

MASWM

GENERAL MEMBERSHIP MEETING MINUTES

October 8, 2008
Radisson Hotel - Branson

I. ATTENDANCE HISTORY

<u>YEAR 2007</u>		<u>YEAR 2008</u>
49 W/2 Associates	JANUARY	49 Workshops w/ 14 Associates, Guests, Staff
45 W/2 Associates	APRIL	43 Workshops w/ 9 Associates, Guests, Staff
27 W/3 Associates	JULY	44 WORKSHOPS w/5 Guests, Staff
45 W2 Associates	OCTOBER	42 WORKSHOPS w/ 6 Guests, Staff, Associates

II. MEETING CALLED TO ORDER;

Welcome at 9:00AM by President Bill Barr (*Camdenton*) followed by the *Pledge of Allegiance*.

Prior to our guest arriving, the immediate order of business involved Pres Bill Barr (*Camdenton*) and Legislative Chair Randy Hylton (*Liberty*) giving an overview of the process that the Selection Committee went through this past summer in deciding on a "new" Legislative Consultant. This consultant will fill the position vacated by Burruss-Wilson after the retirement of Bob Wilson on 12/31/08.

Randy further explained that there was a lot of interest from folks wanting to represent the sheltered workshops resulting in a number of quality individuals interviewed from a large number of applicants.

The Committee is recommending to the General Membership to offer an 18-mo Contract to Richard "Mo" McCullough effective 1/1/09 to 6/30/2010.

A motion to that effect was made by Bruce Young (*Columbia*), 2nd by Ginger Williams (*Farmington*) and passed unanimously.

George Burruss will continue working the Senate for another year yet and has offered to assist "Mo" should he have any questions.

III. GUESTS IN ATTENDANCE: Gary Schneider, Bill Kaltenborn, Chuck Reade, TFS with DESE Bob Wilson, Legislative Consultant, "Mo" McCullough Leslie Miles, Assoc Member, SWIM/ Arthur J. Gallagher Risk Mgt Services, Inc.

IV. MINUTES: Presented by Bob Engemann (*Marthasville*)

Minutes were presented from the April 2, 2008 Annual Mtg at Tan-Tar-A; The Special Mtg for Directors Nominations of April 1, 2008 Tan-Tar-A; and the Aug 14, 2008 Special Membership Meeting in Jeff City at the Capitol Bldg. Motion to accept all three Minutes by Rob Libera (*Manchester*). 2nd by Brent Blackwell (*Carrollton*) No further discussion, motion carried.

V. TREASURER REPORT: Presented by Dee Froneberger (*STL County*)

Dee presented the 1st qtr '09 financials; current cash position; '09 Membership Dues collection to date; and year end 6/30/08 Certified Audit accepted by the Board.

Motion to accept by Deborah Hostettler (*STL City*), 2nd by Randy Hylton (*Liberty*) passed

VI. DESE, SHELTERED WORKSHOP REPORT: Chuck Reade, TFS - DESE Chuck Reade announced that he will be retiring from DESE January 30, '09

MASWM Meeting Report
October 6-8, 2008
By Fulvio Franzi, Director, DESE-EESW

This report is provided to the MASWM Board of Directors and General Membership of the Association on the relevant issues and activities of the Extended Employment Sheltered Workshop Section of the Missouri Department of Education. The key topics and activities are as follows:

DESE Announcement:

On September 15, 2008 Chuck Reade announced his retirement. His last day of work will be January 30, 2009. Chuck has worked for the Dept for 27 years. During this time he has provided dedicated and quality services for the Workshops in western Missouri through his knowledge of regulatory standards and business practices. He has provided leadership to the workshops not only in his area but throughout the state. He will be missed.

I am still reviewing several options on the course of his replacement as well as the operating structure of the Technical Field Supervisory staff. The Association leadership will be informed of the progress and decisions that will be made regarding the structure and personnel of the Sheltered Workshop section. I look forward to a smooth transition with your support and assistance.

FY-09 Budget:

At the rate of state aid currently paid as directed by the General Assembly, we do not anticipate a shortfall in FY-09 at the current FTE. The latter is predicated on July data paid in August and August data paid in September; typically, the summer months are lighter in attendance due to vacations and time off. It is still too early for any accurate projections for the year based on two months worth of data and there is no way of predicting winter weather conditions that can significantly impact the attendance and budget.

US Department of Labor-Wage and Hour Division:

On July 24, 2008 a new Federal minimum wage went into effect. For most of the Workshops this may not have caused any changes if you conducted a Prevailing Wage Survey in February/March of 2008 due to the increase in Missouri's minimum wage. If you did not conduct a Prevailing Wage Survey this year, be absolutely sure that all of your records (contract bids, piece rates, and worker evaluations) relate to the current federal minimum/prevailing wage rates.

The next increase in the Missouri minimum wage (based on the likely CPI increase) will go into effect on January 1, 2009; you will be expected to conduct a Prevailing Wage Survey in February/March and, if any increase is noted, you will have to pay wage increases retroactively to January 1, 2009. Please keep an eye out for a communication from the Department of Labor of the latter changes in November/December of this year.

Training:

The combined (MASWM, SWIM, DESE, MRS) Safety Training sessions have been completed. A total of 254 people attended the training—210 persons for the General Safety Principles and Regulatory Compliance sessions and 44 for the Forklift Train-The-Trainer sessions. The training was conducted in 5 regions and consisted of 9 General Safety sessions and 6 Forklift sessions. A detailed report is presented to the Board of directors with additional details and recommendations for improvement and desire to continue this joint project in the future. The Department will continue to support and participate in this collaborative effort to improve safety practices in all Workshops as well as assist in maintaining regulatory compliance on safety topics and activities.

Operating Manuals:

Updates and revisions to the Workshop Manual are still in the process of editing and review; this is taking much longer than anticipated but it should produce a good product. Until such time that the final copy is approved, please continue to use the current edition (1982) for general guidelines; should you need any immediate assistance, you should contact your Technical Field Supervisor.

A policy and procedure manual is being reviewed and revised that guides the Certification Specialists in the process of conducting and providing a "Certificate of Eligibility for Employment in an Extended Employment Sheltered Workshop". This process has not been reviewed since its inception in 1998; the changes will clarify the process and strengthen the validity of the certification in relationship to any other related agencies.

Other:

All Managers are reminded to conduct a regular review of the accuracy of their respective Workshop's roster of "certified employees". If the employee is not in "WORKING" status on the web-system, you **cannot** request state aid for that person.

Further, if the employee is nowhere in the system's listings (e.g., Working, Terminated or Waiting), you need to presume that the person is NOT certified and you will need to contact the Certification Specialist in your area or call Lindsay for Assistance.

When you transfer/hire/terminate an employee in the system, the date you perform the action is the date that will appear in the system. If you need the date changed, you will need to contact Lindsay for assistance.

The web payment screen is up and working. Some workshops are calling in and requesting that we enter the data manually but **you** can submit your request for payment online each month. State aid payment requests are due **no later** than 2:00 PM on THE THIRD WORKING DAY OF THE MONTH.

If someone other than the workshop Manager does the state aid request, please be sure that Lindsay has their name and e-mail address so that she can send reminders and notices to them on related matters that pertain to this process.

If you haven't already done so, please be sure to review the Web User Manual that Lindsay sent out. This manual is very useful when navigating/using the web application system.

Please remember that the DESE-EESW is to be notified in writing within five days of any notification of non-compliance with any federal, state or local law, ordinance or regulation.

New State Minimum Wage recently published to be \$7.05/hr effective Jan 1, 2009. Between Feb.1st and March 30th, workshops will need to do a Prevailing Wage Survey for compliance to their Title 14c DOL Wage & Hr Div Certificate.

Current Federal Minimum Wage as of 7/24/08 is \$6.55/hr. It will be increasing to \$7.25/hr effective July 24, 2009.

MASWM/ SWIM/ DESE/ Mo Rural Services

SAFETY TRAINING SEMINARS 2008

SUMMARY REPORT

The purpose of this report is to provide a summary of participation, a general evaluation of the training program and recommendations for improvement to the Safety Training Program should it be decided that it is to be continued.

The Safety Training Program was a joint project between the Missouri Association of Sheltered Workshop Managers (MASWM), the Sheltered Workshop Insurance of Missouri (SWIM), the Missouri Rural Services and the Department of Elementary and Secondary Education (DESE). The training program was designed to provide a unified "message" of the importance of safety from an operational point of view as well as part of the regulatory mandate. The major themes were based on the "development of a safety culture" in each organization as well as the need to "meet regulatory compliance".

There were five (5) regional sites selected that took travel time and convenience into consideration in order to reduce costs while providing the greatest amount of coverage. At each location the course was presented in one full day (9:00 AM to 3:30 PM) for two consecutive days. Each day there was a general "Safety Principles and Regulatory Compliance" presentation and, typically, on the first day there was a Forklift Train-The-Trainer session.

The result of the participation is as follows:

Safety Principles and Regulatory Compliance	210 participants	9 sessions	23.3 average
Forklift Train-The-Trainer	44 participants	6 sessions	7.3 average

Each participant was asked to complete a form that rated (scale of 1-5 with 5 being the "best") the effectiveness of the program as well as sought for comments and suggestions for improvement. The overall rating of the program was tabulated to be at **4.29** or a "B" rating. In the narrative comments the most used words were "very informative", "learned a lot", "extremely helpful", "needed", "will use", "many thanks", etc. The most negative comments dealt with the lack of time to cover each of the items—it was generally felt that it was a lot of material to be covered in a short amount of time.

It appears that the least "popular" portion of the sessions was the Fleet Safety; however, it must be recognized that this was the last session of the day where participants were either exhausted or "antsy" to leave. Consideration may be given to place this portion in a different "time-slot".

Suggestions for improvement in next year's sessions include:

1. Use of more interactive exercises; i.e., "mock" safety inspection.
2. Issue a "certificate of participation/completion" to all attendees.
3. Increased use of Power Point or other medial in the presentation of materials and topics.
4. Participant registration, announcements, location/facilities needs to be better organized and timely- DESE or SWIM can conduct.
5. Consideration should be given to requesting a "registration fee" of \$10-15 per participant in order to cover costs of lunch and break food and drink.

VII. LEGISLATIVE REPORT CONSULTANT: Bob Wilson & Richard "Mo" McCullough

Bob Wilson introduced "Mo" McCullough to the membership. "Mo" then addressed the group and said he's honored and looking forward to representing our organization and who we represent. They continued to express the need for our grassroots involvement with our local Representatives and Senators, especially with the new "freshmen" legislators. Bob then talked about his 20+ "enjoyable" years representing the workshops.

VIII. COMMITTEE REPORTS:

A. Legislative Committee – Randy Hylton (*Liberty*)

#1 priority in '09 will be the **Appropriations Bill** this session. We also understand DESE will be requesting a **Supplemental Appropriations** also.

Randy also said we are looking at forming an Ad Hoc Committee to review how workshops are paid per the RSMo Section 178.930(2) and whether a more effective and efficient method of distributing those funds should be pursued.

It's important for Legislators to know that **sheltered workshop and School Districts operate differently and funding should not be based solely on daily attendance**. Workshops work 52-wks/yr vs. 39+ or – weeks in a school year. A School District is able to "make up and recover" lost funding by simply extending the school year. This was very evident and harmful to the 93 workshops this past year affected by the severe, rain, snow, ice storms affecting their attendance. The Operating Expenses were still there for the workshops to meet, even though the employees were unable to get to the shop, etc. This method of distribution has proven to be quite disruptive and costly to a number of affected shops.

Randy informed the membership that six (6) sheltered workshops have decided to file a "friendly" lawsuit seeking a Petition for Declaratory Judgment against DESE on the \$15/day rather than the \$17/day mandated in RSMo Section 178.930(2). Upon filing, a **press release will be forthcoming** from those shops explaining the purpose and intent of their lawsuit. Randy's shop is 1 of the 6.

It should be noted that the MO Assoc of Sheltered Workshop Managers is NOT filing the lawsuit, but individual sheltered workshops affected directly by the funding withhold have chosen to file the suit to release the funding as mandated by law.

Randy made the membership aware of a "recommendation" by **MACDDS** to look into getting the **DESE Per Diem funds RSMo Section 178.930(2) "qualified" for Medicaid Waiver.**

After further discussion it was noted that none of the Association's Officers or Directors

was contacted by representatives of MACDDS for our input. This will be monitored.

B. Marketing Committee – Randy Hylton (*Liberty*)

Our website: www.moworkshops.org will be updated and given a major facelift as a result of discussions and recommendations at yesterday's Training sessions. Our MASWM Newsletter will be out in January for the Legislators and will feature, among other items, our **new Legislative Consultant "Mo" McCullough**.

C. Training Committee – Rob Libera (*west STL County*)

Topics covered yesterday: Association website and its functionality; Security Systems for workshops Fundraising Development & Community Awareness; and Part 2 of the MASWM Planning for the Future.

D. Membership Committee – Dee Froneyberger (*south STL County*)

No report

E. Conference Committee – VP Bob Koch

Dates for the upcoming MASWM conferences are as follows:

- **Winter '09 – January 27 & 28 '09 (Tues & Wed) - Trumann Hotel, Jefferson City & Capitol Bldg**
- **Spring '09 - April 6, 7, 8th '09 (Mon – Wed) (room also avail for Sun, 5th) Lodge of the 4 Seasons**
- **Summer '09 - TBA**
- **Autumn '09 - TBA**

IX. OTHER "MASWM" REPORTS

SWIM - Stan Shurmantine (*Independence*) – SWIM Board President

Claims this year are down, however, cost per claim is up.

IX . OLD BUSINESS:

XI. NEW BUSINESS:

Being no further business a motion to adjourn was made by Randy Hylton (*Liberty*), 2nd by Rob Libera (*west STL County*), and passed at 11:03AM.

Respectfully submitted,

**Robert B. Engemann,
Recording Secretary**