



WAYNE COUNTY RETIREE SUB-CHAPTER 38

WE MAKE MICHIGAN HAPPEN

February 12, 2024

Ronald Yee
President

EXECUTIVE BOARD MEETING

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

Richard Noelke **PRESENT:** Bauman, Cairgle, Kreklau, McCall, Noelke, Pendracki, Sockolosky, Wadlin, and
Secretary Treasurer Yee

Mary Etta Kreklau **EXCUSED:** Grysko and Hyde-Shelton
Recording Secretary

ABSENT: None

Faith Cairgle
Sergeant-At-Arms

GUESTS: Macdonald

John McCall
James Sockolosky
Julie Bauman
Executive Board

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

Pamela Hyde-Shelton
Paul Pendracki
Gerard Grysko
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, makers of the motion, votes, and lengthy discussions.

CORRESPONDENCE:

MIARA – Meeting notice for quarterly meeting to be held February 21, 2024, at the Region 1A UAW location.

MIARA – January 2024 Newsletter with articles regarding keeping the momentum going for organized labor; and introduction to MIARA President Jim Pedersen;

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

READING OF MINUTES:

Motion by Brother Pendracki, properly supported by Brother Noelke, to waive the reading and approve the minutes of the Executive Board meeting of January 9, 2024, 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 Brother Noelke, to waive the reading and approve the minutes of the Membership meeting of January 9, 2024, leaving the record open to the end of the meeting for corrections, additions, or deletions. The motion carried.

REPORT OF OFFICERS:

President:

The Medicare eligible stipend payments were delayed this month but they should have been recently paid. The new rate is \$140.72 or \$145.72 depending on which group you are in.

At the last Wayne County Labor Coalition meeting, the unions said that it's not very likely that the inclusion of Blue Cross/Blue Shield Medicare Advantage plan for mirrored retirees will happen. The reason the County gave was that the active employees are self-insured so if the retirees are taken out of the group, the cost would increase for the active employees. However, that doesn't seem to be reasonable since retiree medical usage would be higher than younger employees and their insurance costs are charged to Medicare. President Yee will try and get in touch with someone in the County and see if this can be changed.

After today's Membership meeting is adjourned, President Yee will be giving away two tickets and a parking pass for the Red Wings versus Florida Panthers game on March 2nd that starts at 3 pm. They are also giving away bobble heads to the first 7,500 fans attending.

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

VICE-PRESIDENT: None

SECRETARY-TREASURER:

Financial Report:

Brother Noelke reported that the Sub-Chapter has \$243,196.45 in cash and investments as of January 31, 2024. There are 1,192 current members with 181 participating in the PEOPLE Plan and (7) members lost this year.

Motion by Brother Pendracki, properly supported by Sister Bauman, to accept the Treasurer report for ^{January} February 2024 as presented. The motion carried.

REPORT, COMMENTS AND ANNOUNCEMENTS: (Presented by Brother Macdonald)

Medical Insurance for Disability Retirees

As reported many times, the arbitration case contesting the Wayne County discontinuance of health care insurance coverage for disability with an award stating that **"The County violated the collective bargaining agreement when it made changes to healthcare benefits for newly approved duty and nonduty disability retirees. The County must rescind Administrative Personnel Order 1-2010 and make whole the duty or nonduty disability retiree who was improperly denied healthcare benefits after 2010 by virtue of the fact that they did not meet the age and service requirements for "normal" retirement."** The award only applies to AFSCME disability retirees who retired after the personnel order was issued.

Wayne County has filed another appeal to the Michigan Court of Appeals seeking to overturn Judge Hubbard's order to implement to arbitrator's award. An order has been entered to obtain an "interpretation" of the arbitrator's award and that process will take several months. The appeal is in the briefing stage and a hearing has yet to be set. As a result, there has not been any real progress in implementing the arbitration award.

HEALTH CARE INSURANCE SETTLEMENT (STIPENDS)

Prescription Co-Pay Settlement

Wayne County has moved the Benefits and Disability Division from the Department of Management and Budget to the Personnel/Human Resources Department. We have no idea if this move will have any impact on our members.

The payments by Wayne County of non-Medicare eligible stipends appear to be consistent with the settlement agreement through the payment due February 1, 2024. The Medicare eligible stipend reimbursements for February were delayed due to the participant investment option period delaying investment transactions. Reimbursements are happening this week. Wayne County is providing monthly reports of stipend amounts transferred to MERS/Alerus.

The September 2023 monthly report of Medicare eligible stipends for September 2023 found many instances of spouses and dependents of deceased retirees not receiving a stipend because the retiree had not provided for health care for the surviving spouse/dependent and that Wayne County was seeking significant recovery of those stipend payments. After discussion with Wayne County, the Sub-Chapter filed Grievance #12 on November 10, 2023. A settlement was reached early this month that limits the stipend payment recovery by Wayne County to only those idle funds at ALERUS. The settlement documents are in the process of being signed.

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

COMMITTEE REPORTS: None

UNFINISHED BUSINESS: None

NEW BUSINESS:

Motion by Brother Noelke, properly supported by Brother Wadlin, to adopt the negotiated resolution of Grievance #12, as proposed below to be presented to the Membership at the meeting today for ratification.

The Membership of Michigan AFSCME Wayne County Retiree Sub-Chapter 38 hereby adopts the following resolution:

WHEREAS the Sub-Chapter learned that via an email from the Wayne County Data Specialist dated October 24, 2023, that Wayne County performed an audit was eliminating the stipend payment to spouses of deceased retirees that did not choose the survivor benefits at the time of retirement;

WHEREAS Hugh MacDonald investigated the matter and sought counsel from Sub-Chapter Attorney, Robert D. Fetter of Miller Cohen P.L.C.;

WHEREAS Sub-Chapter 38 filed a grievance regarding the matter. (Grievance #12) on or about November 10, 2023.

WHEREAS with further investigation and advice of counsel, Sub-Chapter 38 determined that Grievance #12 had a low likelihood of success.

WHEREAS through further conversations with Wayne County, it offered that it would stop future stipends to ineligible spouses, claw back the inappropriate stipend payments from the individual ineligible spouses' MERS accounts but it would not attempt to recover any monies from the ineligible spouses that they may have already used from their MERS accounts;

WHEREAS Sub-Chapter 38 determined that the above-mentioned arrangement was an adequate resolution of the grievance. Counsel for Sub-Chapter 38 drafted a settlement agreement consistent with this arrangement that resolved Grievance #12.

WHEREAS Hugh MacDonald, on behalf of the Sub-Chapter, executed this settlement agreement resolving Grievance #12, which is attached to this resolution.

THEREFORE, the membership of Sub-Chapter 38 ratifies the action of its leadership to settle Grievance #12 consistent with the settlement agreement attached to this resolution.

The motion carried.

GOOD AND WELFARE

There was a moment of silence for deceased members.

ADJOURNMENT

Motion by Brother Pendracki properly supported by Brother Wadlin, to adjourn the meeting at 11:53 a.m. The motion carried.