



# WAYNE COUNTY RETIREE SUB-CHAPTER 38

## WE MAKE MICHIGAN HAPPEN

### Executive Board Meeting

November 12, 2019

**Ronald Yee**  
*President*

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

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

**Mary Etta Kreklau**  
*Recording Secretary*

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

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

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

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

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

**EXCUSED:** None

**ABSENT:** None

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

**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 October 2019 reporting on the Michigan Citizens needed to draw new district maps; the 2020 Social Security Benefit Announcement; ARA marks 18 years and Congress introduces Social Security bills to aid seniors. Receive and File
2. Secretary/ Treasurer Letter to AFSCME International reporting on the October 8, 2019 Sub-Chapter elections with a list of officers. Receive and file
- 3 Secretary/ Treasurer Email transmitting the Sub-Chapter list of officers to the Secretary of Chapter 255. Receive and File
4. Chapter 255 The official 1<sup>st</sup> Biennial Constitutional Convention booklet with a copy of the Sub-Chapter delegate credentials. Receive and File
5. Miller-Cohen Announcement that Miller Cohen, PLC, the Sub-Chapter legal counsel, has re-located to 7700 Second Avenue, Suite 335, Detroit, MI 48202. Receive and File

Motion by Brother Macdonald, properly supported by Brother Sockolosky, to receive and file all items. The 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 October 8, 2019, leaving the record open to the end of the meeting for corrections, additions, or deletions. The motion carried.



Brother Macdonald made the motion, properly supported by Brother Noelke, to waive the reading and approve the minutes of the Membership meeting of October 8, 2019, leaving the record open to the end of the meeting for corrections, additions, or deletions. The motion carried.

## **REPORT OF OFFICERS**

**PRESIDENT:** There was approval for a stipend increase for those retirees below \$25,700 pensions included in the new Wayne County budget (effective 10/1/2019) for an increase in the stipend for retirees, but we have been unable to verify that increase has been implemented. Brother Macdonald clarified that the stipend increase is NOT starting on 10/1/2019 but on 1/1/2020.

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

**VICE-PRESIDENT:** Brother Cox informed the Board that although he was the elected delegate for the Council 25 convention, he inquired as to his credentials and they informed him that only Chapter 255 would have a delegate attending the convention. The next meeting of the Wayne County Employees Retirement System Board is November 25, 2019, at 9:15 am, 28 W. Adams. Parking is currently an issue there. There is no Labor Coalition meeting scheduled at this time. The post office box was cleared this morning.

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

## **SECRETARY TREASURER**

### **Financial Report**

Brother Macdonald reported that the Sub-Chapter has \$119,741.90 in cash and investments as of October 31, 2019. There are 1,306 current members with 187 participating in the PEOPLE Plan and (93) members were lost this calendar year.

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

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

### **TWO PENDING ARBITRATION CASES**

There were three (3) grievances filed by AFSCME and its Local Unions relating to pension issues of which two (2) survived various court hearings and were remanded for arbitration. They are:

1. **Elimination of 13th Check:** The 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.
2. **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.

Arbitration on the 13<sup>th</sup> check matter is scheduled for December 16 2019 with the disability retiree health care issue arbitration schedule pending. The Sub-Chapter has been assisting legal counsel in preparation both arbitrations.

#### **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. Wayne County Circuit Judge Leslie Kim Smith issued an opinion on July 31, 2017 denying Evans the ability to seat his WCERS Board. Wayne County filed an appeal with the Michigan Court of Appeals (Case No. 339714) and an appellate court decision, dated May 9, 2019, confirmed the ruling of Judge Smith. Wayne County has filed an application to appeal to the Michigan Supreme Court. Briefs on behalf of all parties have been entered and we now await the "pleasure" of the court. There is now way to estimate when the court will issue a decision on the application to appeal.

#### **PRESCRIPTION CO-PAY SETTLEMENT**

Payments by Wayne County of both Medicare eligible and Non-Medicare stipends appear to be consistent with the settlement agreement. The Sub-Chapter continues to pursue a grievance on the issue of the many problems with the Health Reimbursement Accounts at TASC (formerly Genesis). As a partial response the Sub-Chapter received a list from Wayne County of 996 HRA accounts at TASC with balances of more than \$3,000.00 totaling over \$3.5 million. It is evident that the only resolution to those grievances is a mutually acceptable Health Reimbursement Account (HRA) Plan and that every Medicare eligible class member know their rights and responsibilities under the plan. The Sub-Chapter is seeking a mutually agreed upon HRA plan or that at least a summary plan document be provided to every current and future Medicare eligible retiree. The primary problem is communication with affected retirees. Since no progress has been made in over six (6) months, the Sub-Chapter is demanding arbitration and Wayne County is delaying the process with false excuses.

The 2019-2020 Wayne County budgets included an appropriation of approximately \$450,000 for a Medicare eligible stipend enhancement for retirees with a pension of less than \$25,750. An early estimate was that the enhancements would amount to approximately \$13.50 per month in twelve (12) installments for each eligible retiree class member. The Chairman of the Wayne County Commission stated that she believe that the enhancement has been initiated but, as of this date, the Sub-Chapter has been unable to verify that statement.

#### **ANNOUNCEMENTS**

The annual lunch for the WCERS staff has been scheduled for December 12, 2019 at 12:00 PM.

Motion by Brother Sockolosky, properly supported by Brother Wadlin, to accept the Secretary's report. The motion carried.

**COMMITTEE REPORT(S):**

Chapter 255: Brother McCall, Sub-Chapter 38's representative on the Executive Board of Chapter 255, gave a report on Chapter 255's first Biennial Constitutional Convention held on Saturday, October 26, 2019 with a dinner held Friday, October 25, 2019. The total cost of the dinner was not disclosed immediately but he anticipates that much of the cost was absorbed by the purchase of tables by corporations and the advertising in the program. Approximately 80-90 people attended the actual convention. An accounting firm has been hired to do the required reports. The Trustees will still be doing their reports on a quarterly basis. There were a couple of constitutional amendments proposed. One amendment that was proposed by the Executive Board of Chapter 255 was that all Chapter dues would be paid directly to them and they would be responsible for returning monies back to the Sub-Chapter's after paying the appropriate fees. The Constitutional Committee at the convention did NOT approve this recommendation. As Brother Macdonald pointed out, the Wayne County Retirement System is not going to send the Sub-Chapter 38 dues to Chapter 255. It would have to be approved by the Retirement Board. Chapter 255 claims that all dues must be paid by the 15<sup>th</sup> of each month which is not possible with the Wayne County Retirement System. This is NOT in the Constitution of Chapter 255. It was also noted that the City of Detroit had ten (10) representatives there, but doesn't have the membership required for ten representatives. There were 28 delegates present at the convention; ten from Sub-Chapter 38; ten from Sub-Chapter 98 and 8 representing the rest of the state. There are some areas north of us that are trying to start their own sub-chapter. President Lykes handled the convention there really well.

Sister Cairgle was on the Credentials Committee and said it was really disorganized. People came in and said they were delegates, but there was no verification that they were actually delegates. The Committee didn't have a list of who had paid.

Motion by Sister Bauman, properly supported by Brother Wadlin, to accept Brother McCall's report. The motion carried.

**UNFINISHED BUSINESS:** None

**NEW BUSINESS:**

**GOOD AND WELFARE:**

There was a moment of silence for deceased members.

**ADJOURNMENT**

Motion by Sister Cairgle, properly supported by Sister Bauman to adjourn the meeting at 12:16 pm. The motion carried.