United Food and Commercial Workers
and Food Employers Labor Relations Association
Legal Benefits Fund

911 Ridgebrook Road
Sparks, Maryland 21152-9451
Telephone: (410) 683-6500
(800) 638-2972
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8400 Corporate Drive, Suite 430
Landover, Maryland 20785-2361
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AGENDA

March 3, 2022

I. **CALL TO ORDER- Trustee Change (Bertha McKiver)**

II. **MINUTES- December 7, 2021**

III. **FINANCIAL REPORT**
  A. **PNC REPORT**

IV. **ATTORNEY'S REPORT**

V. **ADMINISTRATIVE MANAGER'S REPORT- 4Q2021**

VI. **INVOICES**

VII. **OTHER FUND BUSINESS**
  A. **Miscellaneous Correspondence**

VIII. **NEXT MEETING DATE- June 9, 2022**

IX. **ADJOURNMENT**

MINUTES

United Food and Commercial Workers Unions
And Contributing Employers
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MINUTES OF THE MEETING OF THE BOARD OF TRUSTEES OF THE UFCW UNIONS AND CONTRIBUTING EMPLOYERS LEGAL BENEFITS FUND DECEMBER 7, 2021 VIA VIDEO CONFERENCE

The following Trustees were present:

UNION TRUSTEES	EMPLOYER TRUSTEES
A. Hanson	W. Seehafer - Chairperson
T. Hipkins	J. Ferrer

Also present were:

J. Herron – Associated Administrators, LLC
J. Ianniello – Associated Administrators, LLC
C. Murphy – Associated Administrators, LLC
S. Sanchez - Slevin & Hart, P.C.
B. Slevin - Slevin & Hart, P.C.
A. Simms – Associated Administrators, LLC

I. CALL TO ORDER

A quorum being present, the meeting was called to order.

II. MINUTES

The Trustees reviewed the minutes of the last regular meeting held on September 22, 2021, and special meetings held on September 28, 2021 and October 6, 2021, which were previously circulated and, On Motion made and seconded, the Trustees voted unanimous approval of the following resolution:

> **RESOLVED, that the minutes of the last regular meeting held on September 22, 2021, and the minutes of the special meetings held on September 28, 2021 and October 6, 2021, are approved as presented.**

III. FINANCIAL REPORT

PNC Bank

Mr. Ianniello reviewed the PNC Summary of Activity report for the period January 1, 2021 through October 31, 2021, which had been previously circulated. Such report indicated a beginning market value of $32,828, earnings of $1, receipts of $154,505, and disbursements of $169,883, producing an ending market balance of $17,451 as of October 31, 2021.

IV. ATTORNEYS' REPORT

Ms. Sanchez reported on the DOL's guidance related to cybersecurity best practices.

After discussion, and on Motion made and seconded, the Trustees voted unanimous approval of the following resolution:

> **RESOLVED, to direct the Fund office to send cybersecurity questionnaires and contract addenda to Fund vendors that receive or maintain financial, personal or otherwise confidential information relating to the Fund.**

V. ADMINISTRATIVE MANAGER'S REPORT

Third Quarter 2021

Mr. Ianniello reviewed the Administrative Manager's report for the Third Quarter 2021, which was previously circulated. Such report indicated employer contributions of $45,603, provider expenses of $40,767 and operating expenses of $10,982, producing total expenses of $51,749. This resulted in a deficit of $6,146 for the quarter. Mr. Ianniello noted that contributions were made on behalf of 758 plan participants for the quarter.

Mr. Ianniello reported that there were no delinquencies for the third quarter 2021.

V. INVOICES

Mr. Ianniello presented a list of invoices dated December 7, 2021. He noted there were no additions, deletions, or changes to the list.

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

> **RESOLVED, that the invoices on the list dated December 7, 2021 are approved for payment.**

VI. OTHER FUND BUSINESS

A. Local 400 Credit Request for Overpaid Contributions

Mr. Ianniello reported that Local 400 requested a credit of $11,679.65 against future contributions as a result of Local 400 mistakenly overpaying contributions for employees hired on and after January 1, 2014. Mr. Ianniello noted that his research confirmed that Local 400 was correct in its calculation of the overpayment of contributions to the Legal Fund. After discussion,

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

> **RESOLVED, to approve an $11,679.65 contribution credit to Local 400.**

B. Shoppers Contribution Delinquency

Mr. Ianniello reported that Shoppers' November 2021 contribution payment, for work performed in October 2021, did not reflect the contribution rate increase requested by the Fund and agreed upon by Shoppers. Mr. Seehafer asked Mr. Ianniello to contact UNFI regarding the delinquency. Mr. Seehafer also asked Mr. Ianniello to recalculate the MOB rates again as a result of the contribution credit to Local 400 and present the updated calculations at the next meeting.

C. Administrative Services Contract Renewal

Mr. Ianniello stated that Associated Administrators, LLC's contract expires December 31, 2021. He presented a request for a three-year extension of the contract and reviewed the request for renewal.

Ms. Walsh announced that Harbour Benefit Holdings had purchased Associated Administrators, LLC on November 30, 2021. She explained that Harbour had approached Associated about the transaction, and she reviewed the reasons she believes Associated will be equipped to provide exemplary services to the Fund while having no effect on locations, personnel, or Associated's existing agreements. Associated will continue to be a distinct entity under the Harbour umbrella and its name will not change. Ms. Walsh stated that the CEO of Harbour offered to discuss the acquisition with the Trustees if they so desire.

The Trustees requested a meeting with the CEO of Harbour Benefit Holdings to discuss the acquisition.

VII. NEXT MEETING DATE AND LOCATION

The Trustees selected the following dates and location for 2022 Board meetings: March 3, 2022 via Zoom, June 9, 2022, September 12, 2022, and December 1, 2022.

VIII. ADJOURNMENT

There being no further business to come before the Trustees, the meeting was adjourned.

Respectfully Submitted,

William Seehafer, Chairman

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ADMINISTRATIVE MANAGER'S REPORT

UFCW UNIONS AND CONTRIBUTING

EMPLOYERS LEGAL BENEFITS FUND

FOURTH QUARTER 2021

ADMINISTRATIVE MANAGER'S REPORT

FOURTH QUARTER 2021
CONTRIBUTIONS

COMPANY	RATE	CONTRACT	PARTICIPANTS	CONTRIBUTIONS
SHOPPERS[1]	$26.00	MOB	549	$42,796
SHOPPERS[1,2]	13.00	MOB	140	5,447
UFCW LOCAL 400[1]	26.00	MOB	21	1,664
UFCW LOCAL 400[1,2]	13.00	MOB	19	741
TOTAL			729	$50,648

AVERAGE MONTHLY CONTRIBUTION $23.16

[1]RATE CHANGE EFFECTIVE 10/1/21
[2]EMPLOYEES HIRED ON OR AFTER JANUARY 1, 2014

FOURTH QUARTER 2021
EXPENSES

PROVIDER

	AMOUNT		AVERAGE MONTHLY COST		PERCENTAGE
AKMAN & ASSOCIATES	$39,137		$17.895		85.97%
SUBTOTAL	$39,137		$17.895		85.97%

OPERATING EXPENSES

	AMOUNT		AVERAGE MONTHLY COST		PERCENTAGE
ADMINISTRATION	$3,564		$1.630		7.828%
ACCOUNTING	2,575		1.177		5.656%
INVESTMENT MGMT	63		0.029		0.138%
POSTAGE	121		0.055		0.266%
PRINTING	66		0.030		0.145%
SUBTOTAL	$6,389		$2.921		14.03%
TOTAL	$45,526		$20.816		100.00%

FOURTH QUARTER 2021
QUARTERLY RECAP

	FIRST 2021	SECOND 2021	THIRD 2021	FOURTH 2021	TOTAL
EMPLOYER CONTRIB	$47,183	$46,821	$45,603	$50,648	$190,255
EMPLOYEE CONTRIB	0	0	0	0	0
INTEREST/DIVIDENDS	1	0	0	0	1
TOTAL INCOME	$47,184	$46,821	$45,603	$50,648	$190,256
EXPENSES					
PROVIDERS	$42,303	$41,968	$40,767	$39,137	$164,175
OPERATING	4,033	11,881	10,982	6,389	33,285
TOTAL EXPENSES	$46,336	$53,849	$51,749	$45,526	$197,460
TOTAL INCOME	$47,184	$46,821	$45,603	$50,648	$190,256
TOTAL EXPENSES	$46,336	$53,849	$51,749	$45,526	$197,460
SURPLUS (DEFICIT)	$848	($7,028)	($6,146)	$5,122	($7,204)
AVERAGE INCOME	$20.01	$20.03	$20.05	$23.16	$20.81
AVERAGE EXPENSES	$19.65	$23.04	$22.76	$20.82	$21.57
SURPLUS (DEFICIT)	$0.36	($3.01)	($2.71)	$2.34	($0.76)
PARTICIPANTS	786	779	758	729	763
FUND RESERVE	$31,755	$24,895	$17,160	$20,915	

2020
QUARTERLY RECAP

	FIRST 2020	SECOND 2020	THIRD 2020	FOURTH 2020	TOTAL
EMPLOYER CONTRIB	$72,865	$50,520	$49,504	$48,400	$221,289
EMPLOYEE CONTRIB	0	0	0	0	0
INTEREST/DIVIDENDS	234	44	6	1	285
TOTAL INCOME	$73,099	$50,564	$49,510	$48,401	$221,574
EXPENSES					
PROVIDERS	$61,325	$49,710	$48,328	$46,104	$205,467
OPERATING	29,556	4,047	4,496	20,245	58,344
TOTAL EXPENSES	$90,881	$53,757	$52,824	$66,349	$263,811
TOTAL INCOME	$73,099	$50,564	$49,510	$48,401	$221,574
TOTAL EXPENSES	$90,881	$53,757	$52,824	$66,349	$263,811
SURPLUS (DEFICIT)	($17,782)	($3,193)	($3,314)	($17,948)	($42,237)
AVERAGE INCOME	$20.05	$20.16	$20.20	$20.17	$20.15
AVERAGE EXPENSES	$24.93	$21.43	$21.55	$27.65	$23.89
SURPLUS (DEFICIT)	($4.88)	($1.27)	($1.35)	($7.48)	($3.74)
PARTICIPANTS	1,215	836	817	800	917
FUND RESERVE	$58,396	$55,221	$52,211	$32,828	

FOURTH QUARTER 2021
UTILIZATION

AKMAN & ASSOCIATES

CODE	TYPE	CASES* OPEN	ATTORNEY HOURS	PARALEGAL HOURS	SURCHG.
01	FAMILY	11	62.80	42.65	
02	PROBATE	1	3.45	6.50	
03	WILL	9	30.95	25.60	
04	NEGLIGENCE	3	10.05	19.45	
05	REAL ESTATE	5	17.90	11.85	
06	CONSUMER	13	61.55	56.25	
07	CRIMINAL	4	32.35	5.45	
08	TRAFFIC	7	46.80	8.50	
09	LANDLORD/TENANT	6	26.30	16.50	
10	ADMINISTRATIVE	4	17.15	10.40	
11	IMMIGRATION	0	0.00	0.00	
12	MISCELLANEOUS	0	0.00	0.00	
13	WORKER'S COMP.	0	0.00	0.00	
14	JUVENILE	2	9.80	3.55	
15	CIVIL LITIGATION	0	0.00	0.00	
16	T CASES	0	0.00	0.00	
TOTAL		65	319.10	206.70	$0

ALL HOURS	525.80
ADJUSTED HOURS	422.45
PAYMENT	$39,137
COST PER HOUR	$92.64

* CASES OPEN DURING QUARTER. HOURS REFLECT NEWLY OPENED CASES AND PRIOR CASES.

FOURTH QUARTER 2021
DELINQUENCIES

<u>None</u>

PROPRIETARY INFORMATION: THIS REPORT BELONGS TO UFCW UNIONS AND CONTRIBUTING EMPLOYERS LEGAL BENEFITS FUND

INVOICES

UFCW UNIONS AND CONTRIBUTING EMPLOYERS LEGAL BENEFITS FUND

INVOICES

March 3, 2022

1. **SLEVIN & HART, P.C.**

12-21-2021	For Professional services rendered through November 2021 #227639	$2,002.50
1-31-2022	For professional services rendered through December 31, 2021 #227969	$1,200.00

2. **WITHUM**

10-17-2021	Final billing for the audit of financial statements for the year ended December 31, 2020 #873038	$1,030.00
2-17-2022	First progress billing for the audit of financial statements for the year ended December 31, 2020 #848754	$5,404.93

NOTES