

MINUTES

METROPOLITAN EMPLOYEE BENEFIT BOARD

PENSION COMMITTEE

October 17, 2023

The Metropolitan Employee Benefit Board's Pension Committee met on Tuesday, October 17, 2023 in the Sonny West Conference Room, Howard Office Building, 700 2nd Avenue South, Nashville, TN at approximately 9:54 a.m.

Committee Members present: Chair: Christine Bradley; Vice-Chair: Edna J. Jones; Members: B.R. Hall, Sr. and *Shannon B. Hall. Alternate(s): Jonathan Puckett.

Benefit Board member present: G. Thomas Curtis

Others present: Christina Hickey, Metro Human Resources and Nicki Eke and Courtney Mohan, Metro Legal Department.

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

1. Public Comment Period.

A maximum of five (5) persons who write their names on the sign-up sheet provided at the meeting will be allowed to comment on matters that are germane to items on the Agenda. Comments are limited to a maximum of two (2) minutes per person. To provide comment, you must sign up prior to the beginning of the meeting.

There were no public comments.

2. Determination of pension plan status.

Christina Hickey reported to the Committee that this is a continuation of an appeal. She reviewed the update from the June 20, 2023 Pension Committee meeting. She stated that Human Resources reached out to Metro Action Commission, (MAC) to obtain Ms. Boyd's hourly rate she was paid every month from October 1994 to December 1995. She stated HR also asked for a copy of the pay schedule for MAC employees during that time period and MAC did not have a copy of the pay schedule but did provide 2 documents that have been provided in your Pension Committee packet under new information. She also stated that copies of previous ME Newsletters that pertained to the addition of the Division B plan.

Christina Hickey reported to the Committee that employee Havron Boyd recently contacted our office inquiring as to which pension plan she is a participant and according to staff records, Ms. Boyd is in the Division A pension plan. She stated Ms. Boyd contends that her start date and pension plan status is incorrect, however, there is no documentation reflecting this information. If an employee did not provide a written application requesting to change during the transfer window, they would remain in Division A.

The employee and Brad Rayson, union representative, were present.

Dylan Lynch and Christi Mayo, Human Resources, were also present.

Brad Rayson provided an outline of their position in this case.

*Denotes the arrival of Shannon Hall.

The Committee took a few minutes to review the outline and it was noted that some of the information in the outline is already in the Committee's materials.

2. Determination of pension plan status. (continued)

Dylan Lynch stated that there are specific guidelines that have to be followed when determining the division. He stated that each of the statements show she was in Division A and her receiving pension credit back to October of 1994. He stated that if she was correctly offered benefits at that time she would have been in Division A and still would have to fill out a form to transfer to Division B.

Brad Rayson stated that at the time these decisions were being made she was not considered to be a full time employee or an employee eligible for benefits or in the pension plan at that time. He stated she was not enrolled for benefits until November of 1995 and not presented with any information regarding making a pension election. He also made note of a situation where an employee was hired in September of 1995 after the cutoff date and was in plan A and was allowed to transfer.

Dylan Lynch stated concerning that situation and the application for benefits where she filled out the form was done a month later and she was automatically placed in Division B.

Christina Hickey stated the information that Mr. Rayson is referencing was from an open records request that was submitted after packets were completed. Ms. Hickey provided copies of that to the Committee.

There was some discussion regarding what the Code states, the department not correctly listing her, the employee not filling out an election form and the timeline not being consistent with the data.

Brad Rayson brought up the Code section that does allow the Board to correct errors that effects employees benefits and the unusual circumstances with this case.

There was some discussion that the other individual receiving the form was in error and any one hired on or after July 1, 1995 can not be a member of Division A.

There was some discussion of the process to transfer into Division B.

Edna Jones moved to deny the request to transfer into Division B. Shannon Hall seconded, and the Committee approved with B.R. Hall opposed.

With nothing further presented, the meeting adjourned at 10:29 a.m.

ATTEST:

APPROVED:

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

**Christine Bradley, Chair
Pension Committee**