

**1-16-2008 Minutes of the Omaha Works Retiree Group  
At Post # 374 American Legion Hall  
At 10 AM and 1 PM**

**CALL TO ORDER:** Lyle Nicholson called our meeting to order.

**ROLL CALL:** Present for the 10 AM meeting were; Lyle Nicholson, Dan Kovar, Pauline Lieth, Andy Barges, Jim Filipiak, John Barnes, Howard Clark, Bill Love, Bev Opfer, Edie Riester, Ray Sempek and Cheryl Todd. Absent for 10 AM and 1PM meetings were; Everett Peterson, John Pinkerton, Mary Jo Pinkerton and Martha Ross. Also absent for the 1 PM meeting were John Barnes and Cheryl Todd.

**DECEASED NOTICES:** The secretary read the ones that have deceased since the October meeting and asked if there were any others from the floor. We all stood for a moment of silence.

**MINUTES:** A summary of the minutes were read by the secretary. Motion was made to accept the minutes as read, seconded and carried.

**CHANGE OF OUR RETIREE GROUP'S NAME:** At our December E-Board meeting Jim Filipiak made a motion to change our name from Omaha Lucent/Avaya/CSM Pensioners Association to '**OMAHA WORKS RETIREE GROUP**'. It was seconded and carried.

**BYLAWS AND DUES:** Pauline explained that at the October quarterly meeting there were opinion ballots passed out asking all the retirees their opinion to whether our group should go to annual dues and if so how much should be asked of each retiree. These opinion results were 131 for dues, 22 against. The average amount to be asked was \$24 dollars a year. Everett Peterson went to the bylaws and reported that the bylaws state: **ARTICLE V:** The Executive Board shall determine the monetary donation to this Association. It is expected that membership fees, dues, assessments will support the organization. However, no Member shall be barred from attending the meetings of the Association due to inability to contribute. **ARTICLE IX:** These Bylaws may be amended or changed by any proposal submitted in writing read at one meeting and acted upon at the succeeding meeting. It was thought that we have always taken up donations and we did not follow the procedure of the bylaws to change that at one meeting. The E-Board met in October and going to dues were voted down. We will not be going to dues at this time.

**CALLING COMMITTEE:** Our chairman of the calling committee, John Barnes, announced at the December E-Board meeting that retirees are burnt out over calling everyone: It was determined that we would not do any calling for the January quarterly meeting. We will, however, still do sending notices of the meetings through emailing. Bill does a great job on this and it is free.

**BUCKETS:** John left sick so Bill Love took up the donations.

**TREASURER'S REPORT:** Andy reported the beginning balance as of October 17<sup>th</sup>, 2007 was \$1972 dollars, deposits of \$552 dollars, expenses; office supplies, \$137.71, Hall Rental, \$150 dollars, Maintenance, \$10.10, interpreters, \$160 dollars, dues to AFRA (Alliance For Retired Americans), \$25 dollars. Leaving a balance of \$1841.27:

**OLD BUSINESS FROM THE FLOOR:** None

**NEW BUSINESS FROM THE CHAIR:**

**EEOC:** Howard Clark reported on the EEOC ruling. On December 26, 2007 the Equal Employment Opportunity Commission (EEOC) published in the Federal Register its final rule that gives employers free reign to use age as a basis for reducing or eliminating healthcare benefits for retirees 65 and older. The EEOC's rule is in response to a decision in the Erie County (PA) lawsuit in 2000 by the U.S. Court of Appeals for the 3<sup>rd</sup> Circuit. The Court ruled that the Age Discrimination in Employment Act requires employers to spend the same amount on health insurance benefits provided Medicare-eligible retirees as those received by younger retirees.

The NRLN believes the EEOC is misguided in its view that employers' compliance with the Court's decision would result in companies reducing or eliminating the retiree health benefits they were providing – leaving millions of retirees under 65 with less health insurance, or no health insurance at all.

AARP appealed the ruling to the U.S. Court of Appeals for the 3<sup>rd</sup> Circuit. They filed on the 12/20/07 deadline.

In spite of the U.S. Supreme Court deliberations as to whether to hear the case or not, the EEOC "issued" the final rule, making it effective the last week in December.

NRLN will serve as a precursor to future lobbying for Congressional action, if necessary.

Should the U.S. Supreme Court agree to hear the case, there will be another round of preparation and filing of amicus briefs, this time urging the Court to strike down the EEOC rule.

Should the U.S. Supreme Court refuse to hear the case or uphold the lower courts' decisions, the NRLN will immediately lobby Congress for legislative change to reverse the EEOC rule.

Based in Washington, D.C., the NRLN is dedicated to securing federal legislation that will guarantee the fair and equitable treatment of retirees in the private and public sector. The NRLN represents a non-partisan, grass roots coalition of retiree associations with a combined membership of some two million men and women who are seeking to protect their pension and healthcare benefits. Their Web site is <http://www.nrln.org>.

Everett hopes to be here for the April quarterly meeting. He is doing better.

When Alcatel took over Lucent that stock was about \$15 a share, it has been declining ever since. It is in the neighborhood of \$7.50 a share now. We have a little over \$16 billion in our Pension Fund, but we are hardly getting anything from that. We tried to have an audit, the company won't allow that. We are not even getting any small raise on cost of living. The fund keeps growing and we get premiums to pay on our healthcare. It just doesn't make sense.

With the NRLN filing a suit on this result of the ruling of the EEOC, we hope to get some positive results soon.

**AFRA:** Dan Kovar reported on joining the Alliance For Retired Americans organization. We paid \$25 dollars to join. This entitles a newsletter to be mailed out to you every month and it is very interesting. We are going to place a sign up sheet in order for you to sign up for this newsletter at our next meeting. We don't give out names and addresses from our group, that is our committed agreement, so you must sign up yourself. It will be of no cost to you. We will try and have Donna McGrath here to answer any questions.

**AVAYA NEWS:** Andy Barges updated us with Avaya's Financial Statement. He gave us several figures. Jim Filipiak said since Avaya was sold in 2007 to Silver Lake and Texas Pacific Group we are trying to keep you updated on what is happening. There are two Web sites to go to: [SilverLake.com](http://SilverLake.com) [TTP.com](http://TTP.com). He went online to [Avaya.com/benefitanswers](http://Avaya.com/benefitanswers), clicked on Pension Plan, there were 15 categories to click on there. He then clicked on important contacts. This was a good resourceful site. Any answers you want are there. It made him believe they are still around. All he found was information for 2008. Avaya will honor the contract. You can go online or you can call the Pension Center to get your answers.

Joe Eisenhower told us that the shingles shot, flu shots, tetanus shots and any preventative shots Aetna will pay 100%. Aetna has to be called for pre-certification notice if going into a nursing home. They need to give the OK and want to know what is wrong with you first. Ask to talk to a supervisor if you are turned down. Call and check with United Health Care. From Lucent if over 65 the retirees are automatically placed on United Health Care instead of Aetna and if the retiree has a dependent over 65 they are placed on Aetna Traditional indemnity.

**CSM:** Edie Riestler talked about Connectivity and the death benefit. There is a change to the death benefit that they did not reveal in the tentative agreement or did they hand out the change of losing the death penalty. The company says they are complying with the law. Edie has pursued this change for over a year now. She is conferring with a lawyer and she does not think they did this correctly by not notifying the retirees of this change in the death benefit. They took away a year's pay from the spouse. They did increase their life insurance to 1 ½ years instead of just 1 year. We gained on that one. It boils down to educate so that we know what we have. It is easy to lose if you don't know what you have. Beneficiary forms will be mailed out.

**UNITED HEALTH CARE AND NEBRASKA MEDICAL CENTER:** Ray Sempek explained the problem that occurred with United Health Care and the Nebraska Medical Center. As you know there was a problem between United Health Care and the Nebraska Medical Center extending originally till December 31, 2007. NMC said they would not accept medical claims from United Health Care. It was on TV, in the newspapers and you probably received letters on this subject from NMC. As of early December, UHC and NMC reached a new agreement which means there would not be any uninterrupted service; which means the NMC physicians and the Medical Center itself in other words the problems have all been solved. Everything will go on as was before between United Health Care and Nebraska Medical Center.

**OKLAHOMA MEETING WITH NRLN:** Bill Kaderite will become the President of the NRLN. Bill called Robert Longenecker and requested that Robert consider sitting on the board of the NRLN and represent our national organization. The NRLN wants all of our local groups to join them. Frank Kuzman stated that this organization is more interested in our numbers (membership list) and money than they are in us. Becky also stated that it would be in our best interest to thoroughly investigate what voice we would actually have in this organization. The LRO is primarily a management organization, and would love to get their paws on our pension fund. Lyle said thanks, but no thanks. Ralph Maly was asked to come on the board of the NRLN and he accepted.

**COLUMBUS, OHIO NATIONAL MEETING:** Lyle and Pauline are going to Columbus, OH on March 1<sup>st</sup> and 2<sup>nd</sup>. It is in the bylaws that the board has to sit down face to face once a year. We will be going over all the details of our national organization. Bryan Flickinger and Troy Johnson were asked to

attend. Nationally we will be meeting just before the JRHC starts discussing healthcare for retirees. Bryan Flickinger was in attendance at this meeting in Columbus, OH.

**PLANNING FOR THE UNEXPECTED:** We had six copies that Howard printed and it cost us right at \$1 dollar for each copy for this material: This is very good information to have in your possession. This material was offered if anyone would like to come up and purchase one. We ran out and there were those that still wanted one, we took their names and will have a copy for them at our next meeting. If you have a computer, you can just go online and copy one for yourself from a Web site that we gave to them. Bill will email that Web site out to everyone on the list. The Web site is on the LRO Web site. It is [file://C:\DocumentsandSettings\ehp1\Desktop\survivors\\_help\\_document.htm](file://C:\DocumentsandSettings\ehp1\Desktop\survivors_help_document.htm)

**MEETING ADJOURNED:** Motion was made to adjourn the meeting, seconded and carried.