



# WAYNE COUNTY RETIREE SUB-CHAPTER 38

## WE MAKE MICHIGAN HAPPEN

**Ronald Yee**  
*President*

### Membership Meeting

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

March 10, 2020

**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:** Bauman, Cox, Kreklau, Macdonald, McCall, Sockolosky, Wadlin, and Yee

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

**EXCUSED:** Cairgle, Noelke, and Smith

**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.**

Brother Macdonald made a motion at 1:02 pm to suspend the regular order of business in order to allow speakers present to address the membership, the motion was properly supported by Brother Cox.

The first speaker was Wayne County Commissioner from the 14<sup>th</sup> District, Raymond Basham, spoke on the importance of supporting unions and looking at persons running for office and whether they support unions. He spoke of an experience where he came to Monroe County to campaign for a Democrat running for State Senate against Randy Richardville. He found that the trade unions in Monroe County and the MEA were supporting Randy Richardville. After that election, Randy Richardville pushed through the "Right to Work" legislation greatly limiting union activity in the State of Michigan. He also addressed his attempt as a Wayne County Commissioner to get a \$15 month stipend for the low-income Wayne County Retirees' unsuccessfully because (2) Commissioners supported CEO Warren Evans' veto of that stipend. One of those Commissioners consequently lost their election and seat on the Board.

The next speaker was Tim of Oak Street Health. He explained again about Oak Street Health and some of the advantages of joining that group. They provide primary health care to Medicare patients. They also offer many other benefits such as activities and provide transportation of their members to physician appointments.

Motion by Brother Sockolosky, properly supported by Sister Bauman to return to the regular order of business at 1:20 pm. The motion carried.

### **CORRESPONDENCE**

1. MiARA February 2020 Newsletter discussing Trump's misrepresentations at the State of the Union and some of his other lies, honoring UAW retiree, Peaches Anderson, and a memorial for Owen Bieber, also including a quarterly membership meeting on March 26, 2020, at UAW Region 1 , 27800 George Merrelli Drive, Warren, MI starting at 11 am.  
Receive and File
2. Council 25 Announcing the AFSCME Council 25 Executive Board meeting to be held at the Westin Hotel, Southfield on March 14, 2020 starting at 10:00 am. Receive and File
3. Council 25 Announcing "Statewide Secretary-Treasurer Training" classes at several locations and dates during April and May. Receive and File
4. Chapter 255 Forwarding a communication from the Oakland County Treasurer offering an "Outreach Meeting Request – AFSCME Retirees". Receive and File
5. Chapter 255 Announcing a "Retiree Regional Speaker Luncheon" for Wednesday, April 8, 2020, at UAW Local 182 starting at 12:30 PM. Admission is \$10.00 per person with lunch included. (Sub-Chapter previously approved purchase of ten (10) tickets to be distributed at the discretion of President Yee). Receive and File
6. ARA 2020 Midwest Regional Meeting – Detroit (MGM Grand) on April 27 and 28, 2020  
New Business

Motion by Brother Macdonald, properly supported by Brother Pendracki, to receive and file Items 1-5 and refer Item 6 to New Business. The motion carried.

### **READING OF MINUTES**

Motion by Brother Macdonald, properly supported by Brother Pendracki, to waive the reading and approve the minutes of the Executive Board meeting of February 11, 2020, leaving the record open to the end of the meeting for corrections, additions, or deletions. The motion carried.

Motion by Brother Pendracki, properly supported by Sister Bauman, to waive the reading and approve the minutes of the Membership meeting of February 11, 2020, leaving the record open to the end of the meeting for corrections, additions, or deletions. The motion carried.

### **REPORT OF OFFICERS**

#### **PRESIDENT:**

The primary election is today – it's very important to vote and members are encouraged to vote following the meeting today if you haven't already voted by absentee ballot.

We have met with legal counsel regarding grievance No. 8 and Brother Macdonald will fill you in on the details in his report.

We have started to meeting with the group to work out an agreement on the HRA issue.

Chapter 255 meeting is April 8<sup>th</sup> in this facility. Fourteen (14) members have requested to attend with the Sub-Chapter paying the \$10 per person lunch fee. Last month the membership approved ten (10) tickets to be paid and since I already have (14) requests, I'm requesting the approval of twenty (20) tickets be purchased for Sub-Chapter 38 members to attend this meeting.

Motion by Brother Hubert, properly supported by Brother Sockolosky, to increase the number of members that Sub-Chapter will pay for the expense (\$10 ea) for the Chapter 255 April 2020 meeting, modifying the action taken at the February Membership meeting. The motion carried.

Motion by Brother Pendracki, properly supported by Sister O'Leary-MacGillis, to accept the President's report as presented. The motion carried.

#### **VICE-PRESIDENT:**

The Wayne County Employees' Retirement System Board meeting will be March 30, 2020, at 9:15, Retirement offices. The Wayne County Labor Coalition meeting will be March 25, 2020, at noon, at the GAA offices located at 3031 Wet Grand Blvd, Ste. 415, Detroit MI. The PO Box was cleared today.

Motion by Brother Pendracki, properly supported by Brother Hubert, to accept the Vice-President's report. The motion carried.

#### **SECRETARY TREASURER**

##### **Financial Report**

Brother Macdonald reported that the Sub-Chapter has \$125,718.23 in cash and investments as of February 28, 2020. There are 1,286 current members with 183 participating in the PEOPLE Plan and (21) members were lost this calendar year.

Motion by Brother Macdonald, properly supported by Brother Pendracki, 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. Arbitration was held on December 16, 2019 and the award is anticipated by March 30, 2020.

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. Briefs on this grievance are due May 2020 with oral arguments in June 2020.

### **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 no way to estimate when the court will issue a decision on the application to appeal.

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

Payments by Wayne County of Medicare eligible stipends appear to be consistent with the settlement agreement and the inclusion of an enhancement for those below the Federal poverty level. As previously reported, since December 2019, the Sub-Chapter had identified a number of incorrect or omitted payments pre-Medicare stipend payments that require action. The March 2020 reconciliation found twenty-three (23) such incorrect or omitted payments. The retiree group assigned the task of monitoring the stipend programs met with legal counsel on March 9, 2020. After extensive discussion and review of the files it was decided to file grievances on behalf of the settlement class members with a demand for timely action and file a complaint on behalf of the non-class members with a similar demand. If past practice by Wayne County gives us a clue as to when to expect answers, we are looking at April.

The Sub-Chapter filed Grievance #8 on April 15, 2019, about the many problems with the Health Reimbursement Accounts at TASC (formerly Genesis). Arbitration on the Grievance was held on February 7, 2020, with the arbitrator granting the grievance and ordering Wayne County to (1) meet with us "on a regular and meaningful basis to develop a stipend plan"; (2) Wayne County will provide all eligible with an agreed upon summary plan document"; (3) "upon implementation of the new stipend plan on or before March 10, 2021" "the unilateral HRA plan will be dissolved", and; (4) Wayne County will compensate all Medicare-eligible class members that were harmed by the unilateral HRA implemented plan." Again, the retiree group assigned the task of monitoring the stipend programs met with legal counsel on March 9, 2020, and directed counsel to contact Wayne County to schedule the awarded "meaningful meeting" mandated in the arbitration award.

**ANNOUNCEMENTS - None**

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

**COMMITTEE REPORT(S):**

None.

**UNFINISHED BUSINESS:**

None

**NEW BUSINESS:**

Motion by Brother Macdonald, properly supported by Brother Sockolosky, to ratify the action of the Executive Board authorize the expenditure of \$100 registration fee for one member to the Alliance for Retired Americans Midwest Regional meeting to be held April 27 & 28, at the Detroit MGM Grand. The motion carried.

Motion by Brother Macdonald, properly supported by Sister Bauman, to amend the recommendation of Brother Yee approved at the February 2020 meeting, to authorize the purchase of (10) tickets to the Chapter 255 April meeting to a total of (20) ticket for this function. The motion carried

The Sub-Chapter 38 Calendar of meetings for 2020 was presented for approval. Motion by Brother Macdonald, properly supported by Brother Cox, to adopt the calendar of meetings for 2020 as presented. The motion carried.

**GOOD AND WELFARE:**

Brother McCall thanked the Executive Board and Membership for supporting the upcoming Chapter 255 meeting in April by covering the \$10 luncheon fee for (20) members who wish to attend the training.

He also has talked to Brother Charlie Parker who was recently in town. Brother Parker has found that some costs of moving to another state are higher than Michigan while others are less. It's important to look at **all** living costs when planning a move to another state.

There was a moment of silence for deceased members.

Brother Yee thanked Brother Cox for bringing the luncheon today and also thanked Mrs. Cox for working so very hard cooking the corned beef, cabbage, carrots, and potatoes for the Sub-Chapter membership.

**ATTENDANCE DRAWING:**

There were 42 members in attendance.

- 1) \$20- #2 – Jean Like
- 2) \$10- #23 – Gerard Zecman
- 3) \$10- #41 – Bettye Misuraca

**ADJOURNMENT**

Motion by Brother Wadlin, supported by Brother Pendracki, to adjourn the meeting at 1:43 pm.