



# WAYNE COUNTY RETIREE SUB-CHAPTER 38

## WE MAKE MICHIGAN HAPPEN

### Executive Board Meeting

**Ronald Yee**  
*President*

January 8, 2019

**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, Noelke, Parker, Sockolosky, Smith, Wadlin and Yee

**Mary Etta Kreklau**  
*Recording Secretary*

**EXCUSED:** McCall and Smith

**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 Brother Cox, 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

1. MiARA December 2018 reviewing 2018 plus a report on Medicare by Bob Sisler and a warning about retiree targeted scams. The next membership meeting was not announced. Receive and File
2. Nancy Darga Announcement of a community meeting on January 9, 2019, at the Livonia Civic Center, 32777 Five Mile road starting at 6:00 PM to learn about Evan's plan to sell Wayne County Parks' property to developers Receive and File
3. Council 25 Announcing the 45<sup>th</sup> Annual Martin Luther King, Jr. dinner for Saturday, February 9<sup>th</sup> at the Westin Hotel, 1500 Town Center, Southfield, starting at 6:00 PM with dinner at 7:30 PM. Tickets @ \$75 per person or \$750 for a table of ten (10). New Business
4. Secretary-Treasurer Memo dated January 3, 2019, requesting Executive Board permission to shred membership cards for deceased and canceled memberships during 2017. New Business

Motion by Brother Macdonald, properly supported by Sister Cairgle, to receive and file Items 1 and 2 and refer Items 3 and 4 to New Business. The motion carried.

## **READING OF MINUTES**

Brother Macdonald made the motion, properly supported by Brother Sockolosky, to waive the reading and approve the minutes of the Executive Board meeting of December 11, 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 Brother Sockolosky, to waive the reading and approve the minutes of the Executive Board meeting of December 11, 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 wished the membership a happy new year and reminded members that Medicare eligible members receiving stipends must renew annually and submit a renewal if they are using their Medicare stipend to pay for recurring premiums.

President Yee reviewed the legislation passed during the lame duck session in Michigan including a severe reduction in the minimum wage law and sick leave laws adopted last year to keep the items off the ballot in November. Governor Snyder did sign these revised laws. The legislature also passed and Governor Snyder signed, additional legislation greatly altering the ability of there every being another successful ballot drive such as the minimum wage, sick leave, and gerrymandering ballot proposals of 2017. The new legislation limits any petition drive to no more than 15% signers in any one congressional district, thereby eliminating 85% of the voters in the state from signing ballot proposal petitions. The Governor vetoed the legislation limiting the powers of the Attorney General and the legislators were unable to garner enough votes to require unions to recertify every two years and limit and eliminate time off to investigate grievances and negotiate contracts.

The Sub-Chapter representatives will be meeting with the County next week to begin talks on the health care stipend program. The plan document the County has been using for this program does not comply with the Settlement Agreement with the Sub-Chapter and has never been submitted to the Sub-Chapter or the Board of Commissioners for approval.

Finally, he issued thanks to the Sub-Chapter Executive Board and the many Sub-Chapter members who attended meetings and hearings on behalf of the Sub-Chapter during the year.

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

**Vice-President:** The Labor Coalition meeting will be Wednesday, January 23, 2019, at noon in Council 25 offices. The January 2019 WCERS Executive Board meeting will be Monday, January 28, 2019, at 9:15 am in the Retirement Commission offices. The Post Office box was cleared today.



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

## **SECRETARY TREASURER**

### **Financial Report**

Brother Macdonald reported that the Sub-Chapter has \$120,134.60 in cash and investments as of December 31, 2018. There are 1,375 current members with 199 participating in the PEOPLE Plan and (88) members were lost this calendar year due either death or cancellation.

Motion by Brother Macdonald, properly supported by Brother Wadlin, 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 made 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**

The coalition is waiting for the newly elected governor to formulate her agenda and to monitor how the legislature reacts. Through various lobbyists we hope to have legislation proposed to ease the onerous aspects of bills passed during the last administration. Unfortunately, it may take years and possibly another election in two 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 are not anticipated until well into the spring. (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 January 2, 2019 pension payment finding that there are two account balances that are of interest to the Sub-Chapter that remain incorrect of which one (1) is an underpayment and one (1) is an overpayments. Our Grievance #6 remains unresolved although a settlement has been executed. Grievance #1 is not completely resolved since Wayne County has overpaid one 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. A meeting with Wayne County on this issue is scheduled for January 16, 2019. The Sub-Chapter has filed a Grievance #7 demanding that Wayne County increase the Medicare eligible stipends by 2% retroactive to April 2018 and we are waiting on a response. Should we not receive a response by January 11, 2019 we will proceed to arbitration.

## **ANNOUNCEMENTS**

None

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

**COMMITTEE REPORTS:** None

## **UNFINISHED BUSINESS:**

Brother Macdonald informed the Executive Board he is not carrying forward any accounts payable to Chapter 255 since they have still not submitted the required items under the Constitution that was adopted in October 2017.

## **NEW BUSINESS:**

Items referred from Correspondence:

Motion by Brother Noelke, properly supported by Brother Wadlin, to authorize the destruction of membership cards due to death or withdrawal from 2017. The motion carried.



Motion by Brother Macdonald, properly supported by Sister Cairgle to authorize the purchase of (1) table to the Annual Martin Luther King, Jr. dinner by Council 25, with the tickets to be given to the President for his distribution. The motion carried.

#### **GOOD AND WELFARE**

Brother Cox announced that Subchapter member Brother Patrick Meeker died last Saturday. The arrangements are not known at this time.

Sister Kreklau asked authorization from the Executive Board to set up a table for petition circulations at the February 2019 Membership meeting. Voters' Not Politicians group will be doing a petition drive to attempt overturning the legislation limiting ballot proposal petition circulations in the future. Motion by Brother Macdonald, properly supported by Brother Noelke, to approve this request for a table for securing petition signatures at the February 2019 Membership meeting. The motion carried.

There was a moment of silence for deceased members.

#### **ADJOURNMENT**

Motion by Brother Cox, properly supported by Brother Macdonald to adjourn the meeting at 11:47 am. The motion carried.