

## **MINUTES**

### **METROPOLITAN EMPLOYEE BENEFIT BOARD**

**September 5, 2017**

The Metropolitan Employee Benefit Board met for their regularly scheduled meeting on Tuesday, September 5, 2017 in the Sonny West Conference Room, Howard Office Building, 700 2nd Avenue North, Nashville, Tennessee, at approximately 9:30 a.m.

Benefit Board members: Chair: Edna J. Jones; Vice Chair: Christine Bradley; Members: Stephanie Bailey, G. Thomas Curtis, B.R. Hall, Sr., Jerry Hall, Shannon B. Hall, and Talia Lomax-O'dneal.

Member W. Todd Henry was unable to be present.

Others present: Christina Hickey, Metro Human Resources, Nicki Eke, Attorney, Metro Legal Department and Dr. Gill Wright, Civil Service Medical Examiner.

**A. MINUTES:** Chair Edna Jones called the meeting to order and said the first order of business was to determine if there were any amendments, corrections or questions of the minutes from the last regular meeting held on August 9, 2017 and the August 15, 2017 Special Called meeting. With no corrections, nothing further was noted and Christine Bradley moved for approval. Stephanie Bailey seconded and the Board approved without objection.

#### **B. APPEAL ANNOUNCEMENT:**

Christina Hickey announced the process and timeframe for appealing a decision made by this Board.

#### **C. DISABILITY PENSIONS: (new requests, reexaminations, return to work and social security referrals)**

The terms of the approval or extension of the items listed in the motions are specifically stated in these minutes.

Dr. Gill Wright, Civil Service Medical Examiner, (CSME), and Claire Cobb, CSME Assistant, reviewed the disability pensions with the Board.

Dr. Gill Wright reported to the Board that he recommends approval of the disability pension new requests, items 1 through 4, for the length of time as recommended with evaluations/case management where noted. Jerry Hall moved for approval of the recommendation to approve the disability pension new requests, items 1 through 4 for the length of time as recommended with evaluations/case management where noted. Tom Curtis seconded and the Board approved without objection.

Dr. Gill Wright reported to the Board that on item 5 he recommends denial of the disability pension new request.

The employee was present.

Charles Boddie, Public Works, was also present.

The employee addressed the Board regarding her injuries, treatments, medical issues, being able to continue to work and a statement from her physician regarding her ability to continue to work.

Dr. Gill Wright reviewed the medical record and noted where the treating specialists released her to return to work and being accommodated.

Charles Boddie stated that the employee has been accommodated, however, she has had difficulty being able to perform her duties and the department has some trepidation regarding returning her to those duties based on the medical issues she has expressed.

Dr. Gill Wright stated that despite the documented complaints of pain, the specialist has continued to indicate she can work.

The employee discussed going to the injury on duty clinic, a functional capacity evaluation and what her primary care physician states versus the physicians at the clinic.

**C. DISABILITY PENSIONS: (new requests, reexaminations, return to work and social security referrals)**

There was some discussion regarding the specialist's opinion carrying more weight than the others, the functional capacity evaluation and the employee's complaints of pain.

There was some discussion regarding the employee's job duties as a parking patrol officer and that her on the job injuries have been resolved.

The employee further discussed her injuries and going to the injury on duty clinic.

There was some discussion of accommodations, her injuries, and medications.

After some discussion regarding having all of the relevant medical information, Stephanie Bailey moved for approval of the recommendation to deny the disability pension new request, item 5. Talia Lomax-O'dneal seconded and the Board approved with B.R. Hall opposed.

Dr. Gill Wright reported to the Board that he recommends approval for continuing the disability pension reexaminations, items 6 through 11 for the length of time as recommended with evaluations/case management where noted. Jerry Hall moved for approval of the recommendation to continue the disability pension reexaminations, items 6 through 11 for the length of time as recommended with evaluations/case management where noted. Stephanie Bailey seconded and the Board approved without objection.

On item 12, Dr. Gill Wright reported to the Board that he recommends approval of return to work based on the results of the independent exam ordered by the Board. He also noted information from the individual's treating physician that indicated the condition is under control.

Daphne Davis, attorney, was present on behalf of the individual. She stated that she is requesting a deferral to the November meeting in order to obtain records from a specialist.

Jerry Hall moved for approval of the recommendation of return to work on item 12. Tom Curtis seconded.

Sue Bibb, Police Department, was present.

After some discussion of obtaining the records from the specialist, a vote was taken on the motion on item 12 to return the individual to work and was approved with B.R. Hall opposed and Shannon Hall abstaining.

Dr. Gill Wright reported to the Board that on item 13 he recommends approval of return to work.

The individual and his spouse were present.

Harold Finch, Metropolitan Nashville Public Schools, (MNPS), was present.

The individual and his spouse addressed the Board regarding his condition, medications, treatments, being able to function and his physicians statement regarding his ability to work.

After some discussion of a condition that is not mentioned in the current medical record, Dr. Gill Wright recommended to defer this item for two months, assign case management and have an independent medical evaluation done.

Tom Curtis moved for approval of the recommendation on item 13 to defer this item for two months, assign case management and have an independent medical evaluation done. Christine Bradley seconded and the Board approved with Jerry Hall abstaining.

On item 14, Dr. Gill Wright reported to the Board that he recommends approval of return to work.

Harold Finch, MNPS, was present.

Jerry Hall moved for approval of the recommendation of return to work on item 14. Tom Curtis seconded and the Board approved without objection.

**C. DISABILITY PENSIONS: (new requests, reexaminations, return to work and social security referrals)**

Christina Hickey reported to the Board item 1 under Reconsiderations, corresponds with agenda item 1 under Benefit Board items, medical disability pension denial request for reconsideration – applicant from Emergency Communications Center, (ECC). She stated that at the July 2017 meeting, the Board denied this disability applicant a medical disability pension and the employee has requested for the Board to reconsider their July 2017 decision.

B.R. Hall moved for reconsideration.

The motion died due to lack of a second and there were no other motions on this item.

**NEW REQUESTS:**

	<b>Name</b>	<b>Department</b>	<b>In Line of Duty (IOD) or Medical Disability</b>	<b>Board Action Taken</b>
1.	Monica S. Copeland	Metropolitan Nashville Public Schools	Medical	As moved, seconded and approved, this disability pension request was approved with case management for six months, (March 2018), with re-exam at that time.
2.	Eric J. Hayes	Police	In Line of Duty	As moved, seconded and approved, this disability pension request was approved for ten months, (July 2018), with re-exam at that time.
3.	Juakeva M. Leonard	Metropolitan Nashville Public Schools	Medical	As moved, seconded and approved, this disability pension request was approved with case management for six months, (March 2018), with re-exam at that time.
4.	Jacqueline D. Vincent	Emergency Communications Center	Medical	As moved, seconded and approved, this disability pension request was approved with an independent psychological evaluation for three months, (December 2017), with re-exam at that time.
5.	Viva L. Farlow	Public Works	Medical	As moved, seconded and approved, this disability pension request was denied.

**REEXAMINATIONS:**

	<b>Name</b>	<b>Department</b>	<b>In Line of Duty (IOD) or Medical Disability</b>	<b>Board Action Taken</b>
6.	Christopher D. Allgood	Sheriff	Medical	As moved, seconded and approved, this disability pension was continued for eight months, (May 2018), with re-exam at that time.
7.	Thomas E. Brown, II	Emergency Communications Center	Medical	As moved, seconded and approved, this disability pension was continued for two months, (November 2017), with re-exam at that time.

**C. DISABILITY PENSIONS: (new requests, reexaminations, return to work and social security referrals)**

**REEXAMINATIONS: (continued)**

	<b>Name</b>	<b>Department</b>	<b>In Line of Duty (IOD) or Medical Disability</b>	<b>Board Action Taken</b>
8.	Ralph J. Celentano, Jr.	Sheriff	In Line of Duty	As moved, seconded and approved, this disability pension was continued for five months, (February 2018), with re-exam at that time.
9.	Samuel H. McCrary, III	Fire	In Line of Duty	As moved, seconded and approved, this disability pension was continued without stipulation of scheduled re-exam at that time.
10.	David W. McNeil, Jr.	Public Works	Medical	As moved, seconded and approved, this disability pension was continued for six months, (March 2018), with re-exam at that time.
11.	Tiffany S. Moore	Metropolitan Nashville Public Schools	Medical	As moved, seconded and approved, this disability pension was continued for two months, (November 2017), with re-exam at that time.

**RETURN TO WORK:**

	<b>Name</b>	<b>Department</b>	<b>In Line of Duty (IOD) or Medical Disability</b>	<b>Board Action Taken</b>
12.	Christopher L. Clark	Police	In Line of Duty	As moved, seconded and approved, this individual was placed on the return to work list.
13.	Mark Melman	Metropolitan Nashville Public Schools	Medical	As moved, seconded and approved, this disability pension re-exam was deferred for two months, (November 2017), and assigned case management.
14.	Frances M. Valdes	Metropolitan Nashville Public Schools	In Line of Duty	As moved, seconded and approved, this individual was placed on the return to work list.

**RECONSIDERATION(S):**

	<b>Name</b>	<b>Department</b>	<b>In Line of Duty (IOD) or Medical Disability</b>	<b>Board Action Taken</b>
1.	Lori J. Bentley	Emergency Communications Center	Medical	No action was taken on this item.

**SOCIAL SECURITY REFERRALS:**

Dr. Gill Wright reported to the Board that CSME's office concurs with the case management recommendations on the Social Security referrals.

Christine Bradley moved for approval of the referrals. Shannon Hall seconded and the referrals were approved without objection.

**C. DISABILITY PENSIONS: (new requests, reexaminations, return to work and social security referrals)**

**SOCIAL SECURITY REFERRALS:**

Item	Name	Department	Review Originated From	Case Management Recommendation for Referral	CSME Recommendation for Referral	Comments
1	Cook, Linda	MNPS	Pension Approval	No	No	CI does not meet SSDI guidelines
2	Holland, Charles	Fire	Pension Approval	No	No	Younger Worker
3	Rogers, Patrice	Bordeaux	Pension Approval	No	No	CI does not meet SSDI guidelines
4	Smith, Randy	Library	Pension Approval	Yes	Yes	Evaluation
5	Tankersley, Melinda	MNPS	Pension Approval	Yes	Yes	Evaluation

**D. PENSIONS: (service, disability to service, options elected, qualified domestic relations orders, (QDRO's), and survivor)**

B.R. Hall moved for approval of the pensions. Stephanie Bailey seconded and the Board approved without objection.

**Service**

Employee	Department	Classification	Plan A/B	Application Date	Estimated Effective Date
Bruce Farrar *	Public Library	Library Admin	B	08/01/2017	07/01/2010
Lydia Mannery	MNPS	DRIVER - BUS	B	08/09/2017	08/07/2017
Leslie Keller	Parks	Part Time Worker 2	B	08/16/2017	08/11/2017
Karen Lowe	MNPS	MONITOR - SCHOOL BUS	B	07/26/2017	10/01/2017
Thomas Nelson	General Sessions Court	Judicial Commissioner	B	08/16/2017	09/01/2017
Ronnie Crow	General Sessions Court	Judicial Asst 2	B	07/26/2017	08/01/2017
Raymond Overton	Register of Deeds	Satellite position	B	08/23/2017	09/16/2017
Freddie Gipson	Airport Authority	Satellite position	B	08/09/2017	08/05/2017
Tammy Guy	MNPS	DRIVER - BUS	B	07/26/2017	08/07/2017
Erma Evans	MNPS	MONITOR - SCHOOL BUS	B	07/26/2017	08/07/2017
Richard Hill	MNPS	SKILL LABORER - HVAC III	B	08/16/2017	09/20/2017
Thomas Raines	Parks	Maint & Repair Supv	B	08/09/2017	09/01/2017
Robert Searcy Jr	Fire	Emerg Medical Tech 2	B	07/06/2017	08/31/2017
Jessie Oliver	Sheriff	Sheriff Case Worker 1	B	08/23/2017	09/30/2017
Daryl Houston	Fire	Fire Fighter/Paramedic	B	07/26/2017	08/07/2017
Donald Young	Fire	Fire Captain	B	08/16/2017	08/30/2017
Shain Dennison	Parks	Special Projects Mgr	B	08/02/2017	08/01/2017
Monica Shacklett	Assessor of Property	Appraiser 1	B	08/09/2017	08/19/2017
Joseph Ash	Water Services	Bldg Maint Leader	B	08/16/2017	08/19/2017
Douglas Wright	Water Services	Treatment Plant Shift Operator	B	07/26/2017	09/01/2017
Mattie Greer	Health	Public Health Nurse 1	B	08/23/2017	10/01/2017
Sherry Watkins	General Hospital	Metro Hospital Auth Employee	B	08/16/2017	10/01/2017
Julian Moore Jr	Police	Police Sergeant	B	08/02/2017	08/10/2017
Eva Lawrence-Morris	Fire	Paramedic 2	A	08/24/2017	10/03/2017
William Walls	Police	Police Officer 2	B	08/16/2017	08/29/2017
Geoffrey Thiede	Police	Police Officer 2	B	08/23/2017	09/01/2017
Donald Beasley	Emergency Communication Center	Emer Telecommunications Off 4	B	08/16/2017	09/30/2017
Francis Young	MNPS	MGR - EMPLOYEE RELATIONS	B	07/12/2017	09/01/2017
Victoria Ross	Public Library	Librarian 2	B	08/02/2017	09/02/2017
Mary Dowell	MNPS	ED ASST - PRE-K	B	07/26/2017	09/01/2017
Judith Alred	MNPS	SECRETARY-CLERK	B	07/20/2017	08/07/2017
Phyllis Kitto	MNPS	ED ASST - PRE-K	B	08/02/2017	08/07/2017
Leonard Rowan	General Hospital	Metro Hospital Auth Employee	B	08/16/2017	09/30/2017
Peggy Kunkel	MNPS	ASST - ENROLLMENT	B	08/02/2017	10/13/2017
Joyce Vaughn	MNPS	SECRETARY-CLERK	B	08/09/2017	08/07/2017
Bruce Jackson	Metro Action Commission	Finance Officer 1	B	07/18/2017	06/20/2017
Douglas Eckert *	Information Technology Service	Special Projects Mgr	B	08/21/2017	05/01/2017
Susan Quinn *	MNPS	ASST - SCHOOL GENERAL	B	08/23/2017	07/01/2017
James Goodman *	MNPS	WORKER - CUSTODIAL	B	08/23/2017	10/01/2017

**D. PENSIONS: (service, disability to service, options elected, qualified domestic relations orders, (QDRO's), and survivor)**

**Service (continued)**

Employee	Department	Classification	Plan A/B	Application Date	Estimated Effective Date
Leonard Jones *	MNPS	WORKER - CUSTODIAL	B	08/02/2017	08/01/2017
Mary Green *	Bordeaux Long Term Care	Health Info Svcs Supv	B	07/19/2017	09/01/2017
Annette Jackson *	Health	Program Spec 3	B	08/23/2017	10/01/2017
Kevin Evans *	Police	Police Officer 2	B	08/09/2017	12/01/2015
Clarence Phillips *	Public Works	Equip Operator 3	B	08/23/2017	10/01/2017

\*deferred benefit

**Disability to service**

Employee	Department	Plan A/B	Effective Date of Conversion
Melinda Lakota	Parks	B	08/01/2017
Deborah Gregoire	State Fair Board	B	08/01/2017
Roger Baskin	Parks	B	08/01/2017
Barry Morris	Fire	B	08/01/2017
Mary Balthrop	General Hospital	A	08/01/2017
Gary Demonbreun	Sheriff	B	08/01/2017
Janice Tanner	MNPS	B	07/01/2017
Helen Adams	MNPS	B	07/01/2017

**Options Elected**

Employee	Department	Pension Type	Plan A/B	Effective Date	Option	Drop Election
Ernest Calloway	MNPS	Service With Option	B	01/01/2017	Option D	
Lydia Mannery	MNPS	Early Service With Option	B	08/07/2017	Option E	
John Mcdougal	MNPS	Service With Option	B	05/26/2017	Option A	
Dixie Duke	MNPS	Service With Option	B	05/27/2017	Option E	
Erma Watkins	Metro Action Commission	Early Service With Option	B	07/01/2017	Option E	
Janis Cronin	MNPS	Service Without Option	B	05/26/2017	Normal	
Devery Moses	Police	P&F Service Pen With Option	B	08/01/2017	Option A	3
Sandra Howard	MNPS	Early Service Without Option	B	08/07/2017	Normal	
Patsy Brake	MNPS	Service Without Option	B	05/27/2017	Normal	
David Kitchens	Police	Service With Option	B	07/04/2017	Option B	
Karin Whitehead	Human Resources	Service With Option	B	07/29/2017	Option D	
Diane Ingram	MNPS	Early Service With Option	B	08/07/2017	Option E	
Tammy Guy	MNPS	Early Service Without Option	B	08/07/2017	Normal	
Frank Hayes	NCAC	Service Without Option	B	05/23/2017	Normal	
Lisa Reeves	Police	Early Service Without Option	B	08/01/2017	Normal	
Michael Wright	Sheriff	Service With Option	B	07/05/2017	Option A	1
Linda Bass	MNPS	Service Without Option	B	05/26/2017	Normal	
Lewis Balch	Fire	P&F Service Pen With Option	B	07/28/2017	Option E	2
Jeffery Blum	Sheriff	Service With Option	B	07/29/2017	Option A	
Joe Williams	Police	P&F Service Pen With Option	B	07/23/2017	Option B	
Johnny Poff Jr	Fire	P&F Service Pen With Option	B	07/15/2017	Option F	3
Shain Dennison	Parks	Service With Option	B	08/01/2017	Option E	1
Gary Gladney	Sheriff	Early Service With Option	B	07/01/2017	Option A	
Michael Rhule	Health	Service With Option	B	08/05/2017	Option B	
Jacqueline Miller	General Hospital	Service With Option	B	07/31/2017	Option F	3
Douglas Hamilton	Public Library	Service Without Option	B	03/11/2017	Normal	
Harold Bryant	Water Services	Service With Option	B	07/08/2017	Option E	3
Eddie Waynick Jr	Water Services	Early Service Without Option	B	07/01/2017	Normal	
James Blunkall Jr	Water Services	Service With Option	B	07/01/2017	Option F	1
Howard Gray	Water Services	Service With Option	B	07/08/2017	Option B	2
Pamela Williams	Health	Service With Option	B	07/14/2017	Option A	
Deborah Beazley	Parks	Service Without Option	B	06/22/2017	Normal	
Kenny Davis	Fire	P&F Service Pen With Option	B	06/15/2017	Option A	3
Mary Miller	Metro Action Commission	Early Service With Option	B	08/01/2017	Option E	
Stephen Slater	Police	P&F Service Pen With Option	B	07/13/2017	Option E	
Deborah Campbell	Fire	Service With Option	B	07/06/2017	Option F	3

**D. PENSIONS: (service, disability to service, options elected, qualified domestic relations orders, (QDRO's), and survivor)**

**Options Elected**

Employee	Department	Pension Type	Plan A/B	Effective Date	Option	Drop Election
Lee Bond	Police	Service Without Option	B	06/01/2017	Normal	
Malinda Gilbert	Human Resources	Service Without Option	B	07/01/2017	Normal	
Deborah Knipfer	MNPS	Service With Option	B	08/07/2017	Option E	
Joseph Vanderveen	MNPS	Service With Option	B	07/07/2017	Option F	3
Tammy Carpenter	MNPS	Early Service With Option	B	07/01/2017	Option E	
Carol Varnell	MNPS	Service With Option	B	08/07/2017	Option F	
Janelle Heathman	MNPS	Early Service Without Option	B	08/07/2017	Normal	
Phyllis Kitto	MNPS	Service With Option	B	08/07/2017	Option B	
Margie Alexander	MNPS	Early Service With Option	B	05/26/2017	Option B	
Laurie Schell	MNPS	Service Without Option	B	06/30/2017	Normal	
Jacqueline Edmison	MNPS	Early Service With Option	B	06/23/2017	Option F	
Margaret Winstead	MNPS	Early Service With Option	B	06/17/2017	Option A	
Mary Garfinkle	MNPS	Service Without Option	B	05/26/2017	Normal	
Frances Griffin	MNPS	Service Without Option	B	08/07/2017	Normal	
Janet Nielsen	Juvenile Court	Service With Option	B	07/29/2017	Option E	
Gina Richiuso	MNPS	Service With Option	B	08/01/2017	Option F	
Rickey Finchum	State Trial Courts	Service With Option	B	08/01/2017	Option A	
Gladys Burns	MNPS	Service Without Option	B	07/01/2017	Normal	
Adnan Atrushi	MNPS	Service Without Option	B	07/01/2017	Normal	
Chris Herrin	Police	P&F Service Pen With Option	B	07/01/2017	Option E	
Marcella Holloway	Bordeaux Long Term Care	Service Without Option	B	08/01/2017	Normal	
Sandra Maduson	General Hospital	Service Without Option	B	01/01/2017	Normal	
Kevin Evans	Police	Service Without Option	B	12/01/2015	Normal	

**Key Codes**

Options	Drop Elections
Normal Form - life annuity, no payments guaranteed	1 - 1 year drop
Option A - Joint and 100% to Survivor	2 - 2 year drop
Option B - Joint and 50% to Survivor	3 - 3 year drop
Option C - Level Social Security option	
Option D - Life Income, 120 payments guaranteed	
Option E - Joint and 100% to Survivor with popup	
Option F - Joint and 50% to Survivor with popup	

**QDRO – None to report**

**Survivor**

Employee	Department	Survivor Name	Plan A/B	Effective Date
Sherman Kinnard	MNPS	Carol Kinnard	B	08/03/2017
Michael Bryant	MNPS	Michelle Bryant	A	08/05/2017
Paul Bryant	MNPS	Brenda Bryant	B	08/16/2017
James Hoover Jr	Fire	Catherine Hoover	B	08/22/2017
Rocena Sanders	Health	James Sanders	B	08/03/2017
James Andrews	Water Services	Sandra Andrews	B	08/19/2017
Elmer Frye	Police	Florence Frye	C	08/19/2017
Archie French	Water Services	Mary French	B	08/18/2017

**BENEFIT BOARD ITEMS**

The Human Resources staff submitted the following for the Board's consideration and appropriate action:

1. Medical disability pension denial request for reconsideration – Applicant from Emergency Communications Center, (ECC).

This item was acted upon accordingly with the disability pensions section of the agenda.

2. Flexible spending account, (FSA), administration services request for proposal.

Christina Hickey reported to the Board that the Purchasing Department has recently concluded the procurement process for Metro's flexible spending account (FSA) administration services. She stated that representatives from the Purchasing Department will present an overview of this process and award for the Board's review.

Michelle Hernandez Lane, Purchasing, was present and reviewed the procurement process. She stated that three responses were received. She stated that an intent to award has been offered to WageWorks.

Jerry Hall moved to accept the recommendation of awarding the contract to WageWorks for flexible spending account services. Tom Curtis seconded and the Board approved without objection.

3. In line of duty death benefit for Kim West.

Christina Hickey reported to the Board that Kim West was an active employee classified as a Fire Engineer with the Fire Department. He died on May 26, 2017 of acute renal failure according to the death certificate. Mr. West was admitted for surgery on May 24, 2017 for a November 4, 2003 approved in line of duty back injury. According to the medical records, he lost a significant amount of blood during surgery and may have suffered a hypotensive renal injury. The medical records also indicate he continued to develop episodes of bradycardia with pulseless electrical activity arrest and continued to be hypotensive. Ms. Hickey noted that he also had an approved active in line of duty hypertension claim under the heart presumption. She stated that under the benefit system, his beneficiaries are entitled to the basic term life insurance benefit which has been processed. Metro Code Section 3.20.040 (A) gives the Board the authority to provide an additional \$100,000 in-line-of-duty death benefit to his estate. She stated that this request is now being made on behalf of his daughter, and in accordance with the Board approved in line of duty death benefit policy, attached is a copy of the death certificate, all 101 forms on file for the deceased and a copy of the Board approved in line of duty death benefit policy. Ms. Hickey stated that the Board will need to determine whether this case qualifies for the benefit afforded under Metro Code Section 3.20.040.

Jerry Hall moved for approval of the in line of duty death benefit for Kim West. B.R. Hall seconded and the Board approved without objection.

4. Pension Committee report: (Chair: W. Todd Henry; Vice-Chair: Talia Lomax-O'dneal; Members: Christine Bradley and B.R. Hall, Sr. Alternates: Edna J. Jones and Stephanie Bailey).

Christina Hickey reported to the Board that this item - determination of pension plan status went before the Benefit Board on August 9, 2017. She stated that the Board referred this appeal to the Pension Committee for deliberation. She stated the Pension Committee met on August 15, 2017 to deliberate on this appeal and the Committee's actions resulted in a tie vote, so therefore there is no recommendation to the full Board.

Committee Vice-Chair Talia Lomax O'dneal asked the Committee members to review the minutes and if there were any amendments, corrections or questions of the minutes from the Pension Committee meeting. There being none, Christine Bradley moved for approval of the In Line of Duty Committee minutes. Edna Jones seconded and the Committee minutes were approved with Tom Curtis abstaining.

Christina Hickey reported to the Board that this employee recently contacted HR regarding her pension plan status. Ms. Hickey stated that according to HR records she is in Division A, however, she contends that she made the election to transfer to Division B.

The employee and MauraLee Albert, SEIU representative, were present.

Rick Beasley, ECC/SEIU negotiator, was present.

Christi Mayo, HR staff, was present.

Kevin Sullivan, BPSM, was present.

MauraLee Albert stated that this is not a change in pension status, it is just a re-adjustment to what she believed that she had signed. She stated that after some discussion with employees in other departments, they have not



4. Pension Committee report: (continued)

found one employee that has a copy of the election form and that she wants to be put in the plan she has believed she has been in.

The employee addressed the Board regarding what she has done since she first realized there was a mistake.

Christi Mayo, HR staff, described how the transfer from Division A to Division B was handled. She described the form, how they were collected and tracked. She stated that regardless of whether or not employees held on to a copy of the form HR did maintain copies. Ms. Mayo also stated that HR records reflect that the employee did not make an election.

There was discussion regarding notifying departments of those that did not make an election, all correspondence to the employee indicating she was in Division A.

Nicki Eke, Legal Department, stated that legally in order to determine that this employee is in Division B, the Board needs to find by a preponderance of the evidence that this employee made written application to the Board to transfer from Division A to B before January 1, 1996.

Kevin Sullivan, BPSM, gave some historical information related to choosing between A and B, cost information for this individual participant and then for everyone that remains in Division A at this point. He stated that as of July 2016, 439 out of the approximate 9,300 general government members, either elected to stay in A or stayed in A by failing to make an election and that there are 48 individuals remaining in Division A general government. He stated that on the fire and police side 93 of approximately 2,100 either elected to stay in A or stayed in A by failing to make an election with 20 individuals remaining in Division A.

There was some discussion regarding what the Code states, the employee receiving an erroneous estimate, cases similar to this one and if there has been a situation where an employee has been able to produce a document that HR did not have.

Rick Beasley addressed the Board regarding the transferring to Division B and communications to employees, and the estimate she received when she came to HR.

There was further discussion of the notifications to employees, the law, information that was supplied correctly to the employee, and the fact that this is a legal issue and there is no evidence to support that she is in Division B.

Edna Jones moved to not allow the employee be changed from Division A to the Division B pension plan. Stephanie Bailey seconded and the Board approved with Jerry Hall and B.R. Hall abstaining.

5. In Line of Duty Committee report: (Chair: Jerry Hall; Vice-Chair: To be elected; Members: Christine Bradley, Charles D. Clariday and Talia Lomax-O'dneal. Alternates: Edna J. Jones and Shannon B. Hall).

Christina Hickey reported to the Board that the In Line of Duty Committee met on August 22, 2017 to deliberate on 6 in line of duty medical care requests. She stated that three of the items were deferred and one was withdrawn. She stated that the Committee deliberated on two of the items and has a recommendation on one of those items. Ms. Hickey stated that on Committee item 4, the in line of duty medical care request – employee from the Police Department the Committee recommends to uphold the denial and on item 5, the in line of duty medical care request – employee from the Police Department there was no recommendation from the Committee. Ms. Hickey also noted that staff has received requests to defer both Committee items 4 and 5.

Committee Chair Jerry Hall asked if there were any amendments, corrections or questions of the minutes from the In Line of Duty Committee meeting. There being none, Christine Bradley moved for approval of the In Line of Duty Committee minutes. Talia Lomax-O'dneal seconded and the Committee minutes were approved without objection.

Committee Chair Jerry Hall stated that on Committee item 4, the in line of duty medical care request – employee from the Police Department, the Committee recommended to uphold the denial, however, the employee has asked for a deferral again.

5. In Line of Duty Committee report: (continued)

After some discussion regarding the number of times this item has been deferred at the Board level and the additional request to send it back to the Committee, Christine Bradley moved to deny the request for referral back to the Committee on Committee item 4, the in line of duty medical care request – employee from the Police Department. Stephanie Bailey seconded and the Board approved with B.R. Hall opposed.

Stephanie Bailey moved to uphold the denial by ASC on Committee item 4, the in line of duty medical request – employee from the Police Department. Christine Bradley seconded and the Board approved with B.R. Hall opposed.

Committee Chair Jerry Hall stated that there was no recommendation from the Committee on item 5, the in line of duty medical care request – employee from the Police Department. He stated that this employee has requested the item be deferred to the next Board meeting.

Christine Bradley moved to defer Committee item 5, the in line of duty medical care request – employee from the Police Department to the next Board meeting. Talia Lomax-O'dneal seconded and the Board approved without objection.

6. Correspondence:

- a. Utilization report from Blue Cross Blue Shield.
- b. Utilization report from CIGNA.
- c. Benefit Board news.
- d. Cigna - Autism coverage and ABA therapy.
- e. Cigna - Empowered decisions pilot.
- f. Cigna – Pharmacy 2018 standard formulary changes client flyer.

Items 6.-a. through 6.-f. were for information only and no action was required.

Christina Hickey made note of 6.-c., 6.-d., 6.-e., and 6.-f.

7. Reports for your information:

- a. Return to work. (none to report)
- b. Social Security approvals.
- c. Refund of pension contributions. (none to report)
- d. Repayment of pension contributions.
- e. Denial log from Alternative Service Concepts.
- f. Benefit Board budget reports.
- g. Privacy notice.

Items 7.-a. through 7.-g. were for information only and no action was required.

Shannon Hall noted that on correspondence items 6.-d., 6.-e., and 6.-f. that this information needs to be communicated to affected members.

Paul Huffman, Cigna, stated that they had not planned on communicating this information to those affected, but it can be discussed.

Shannon Hall stated that communicating this benefit to the affected members is a priority.

8. Late item(s) - 457 plan fund change.

Christina Hickey reported to the Board that this was requested contingent upon the Investment Committee having a recommendation for the Board on the fund change.

Tom Eddlemon and Fadi Bousamra, Treasury were present.

8. Late item(s) - 457 plan fund change.

Tom Eddlemon stated that at the last quarterly meeting of the Investment Committee it was requested that a fund (AllianzGI NFJ Dividend Institutional Fund) be replaced. Mr. Eddlemon stated that the Committee recommended a change to a better performing fund the Dodge & Cox Stock Fund. He also stated that the fees are lower and communications will be going out in the next few weeks.

Tom Curtis moved for approval of the Investment Committee's recommendation for the change in funds. Christine Bradley seconded and the Board approved with Talia Lomax-O'dneal abstaining.

Stephanie Bailey spoke on a trend that she has noticed with probationary periods for employees and supervisors observations. She stated that this period needs to be used in a better systemic way.

With nothing further presented, the meeting adjourned at 11:17 a.m.

ATTEST:

APPROVED:

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**Shannon B. Hall, Director**  
**Human Resources**

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**Edna J. Jones, Chair**  
**Employee Benefit Board**