

# MINUTES

## METROPOLITAN EMPLOYEE BENEFIT BOARD

### STUDY & FORMULATING COMMITTEE

June 17, 2005

The Metropolitan Employee Benefit Board's Study & Formulating Committee met on June 17, 2005 in the Civil Service Conference Room, Suite 163, 222 Building, Third Avenue North, Nashville, Tennessee, at approximately 7:33 a.m.

Committee Members present: Chair: Susan Short Jones; Members: Michael Allen, Margaret Behm, David Ewing and Robert McCabe.

Benefit Board Members present: B.R. Hall, Sr., Edward C. Mason, II, Dorothy Shell-Berry, Clyde D. Smith and Tom Storey.

Other Members present: Laura Kidwell, Attorney, Metro Legal Department.

### BENEFIT BOARD ITEMS

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

1. Committee deliberation on items raised at previous meeting(s). Items may include but are not limited to the following:

- Definition of disability
- Metro Code clarifications
- Waiving under contributions of medical premiums
- Retiree health insurance

Shannon Beehan reviewed the summary of the definition of disability issues: 1) the definition of permanent; 2) in line of duty disability pensions 2-year standard for general government; and 3) medical disability pensions not engaging in any business or performing any occupation or work provision for general government with the Committee.

The Committee discussed Social Security's definition of permanent and the Metro Code not having a definition to apply to permanent. There was discussion of the Board complying with the Code, the Code complying with the current practice and the recommendations made by the last Study & Formulating Committee regarding disability.

Shannon Beehan reviewed the definitions that have been proposed by the Legal Department, Board members and Dr. Christopher Fletcher (CSME) along with the costings by the actuary.

Board member B.R. Hall addressed the Committee on the Board's authority over the benefit system, which includes disability pensions and the role of the Civil Service Medical Examiner.

Don Driscoll of SEIU addressed the Committee regarding the definition of disability, departments returning employees to work, and salary supplements.

The Committee discussed the return to work provision and requested that the issue of returning employees to work be placed on the agenda for Committee deliberation.

The Committee requested that the Legal Department draft a definition of the Board's current practice administering disabilities in order to discuss possible solutions for going forward. The Committee indicated that they may potentially consider having the benefit consultant review disability provisions of other peer groups.

During further discussion of the law and practices, the Committee discussed whether or not the current disability practice deviated from the Code. They requested that Metro Legal give an

explanation regarding the term "any occupation" and its relation to outside allowable earnings and how this interpretation relates to the original legal opinion.

For the next meeting, the Committee requested the various definitions that have been proposed and the related costing available. It was also requested the legal department explain the need to define permanent and how it differs from the Council Ordinance. In addition, an explanation as to why the Council definition is appropriate was requested.

2. New public comments regarding employee benefits.

There were no new public comments regarding employee benefits.

With nothing further presented, the meeting adjourned at 9:21 a.m.

ATTEST:

APPROVED:

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***Dorothy Shell-Berry, Interim Director  
Human Resources***

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***Susan Short Jones, Chair  
Study & Formulating Committee***