

April 13, 2021

The meeting was called to order at 11 :31 AM by President Yee via ZOOM and was opened with the Pledge of Allegiance.

PRESENT: Bauman, Cairgle, Kreklau, McCall, Noelke, Pendracki, Sockolosky, Wadlin, and Yee

EXCUSED: Cox and Smith

ABSENT: None

GUEST: Macdonald

ROLL CALL OF OFFICERS: Brother Pendracki made the motion, properly supported by Brother Sockolosky, 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, makers of the motion, votes, and lengthy discussions.

CORRESPONDENCE

1. MiARA March 2021 newsletter that included an article urging Congress to pass the PRO (Protecting the Right to Organize) Act and the For the People Act, plus the obituary for Frank Kelly. Receive and File

Motion by Brother Pendracki, properly supported by Sister Bauman, to receive and file the correspondence. The motion carried.

READING OF MINUTES

Motion by Brother Pendracki, properly supported by Brother Sockolosky, to waive the reading and approve the minutes of the Executive Board meeting of March 9, 2021, leaving the record open to the end of the meeting for corrections, additions, or deletions. The motion carried.

REPORT OF OFFICERS

President: Brother Yee reviewed the status of the possible move from TASC to MERS from a HRA system to a HSA. It looks like a pretty good option. Brother Yee has signed a Business Associate Agreement between the County of Wayne and the Sub-Chapter, which allows the County of Wayne to provide to Sub-Chapter 38, a monthly report of the stipends paid to each retiree covered by the agreement. Hopefully, that will make it easier to review monthly whether people are being paid correctly. The Team that has been meeting with the County on this project, has met with Mark Mueller, on a possible replacement for AMWINS which offers health insurance options to Medicare eligible retirees. We don't know if we are going with that option but from what he says, it would provide better coverage options for retirees at a cheaper cost. We are still looking at MERS as an option to transition to, although the deadline has passed for the County and Sub-Chapter to work out an agreement on replacing the HRA, we've kind of agreed that because we are still looking at MERS as a viable alternative and are investigating the details, the County has not moved to go to direct payments. We have not formally signed an extension because there would be no incentive for the County to continue to work on an alternative, until the end of the extension period. We are still meeting with the County and MERS to work out the details.

Motion by Brother Pendracki, properly supported by Brother Wadlin, to accept the President's report as presented. The motion carried.

VICE-PRESIDENT: No report.

SECRETARY-TREASURER:

Financial Report:

Brother Noelke reported that the Sub-Chapter has \$133,940.53 in cash and investments as of March 31, 2021. There are 1,404 current members with 171 participating in the PEOPLE Plan and (146) members lost this year.

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

COMMITTEE REPORTS:

Trustee Report:

Brother Pendracki and Sister Cairgle gave the Trustee Report dated April 6, 2021. The records of Sub-Chapter 38 were reviewed as required by the Sub-Chapter 38 and International constitutions on April 6, 2021. The Sub-Chapter books were found to be in order with cash balance of \$14,013.11 plus investments of \$119,927.42 for a total of \$133,940.53 as of March 31, 2021. All three Trustees were present and signed the report.

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

PEOPLE Committee: Sister Bauman reported that the PEOPLE Committee did meet on March 18, 2021, and did screen (4) candidates for the Wyandotte City Council who were all endorsed. The next meeting will be April 22, 2021, at 6 pm. Sister Bauman will send the zoom link out to the PEOPLE Committee members.

Motion by Brother Pendracki, properly supported by Brother Wadlin, to accept the PEOPLE Committee report as presented. The motion carried.

Chapter 255: Brother McCall informed the Board that the next meeting of the Chapter 255 Executive Board will be April 20, 2021. Brother McCall will communicate with President Yee after the meeting and bring him up to date. As of right now, the fall convention is still a go.

Motion by Brother Pendracki, properly supported by Brother Sockolosky, to accept the report on Chapter 255. The motion carried.

UNFINISHED BUSINESS:

President Yee asked Sister Kreklau and Sister Bauman about the possibility of having a May Zoom meeting for the Membership. The different issues were discussed. President Yee indicated he would set up another Zoom Meeting in April with the Board to review how the Zoom meeting for the Membership would be handled. The problem is getting email addresses from members. It was agreed that President Yee, Sister Bauman, and Sister Kreklau would do a “practice” run the week before the meeting for trial and error. Brother McCall asked that the entire Executive Board be included in the trial run.

NEW BUSINESS: None

REPORT, COMMENTS AND ANNOUNCEMENTS (Presented by Brother Macdonald)

Pending Arbitration Case

There were three (3) grievances filed by AFSCME and its Local Unions relating to pension issues of which one (1) is still to be decided at arbitration. That grievance is **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. Oral arguments before the arbitrator were in September 2020. The arbitrator has not issued a decision as of April 12, 2021.

PRESCRIPTION CO-PAY SETTLEMENT

Payments by Wayne County of Medicare eligible stipends appear to be consistent with the settlement agreement. The Sub-Chapter has identified a number of incorrect or omitted pre-Medicare stipend payments. The April 2021 reconciliation found a number of overpayments. Legal counsel and your representatives assigned the task of monitoring the stipend programs, are communicating with Wayne County to resolve these overpayments. In spite of our continuing inquiries, Wayne County has not advised as to how they propose to deal with the overpayments. Wayne County has advised that a review of the stipend program is “almost” complete but has not provided a copy to the Sub-Chapter for review and comment. There does not appear to be any chance that Wayne County will produce such an audit considering the response to our requests.

The Sub-Chapter filed Grievance #8 on April 15, 2020, about the many problems with the Health Reimbursement Accounts (HRA) at TASC (formerly Genesis). Arbitration 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 or 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 implemented plan”. Legal counsel and your representatives assigned the task of monitoring the stipend programs have been participating in video conferences with Wayne County with the express purpose of resolving the inconsistencies of the current process with the settlement agreement. They go so far as to state that Wayne County **must** have the right to amend or terminate the plan unilaterally because it is too cumbersome to negotiate with the Sub-Chapter. Without committing to continuing the HRA type of arrangement for the stipends, the Sub-Chapter continues to attempt to construct and acceptable Wayne County/TASC Basic Plan document. The Sub-Chapter representatives have proposed alternative solutions and Wayne County has proposed the Municipal Employees’ Retirement Systems (MERS) as an alternative that would maintain tax-free status for the stipends. Wayne County has provided copies of the standard MERS HSA agreement for review and comment. Wayne County asserts that a direct pay program has draconian tax consequences on the recipients. The Sub-Chapter has retained a tax attorney to advise of those issues. In the meantime, the Sub-Chapter awaits Wayne County initiating the process of moving the program to MERS by drafting the implementation documents.

Motion by Brother Pendracki, properly supported by Sister Bauman, to accept the report of Brother Macdonald. The motion carried.

ANNOUNCEMENTS – None

GOOD AND WELFARE –

There was a moment of silence for deceased members.

ADJOURNMENT—

Motion by Brother Pendracki, properly supported by Sister Cairgle, to adjourn the meeting at 12:15 pm. The motion carried.