

**UNITE HERE Local 25 and Hotel Association Of Washington, D.C.
Health and Welfare Fund**

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DRAFT

**MINUTES OF THE MEETING
OF THE BOARD OF TRUSTEES OF
UNITE HERE LOCAL 25 AND HOTEL ASSOCIATION OF WASHINGTON, D.C.
HEALTH AND WELFARE FUND
HELD ON SEPTEMBER 4, 2013
WASHINGTON, D.C.**

The following Trustees were present:

UNION TRUSTEES

John Boardman - Chairman
Stephanie Steer
Linda Martin

EMPLOYER TRUSTEES

Solomon Keene - Secretary-Treasurer
Steve Smith
Joel Manion

Also present were:

Anne Mayerson - Bredhoff & Kaiser, PLLC
Fredric Singerman - Seyfarth Shaw, LLP
David Jensen – Associated Administrators, LLC
Anne-Marie Sims - Associated Administrators, LLC

I. CALL TO ORDER

A quorum being present, Chairman Boardman called the meeting to order.

II. MINUTES

Board Meeting, May 15, 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 May 15, 2013 are approved.

III. INVOICES

Ms. Sims presented a list of invoices dated September 4, 2013. 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 September 4, 2013 are approved for payment.

IV. AUDITOR REPORT

Financial Statements for years ended December 31, 2012 and 2011

Mr. Geiman of Novak | Francella, LLC (“Novak”), distributed copies of the Financial Statements for years ended December 31, 2012 and 2012, a copy of which is attached to and made a part of these minutes as Exhibit A. He confirmed that the financial statements, in their opinion, present fairly, in all material respects, the financial status of the Fund. Mr. Geiman then reviewed the audit report in detail. Mr. Geiman reported that the Forms 990, 5500 and Financial Statements would be filed under extension.

V. PAYROLL AUDIT COLLECTIONS REPORT

Ms. Sims referred to the Payroll Audit Collections Report dated August 4, 2013 included in the meeting book. A copy of the report is attached to and made a part of the minutes as Exhibit B. 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.

VI. COLLECTION COUNSEL REPORT

Ms. Sims reported that Mr. Dan Katz and Ms. Ellen Ranzman were unable to attend the meeting, but that there were no collection matters requiring Board action.

VII. CO-COUNSEL REPORT

A. Counsel Rate Increase Request

Mr. Singerman noted that the most recent increase of the Co-Counsel hourly professional rate for attorneys to \$350 was effective October 1, 2007. He observed that the current rate has been in effect for almost six years, and that it is well below the current average professional billing rate for the services of experienced Taft-Hartley benefit fund attorneys located in the metropolitan Washington, D.C. area. Mr. Singerman requested that the Trustees approve an increase of the Co-Counsel hourly professional rate for attorneys to \$425 effective, which represents a 3% increase, annually, from the last rate increase.

Following discussion, the Trustees called for an Executive Session, and Mr. Singerman and Ms. Mayerson left the meeting room. At the conclusion of the Executive Session, Mr. Singerman and Ms. Mayerson were recalled to the room.

On Motion made and seconded, the Trustees unanimously voted approval of the following resolution:

RESOLVED that, pursuant to the request of Seyfarth Shaw, LLP, and of Bredhoff & Kaiser, PLLC, the hourly rate, on which the services of the law firms as Fund Co-Counsel are based, are increased from \$350 for attorneys to \$425 for attorneys, effective immediately.

B. Affordable Care Act Compliance

a. 90-Day Eligibility Requirement effective January 1, 2014

Ms. Mayerson reported that on March 21, 2013, the Departments of Treasury, Health and Human Services (HHS) and Labor (collectively, the “Departments”) published a proposed rule implementing the ban on eligibility waiting periods exceeding 90 days, which was enacted as part of the Affordable Care Act, (“ACA”) and which becomes effective January 1, 2014. The 90-day waiting period does not apply to the “excepted benefits”, such as the dental and vision benefits offered by the Fund, but it does apply to coverage for A-List employees.

b. Minimum Value Testing

Ms. Mayerson provided an overview of the Minimum Value and Affordability measurements and testing under the ACA. She also provided an explanation on the notice that employers are required to send their employees describing their current health coverage and informing them of the Health Insurance Marketplaces that are being developed pursuant to the ACA.

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

VIII. ADMINISTRATIVE MANAGER REPORT

First Quarter 2013 Administrative Manager’s Report

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

IX. OTHER FUND BUSINESS

Creditable Coverage Disclosure

Ms. Sims reported that the Creditable Coverage Disclosure had been filed with the Centers for Medicare and Medicaid Services (“CMS”) prior to the February 28, 2013 deadline.

X. NEXT MEETING DATE AND LOCATION

The Trustees scheduled a regular Board meeting to be held December 10, 2013, at the offices of UNITE HERE Local 25, commencing at 11:00 a.m.

XI. ADJOURNMENT

There being no further business, the meeting was adjourned.

Respectfully submitted,
Solomon Keene
Secretary-Treasurer

AMS/klw
(Org. 09/05/13)

Attachments:

Exhibit A: Financial Statements for years ended December 31, 2012 and 2011

Exhibit B: Associated Administrators, LLC: Payroll Audit Collections Report dated May 11, 2013

Exhibit C: Associated Administrators, LLC: Fourth Quarter 2012 Administrative Manager's Report