

Update Retiree Pension Board Seat and Public Act 25
Pension Board Passes Resolution to Refuse to Seat Retiree, Ignores Public Act 25

This is to update you on our attempts to obtain representation on the Police & Fire Pension Board. As you are aware on May 10, 2011 Governor Snyder signed into Law HB4135, which is now known as Public Act 25, of 2011. This legislation was intended to require enforcement of the Detroit City Charter as it relates to seating a Retiree on the Pension Board.

On August 26, the Officers of RDPFFA met with Officers of all 4 of the active Unions (Presidents and or Vice Presidents of each Union attended. At this meeting all the Unions informed us that they did not intend to interfere with the seating of a retiree on the Board. Just prior to this meeting we became aware of the fact that Jeffery Pegg Secretary of the Detroit Fire Fighters Assoc and a Trustee of the Pension Board requested a legal opinion from Mary E Gurewitz regarding the meaning and intent of Public Act 25.

On September 8, the Police and Fire Pension Board of Trustees passed a resolution that states in part "That the position of the Board of Trustees is that it will follow the applicable law and cannot recognize any proposed retiree at this time." The resolution does not even address Public Act 25. It appears that based on the opinion from Ms. Gurewitz and the Board legal consul Ron Zajac (Star of many of articles regarding the Federal Investigation of the Pension Board) they have taken the position that they disagree with the language in PA 25, and therefore they can just ignore it, and it is not necessary for them to have a Court weigh in prior to them refusing to follow the state law.

The RDPFFA will continue with our process that is under way. At our General Meeting October 6th we will conduct our election and elect a Retiree to serve as the Representative for Retired Police Officers and Fire Fighters. Once the Board of Directors of the RDPFFA has certified the election, we will notify the Pension Board of our duly elected Representative. Our elected Representative will be at the Pension Board Meeting on October 20 to be seated; as authorized by City Ordinance, Detroit City Charter and Public Act 25 of 2011. We expect the Pension Board will refuse to seat our representative based on Legal Consul Ron Zajac law. Those of you that would like to be present are welcome; if you have any friends in the Media ask them to also attend. The Board of Trustees meeting is held on the 9th floor of the City County Bldg, you should be there around 8:30AM Thursday October 20th.

We are posting on our web-site the following documents;
The legal opinion from Mary Gurewitz
The Legal opinion from Butzel Long (requested by RDPFFA)
The Resolution passed by the Pension Board

I have met with a number of State Legislators regarding this, and they have stated that they will compel the City and Pension Board to comply with State Law. State Representative Fred Durhal the sponsor of the legislation will be at our General Meeting on Oct 6th to update us on the actions being taken in Lansing to ensure that Public Act 25 is enacted.

If you have any questions you should contact the office 586-795-1734 or you can reach me on my cell 810-627-9349.

Don Taylor President RDPFFA

