# UNITE HERE Local 25 and Hotel Association Of Washington, D.C.
# Group Legal Services Fund


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MINUTES OF THE MEETING
OF THE BOARD OF TRUSTEES OF
**UNITE HERE LOCAL 25 AND HOTEL ASSOCIATION OF WASHINGTON, D.C.**
**GROUP LEGAL SERVICES FUND**
HELD ON APRIL 30, 2014
IN WASHINGTON, D.C.

The following Trustees were present:

| UNION TRUSTEES | EMPLOYER TRUSTEES |
|---|---|
| John Boardman - Chairman | Steve Smith |
| Stephanie Steer | Joel Manion |
| Linda Martin | |

Also present were:

Anne Mayerson - Bredhoff & Kaiser, PLLC
Fredric Singerman - Seyfarth Shaw, LLP
Paul Regan – Regan and Associates, Chartered
Anne-Marie Sims - Associated Administrators, LLC
Dawn Welch – Associated Administrators, LLC

## I. CALL TO ORDER

Mr. Steve Smith and Mr. Joel Manion confirmed that Employer Trustee, Mr. Keene, had given them their proxy for all matters to come before the Trustees during this meeting. A quorum being present, Chairman Boardman called the meeting to order.

## II. MINUTES

A. Board Meeting, December 10, 2013

Ms. Sims reported that she had received no further comments on the draft of the subject minutes which had been circulated prior to this meeting.

On Motion made and seconded, the Trustees approved the following resolution:

> **RESOLVED that the minutes of the Board meeting held December 10, 2013 are approved.**

B. Finance and Collections Committee Meeting, January 1, 2014

Ms. Sims reported that she had received no further comments on the draft of the subject minutes which had been circulated prior to this meeting.

On Motion made and seconded, the Trustees approved the following resolution:

> **RESOLVED that the minutes of the Finance and Collections Committee meeting held January 1, 2014 are approved.**

## III. INVOICES

Ms. Sims presented a list of invoices dated April 30, 2014. It was noted that there were no additions, deletions or changes to the list.

On Motion made and seconded, the Trustees approved the following resolution:

> **RESOLVED that the invoices set forth in the list dated April 30, 2014 are approved for payment.**

## IV. PAYROLL AUDIT COLLECTIONS REPORT

Ms. Sims referred to the Payroll Audit Collections Report dated March 13, 2014 included in the meeting book. A copy of the report is attached to and made a part of the minutes as Exhibit A. Ms. Sims reviewed the report which confirmed the results to date of the collection of payroll audit deficiencies after receipt of the audits from Calibre and before referral of unpaid billed deficiencies to the Fund's Collection Counsel.

**V. <u>COLLECTION COUNSEL REPORT</u>**

Ms. Sims reported that there were no collection matters requiring Board action at this time.

**VI. <u>CO-COUNSEL REPORT</u>**

<u>UNITE HERE Local 23</u>

Ms. Mayerson reported that per Trustee directive at the December 10, 2013 Board of Trustees meeting, Co-Counsel had prepared a Participation Agreement, for use by employers that were previously required to contribute to the Fund under collective bargaining agreements with UNITE HERE Local 25 and are now required to contribute to the Fund under collective bargaining agreements with UNITE HERE Local 23. Mr. Boardman said that he is working with Local 23 to obtain executed participation agreements.

Co-Counsel reported that there were no further legal matters requiring Board action at this time.

**VIII. <u>PROVIDER REPORT</u>**

The Trustees welcomed Mr. Paul Regan, from Regan and Associates, Chartered, to the meeting.

A. <u>Fourth Quarter 2013 Utilization Report</u>

Mr. Regan reviewed the Fourth Quarter 2013 Utilization Report as provided by Mr. Paul Regan of Regan Associates, Chartered contained in the meeting booklet. A copy of the subject report is attached to and made a part of these minutes as Exhibit B.

B. Participant Appeal

| ***Appeal Number*** | ***Issue*** | ***Board Decision*** |
|---|---|---|
| L14/102-5177 | Eligibility | Referred to Appeals Committee |

## IX. ADMINISTRATIVE MANAGER'S REPORT

Third Quarter 2013

Ms. Sims presented and reviewed the Third Quarter 2013 Administrative Manager's Report, a copy of which is attached to and made a part of these minutes as Exhibit C.

## X. OTHER FUND BUSINESS

A. Calibre Payroll Audit Fee Increase Request

Ms. Sims distributed copies of a letter dated January 15, 2014, from Calibre CPA Group ("Calibre") requesting an increase in fees for 2014, 2015 and 2016. She reported that Calibre was proposing an incremental 2% increase in fees effective January 1, 2014 to take place for the following three years.

Following discussion, upon Motion made and seconded, the Trustees unanimously voted approval of the following resolution:

> **RESOLVED to approve Calibre's fee increase request for the period 2014-2016.**

B. Fund Auditor Engagement Letter - 2013 Plan Year

Ms. Sims reported that copies of the proposed audit engagement letter for the 2013 Plan Year from Mr. Tyler Geiman of Novak|Francella, LLC ("Novak") had been circulated prior to the meeting. A copy of subject letter is attached to and made a part of these minutes as Exhibit D.

The Trustees noted that the requested increase to $16,250 for the Plan Year 2013 represented an increase of $750 (4.8%) from the prior year and was not in excess of CPI.

Following discussion, upon Motion made and seconded, the Trustees unanimously voted approval of the following resolution:

> **RESOLVED to approve the renewal of the agreement with Novak|Francella, LLC, with the requested fee increase to a maximum of $16,500 for the audit and related work of the 2013 plan year.**

**C.** Fidelity Bond and Fiduciary Insurance Policies Renewal

Ms. Sims reminded the Trustees that, at their the September 23, 2013 Board of Trustees meeting, they discussed consolidating the Fund's fidelity bond and fiduciary insurance policies with those of the Pension and Health and Welfare Funds that are all set to renew at various dates in 2014. She said that the renewal for the Health and Welfare Fund fidelity bond and fiduciary policy was coming up (June 15 in the case of the fidelity bond and August 1 in the case of the fiduciary policy) and requested direction from the Trustees on whether to extend this policy to the latest-expiring policies, which are for the Pension Fund (October 4 in the case of the fidelity policy and September 1 in the case of the fiduciary policy) so that the policies for each of the three funds could more easily be consolidated.

Following discussion, upon Motion made and seconded, the Trustees unanimously voted approval of the following resolution:

> **RESOLVED to approve extending the renewal date of the current fidelity bond and fiduciary insurance policies for the Group Legal Services and Health and Welfare Fund to the latest expiring dates for the policies of the related funds.**

## XI. NEXT MEETING DATE AND LOCATION

The Trustees will schedule the next regular Board meeting on Thursday July 24, 2014.

## XII. ADJOURNMENT

There being no further business, the meeting was adjourned.

Respectfully submitted,
Solomon Keene
Secretary-Treasurer

AMS/dw
(Org. 05-02-14)

Attachments:

Exhibit A: Associated Administrators, LLC: Payroll Audit Collections Report dated March 13, 2014

Exhibit B: Regan Associates, Chartered: Fourth Quarter 2013 Utilization Report

Exhibit C: Associated Administrators, LLC: Third Quarter 2013 Administrative Manager's Report

Exhibit D: Novak/Francella Engagement Letter for 2013 Plan Year