

Let me say this about that

—By Gene Klare



Fame for George Brown

THE NORTHWEST OREGON Labor Retirees Council has selected George Brown of Sheet Metal Workers Local 16 for the Labor Hall of Fame. The Retirees Council, which is affiliated with the Portland-based Northwest Oregon Labor Council, AFL-CIO, sponsors the Labor Hall of Fame to honor union retirees for their contributions to the labor movement.

GEORGE BROWN, 64, retired two years ago after working 26 years in the maintenance department of the Portland School District. He later worked briefly at an auto auction business and as a pastry truck driver. He also did volunteer work making repairs on homes of seniors in Northeast Portland. He is still active in Portland-headquartered Local 16 and continues as a longtime volunteer for the Northwest Oregon Labor Council's Labor Day Picnic at Oaks Park.



GEORGE BROWN

He was born as George LeRoy Brown Jr. on Nov. 17, 1942 in Portland's Good Samaritan Hospital. He attended Joseph Lane Grade School and graduated from Franklin High School in Southeast Portland in 1961. At Franklin, he played the trombone in the school's band. After high school he followed his father into Sheet Metal Workers Local 16. George Brown Sr. was employed for many years at Northwest Copper Works.

GEORGE BROWN JR. went through his four-year apprenticeship in Local 16 at American Sheet Metal Co. and worked there 12 years as a journeyman. He began his career as a maintenance sheet metal worker for the Portland School District in 1977.

Brown served on Local 16's Executive Board for 12 years and also was on its Negotiating Committee. He's been a delegate to Northwest Oregon Labor Council meetings and to Oregon AFL-CIO conventions.

FOR TWO DECADES, Brown has worked as a volunteer at the NOLC Labor Day Picnic to keep the well-attended event running smoothly. The picnic, which started in the early 1980s at Blue Lake Park in East Multnomah County and moved in the mid-1990s to Oaks Park in Southeast Portland, draws crowds of more than 15,000. Brown waits on union members and their families at the NOLC booth, selling scrip for refreshments, answering questions and performing other chores that are needed. Judy O'Connor, NOLC's executive secretary-treasurer, praised Brown's commitment to making the Labor Day event a happy experience for thousands of union members and their families.

Golf is Brown's favorite sport. He plays regularly with an organization called "Oregon Seniors." They play at different golf courses. His handicap is 13.

GEORGE AND HIS WIFE, Shirley, who've been married for 28 years, enjoy traveling by car to various places in the U.S. Their family includes a daughter, Laura; two sons, Jeff and Kevin; and four grandchildren. George and Shirley live in a condo in Vancouver, Wash., to which they moved three years ago.

The Browns are members of Zion Lutheran Church in Southwest Portland. George has served as a director on the church's board. George is also a member of the Gateway Elks Lodge in Northeast Portland, which he joined 42 years ago.

★★★

LEONARD (BLACKIE) PALMER, a longtime member and official of the International Woodworkers of America (IWA), died on May 11, 2007 in a Portland hospital of a heart attack. He was 80 years old.

His nickname was given to him in childhood because of his black hair.

HE WAS BORN in Alberta, Canada, on Nov. 27, 1926. His parents, Lonnie and Annie Palmer, moved to Clarkston, Washington, when he was a boy, and he attended schools there. When he was a junior in high school he was drafted into

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Class-action lawsuits filed for PERS retirees forced to pay back benefits

Public Employee Retirement System (PERS) retirees who took a lump-sum distribution upon retirement are facing a difficult choice, as many have received invoices from PERS demanding partial repayment of "excess" benefits. This demand for repayment comes about as the agency attempts to reconcile accounts as a result of the outcome of the City of Eugene/Strunk lawsuit.

While retirees who kept their money in PERS face the same repayment demands, they have the option of seeing their monthly benefit reduced slightly until PERS deems they are caught up. Retirees who took lump-sum payments, however, have more limited options.

Greg Hartman, an attorney for the PERS Coalition, a group of unions that have filed class-action lawsuits on behalf of public employees, notes that two pending lawsuits — the *Arken* case and the *Robinson* case — have the potential to address this issue and possibly lessen or even eliminate the repayment burden. Hartman hopes to see both cases certified as class-action suits, meaning anyone who fits the pa-

rameters of the cases has the potential to be covered. Arken deals with the so-called "window" retirees — those who retired between April 1, 2000, and April 1, 2004. *Robinson* covers a somewhat broader range of retirement dates. Both cases were briefed and argued before Multnomah County Circuit Court Judge Henry Kantor several months ago, and Hartman believes Kantor's decisions are imminent.

However, whichever side loses likely will appeal to the Oregon Court of Appeals — and then to the Oregon Supreme Court. That could take years.

Retirees who fit the parameters of either the Arken or Robinson cases will automatically be included in the class-action should the cases be certified.

In the meantime, what can lump-sum retirees do with their pending invoices? Hartman outlines four options:

- Write a check and pay the bill. Should the unions prevail in Arken and/or Robinson and you're covered by one or the other (or both), you'll ultimately get your money back from PERS.

- Roll over the amount due back to PERS from a qualified account. The fine print of the letter you received outlines this process, and it appears the IRS will allow this rollover to occur tax-free (although that has not been 100 percent determined yet). You may need to contact a qualified financial planner to help you through this process.

- File an administrative challenge with PERS. If you feel you have some circumstance that makes your situation extraordinary, you can contact PERS and challenge the agency's invoice.

Hartman warns that while this option exists on paper, he isn't sure of any circumstances that PERS may accept as proof. "But every single retiree's situation is unique, so I would never rule out that someone may indeed have an unusual circumstance that qualifies," said Hartman. Nevertheless, this option is likely a stalling tactic at best for most lump-sum recipients.

- Do nothing. This is a viable option, though not one Hartman recommends. This was a better option for those who kept their money in PERS. But you can choose to sit back and see what happens while hoping that Arken and/or Robinson intervenes in your favor.

Hartman does warn that if you force PERS to instigate a collection process against you, there will likely be penalties and fees added to the amount due.

(Editor's Note: This article originally appeared on the AFSCME Oregon Council 75 Web site.)



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