan D deductions from Social Security checks are a reimbursable medical expense from the TASC (Genesis) HRA account. Please be aware that Medicare eligible retirees with an HRA account must file a new "RECURRING INDIVIDUAL PREMIUM REIMBURSEMENT REQUEST" with TASC to receive reimbursements during 2019. The Sub-Chapter has been advised that TASC will accept the old (2015 form) "RECURRING INDIVIDUAL PREMIUM REIMBURSEMENT REQUEST" for 2019. The new website for TASC is <https://mybenefitsportal.tasconline.com>. The unsecure TASC website for claims is claims@tasconline.com. The telephone call center is (866) 678-8322 and the website is svchelp@tasconline.com.

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.

County Benefits Information: Last Name: A-L: Serena Gordon – 313-224-5154 or sgordon@waynecounty.com; M-Z: Wallace Shelton 313-967-6432 or wshelton@waynecounty.com

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

COMMITTEE REPORTS - None

UNFINISHED BUSINESS:

Chapter 255:

Brother John McCall gave an update on the situation with AFSCME Chapter 255. The International has not been on-board with a number of excuses although there was a representative at the December 4th meeting. Many problems are not the fault of Brother Henry Lykes. Brother McCall faults the International for many of the problems. There are 43 current Retiree Chapters in AFSCME so one might think they are organized, but they're not. They are giving up the rented office and have approved the virtual office hookup at \$99/mo. The Treasurer report indicates \$12,318.32 as a balance. Brother McCall is not sure about the legal requirements as far as providing copies of agenda, minutes, or financial reports but he will find out.

Motion by Brother Macdonald, properly supported by Brother Cox, to accept the Chapter 255 report. The motion carried.

Brother Yee thanked Brother McCall and Brother Lykes for the work they are doing with Chapter 255. Brother Lykes addressed the membership. He said he has reported to AFSCME International that almost everything Chapter 255 is doing is illegal. A letter has been sent to the Chapter 255 Treasurer to release the Treasurer reports.

Sister Kim Curry-Smith wanted to know when the committees of Sub-chapter would be meeting. Brother Yee informed her that it is up to the Chair of the specific committee to schedule any meetings.

NEW BUSINESS: None

GOOD AND WELFARE:

Sister Janet Wiktor thanked Sister Lu Riggs and her family for providing the luncheon today. A list for 2019 luncheons is available and while some months have been taken, there are still volunteers needed for other months.

Brother Charlie Parker is currently hospitalized and will need to go to rehab from the hospital. There was a moment of silence for deceased members.

ATTENDANCE DRAWING:

Brother McCall explained that in addition to the (3) cash prizes, hams and turkeys are also available this month. Brother Charlie Parker each year provides turkeys and hams to the membership for Christmas. Brother Parker is hospitalized but turkeys and hams are still available for the drawing.

There were 49 members present. Brother Sockolosky explained that members whose numbers were drawn would have a choice (if still available) of cash, ham or turkey.

#27 – Charlie Gillespie \$20

#41 – Don Lekfar – Ham

#7 – Mary Etta Kreklau – Turkey

#39 – Steve Snod - \$10

- #19 – Estelle Biesisdecki – Turkey
- #15 – Lois Banks – Ham
- #31 – Waymon McCants - \$10 (end of cash prizes)
- #18 – Paul Pendracki – Turkey
- #34 – John Wiktor – Ham
- #42 – Mike Sinnott –
- #44 – Vivian Ramsey
- #36 – Greg Dwoizzanen
- #38 – Gary Rotter
- #32 – Kim Curry-Smith
- #21 – John Allgeyer
- #8 – Annette Kuslowski
- #33 – Beverly Broden

Motion by Brother Pendracki, supported by Brother Wadlin, to adjourn the meeting at 2:48 pm.