



Why Politics Matters to PEF Members



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MEMBER ACTIVISM IS A CORE ELEMENT OF PEF'S POLITICAL ACTION PROGRAM. WHETHER IT'S GRASSROOTS LOBBYING OR CAMPAIGN VOLUNTEER WORK, THE UNION RELIES ON ITS MEMBERS TO GET INVOLVED IN THE LEGISLATIVE AND POLITICAL PROCESS. BUT, ***WHY?***

PEF'S SUCCESS IN THE LEGISLATIVE ARENA HAS A REAL AND POWERFUL IMPACT ON THE LIVES OF OUR MEMBERS. ENHANCING PENSION BENEFITS, ADVOCATING FOR THE UNION'S LEGISLATIVE AGENDA, AND ENGAGING IN THE BUDGET PROCESS ARE JUST A FEW OF THE WAYS PEF PROTECTS THE ECONOMIC SECURITY OF ITS MEMBERS AND IMPROVES THEIR WORKING CONDITIONS. THIS WOULD SIMPLY NOT BE POSSIBLE WITHOUT THE UNION'S ABILITY TO INFLUENCE PUBLIC POLICY.

THE FOLLOWING IS JUST A SAMPLE OF THE VICTORIES PEF HAS WON IN RECENT YEARS THROUGH LEGISLATIVE AND POLITICAL ACTION.

- ❖ IMPROVING PENSION BENEFITS
- ❖ PROTECTING RETIREE HEALTH INSURANCE
- ❖ BLOCKING PRIVATIZATION
- ❖ STOPPING LAYOFFS
- ❖ PROMOTING WORKPLACE SAFETY
- ❖ REFORMING THE STATE CONTRACTING PROCESS

PENSION VICTORIES

1994

"Tier 3 and 4 55/30" – Chapter 537 of Laws of 1994 allows members in Tiers 4 to retire without penalty at age 55 with 30 years of public service, or to retire between age 55 and 62 subject to substantial penalty. This law also allows Tier 3 members to opt into benefits granted to Tier 4.

1996

"Tier 2 55/30" – Chapter 306 of the Laws of 1996 allowed Tier 2 members to retire without penalty at age 55 if they have 30 years of service.

1998

"Full Pension with 20 Year of Service for Tier 4" – Chapter 266 gives Tier 4 members the full pension benefit of 2% of Final Average Salary for each year of service once they reach twenty years of service. Previously Tier 4 members had to reach twenty-five years to get the full 2%, with less than twenty-five years they only got 1.66% for each year of service. This also benefits Tier 3 members who usually find it beneficial to opt into Tier 4 to avoid the social security offset which applies in Tier 3.

"Accelerated Vesting" – Chapter 389 allows vesting after five years instead of ten years.

"Expanded Death Benefits" – Chapter 388 provides for a death benefit for members who die after leaving public employment but before becoming eligible to receive their pension.

1999

"Tier Reinstatement" – Chapter 646 Allows members of all public retirement systems who started employment in an earlier pension tier, but had a break in service and returned to work under a later tier, to return to their original tier. Allows refund if they previously paid to buy back prior service credit.

2000

"COLA" – Chapter 125 provides eligible public employee retirees with a permanent and automatic cost of living adjustment based on 50% of the increase in the Consumer Price Index (CPI) from year to year. The annual increase, up to 3% per year but not less than 1% per year, is calculated on a maximum retirement benefit of \$18,000.

"Tier Equity" – Chapter 553 makes the pension reduction penalties in tiers 3 and 4 equal to the penalty of tier 2. The maximum early retirement penalty is now 27% at age 55, with lesser penalties at later ages. Prior to this law, workers in tiers 3 and 4 were subject to retirement penalties of up to 38% if they retired before age 62.

"Benefit Enhancements" – Chapter 126 eliminates the 3% employee pension contribution for members of Tiers 3 and 4 after 10 years of membership. Also provides one additional month of service for every year of service at a maximum of two years additional credited service for employees in Tiers 1 and 2.

"Prior Service Credit" – Chapter 552 allows members of a public retirement system to receive credit for prior service if such service would have been creditable in any public retirement system in New York State. It also reduces the waiting period from 5 to 2 years after returning to public employment before receiving pension service credit for prior service.

"Veterans Buyback Bill" – Chapter 548 permits members of public retirement systems to obtain a maximum of 3 years retirement credit for military duty performed during specified periods. The law requires an eligible employee to pay 3% of current salary for each year of service bought back.

"Enhanced Death Benefits" – Chapter 554 provides that certain death benefits will apply to all new members of a public retirement system and allows coverage by the

most advantageous death benefit for present members. This addressed a long-standing problem that occurs when members mistakenly select a less favorable death benefit.

2001

"Deferred Compensation Improved" – Federal law amended to increase the limits on Section 457 deferred compensation accounts and to permit rollover of funds to an IRA and 401K.

2002

"Service Credit for SUNY Employees" – Chapter 486 allows employees of SUNY who are members of the NYS Employees Retirement System and who work for a full school year to receive 12 months of pension credit.

2003

"Securing the Pension System" – Chapter 49 grants the Comptroller discretion to adopt reforms affecting employer contributions to the NYS retirement system intended to reduce volatility of employer costs. The law includes a minimum employer contribution of 4.5% of payroll.

2004

"Retirement Option Flexibility" – Chapter 446 allows NYS&LERS' members to change their retirement option up to thirty days after the date their retirement allowance becomes payable.

2006

"Post-Retirement Income" – Chapter 74 increases the amount a retired public employee can earn without affecting his or her pension from \$27,500 to \$30,000.

LEGISLATIVE VICTORIES

2008 **"Ending Mandatory Overtime for Nurses"** – Chapter 493 prohibits a health care employer from forcing a nurse to work longer than his or her regular work hours. There are exceptions for emergency situations when mandatory overtime can be required, but in those cases the employer must first try to fill the need through other measures such as voluntary overtime, on-call staff, agency nurses and "floaters". The bill also protects nurses from being charged with patient abandonment if they exercise their rights under this new law by declining to work overtime.

"Reducing Contracts for Personal Services (GO PUBLIC)" – Although not law, Executive Order 6 issued by Governor David Paterson was a result of legislation advocated by PEF to require a cost benefit analysis before entered into contracts for consultant services. The executive order creates a process within the state administration to review the cost-effectiveness of large consultant contracts. It also requires agencies to make information about contracts and their reasons for entering into a contract more publically available.

2007

"Workplace Injury Reporting" – Chapter 171 requires that State Department of Civil Service prepare an annual report about injury rates among state employees due to workplace injuries, and the costs incurred by the State as a result of those injuries.

2006

"Contract Disclosure" – Chapter 10 requires disclosure of state contracts and the number of employees hired on a contract basis.

"Workplace Violence Prevention" – Chapter 82 requires all public employers to evaluate their workplaces to determine the presence of risk factors that may lead to violence in the workplace. Public employers with at least twenty employees are required to implement a written program to prevent violence in the workplace.

2005

"Shining a Light on Procurement Lobbying" – Chapter 1 requires lobbyists who attempt to influence the award of government contracts to register with the Lobbying Commission and report on their expenditures and activities. This law also imposes additional restrictions on communications by vendors to state agencies during the contracting process.

"Improving Death Benefits" – Chapter 105 improves death benefits and insurance for state employees who are called to active duty.

"Enhanced Military Benefits" – Chapter 681 further enhances insurance for employees called to active military duty; the State pays premiums for up to \$400,000 of Servicemembers Group Life Insurance for members of the National Guard called to active military duty.

"Enforcing Labor Laws" – Chapter 407 provides funding for increased enforcement by the Department of Labor of labor laws relating to public work projects.

2004

"Emergency Equipment in State Facilities" – Chapter 510 requires state institutions and buildings to be equipped with defibrillators.

2002

"Protecting Whistleblowers" – Chapter 24 provides protection to health care workers who report violations of law or regulations or improper patient care.

"Parole Officer Confidentiality" – Chapter 137 protects the confidentiality of personnel records by Parole Officers by granting them similar protection to that given to other law enforcement officers.

"Breast Cancer Screening" – Chapter 362 allows a state employee leave to up to four hours annually for the purpose of screening for breast cancer. The employee is not required to charge this leave against any other leave they may be entitled to.

2001

"Protecting Retirement" – Chapter 141 gives Section 457 accounts the same protection from creditor claims as other retirement accounts such as IRAs.

2000

"Safeguarding Health Care Workers" – Chapter 558 requires the use of safer sharps and needles by health care facilities and establishes an advisory committee for such.

"Parole Officer Classification" – Chapter 404 confers peace officer status to individuals employed by the state Division of Parole as Parole Revocation Specialists.

BUDGET VICTORIES

2008 (SFY 2008-09)

"Protecting State Services" – The executive budget proposed the closure of a number of Correctional and Youth facilities. The enacted budget restored funding for all DOCS facilities targeted for closure as well as two of the OCFS facilities – The Great Valley and Pyramid Residential Centers.

"Stopping the Monetization of the Lottery" – The executive budget proposed a one-shot revenue gimmick that would have sold off future lottery revenues in exchange for a short-sighted upfront lump sum payment. The enacted budget removed language

authorizing the "monetization," which could have impacted the job security of public employees.

2007 (SFY 2007-08)

"Fighting Back the Prison Closure Commission" – The executive budget proposed a prison closure commission made up of unelected, political appointees to study prison capacity and make binding recommendations. The legislature rejected the commission.

"Saving Vital OCFS Facilities" – The executive budget proposed closure the Great Valley non-secure residential center. The enacted budget restored funding.

"Stopping the Growth of Shadow Government" – The executive budget proposed the creation of a new public benefit corporation to administer stem cell research foundations. The enacted budget created a similar institution but under the auspices of the Department of Health.

2006 (SFY 2006-07)

"Stopping the Contracting out of State Services" – The executive budget proposed legislation which would implement "Design Build" and "Transportation Facility Development Partnership" programs, which would have increased DOT's dependency on more costly consultant engineers, expand the use of no-bid contracts and limit public oversight of the State program to maintain and expand the State's transportation infrastructure. The enacted budget rejected the proposals.

"Upholding the State Pension System" – The executive budget proposed a pension task force, which was a vehicle to attack the defined benefit pension and open the door to a weakened Tier 5. The enacted budget rejected the proposal.

2005 (SFY 2005-06)

"Fighting SUNY Hospital Privatization" – The executive budget proposed transferring the SUNY Health Science Centers to private corporations. The enacted budget rejected the privatization.

"Keeping State Correctional Facilities Open" – The executive budget proposed the closure of minimum security and work-release programs, including Fulton, Camp McGregor, and Camp Pharsaila. The enacted budget restored funding for the programs.

2003 (SFY 2003-04)

"Protecting Retiree Health Care" – The executive budget proposed to reduce the state's share of retiree health care premiums. The enacted budget fully restored the state portion of funding.

"Stopping the Closure of OMH Psychiatric Centers" – The executive budget proposed to close the Elmira, Middletown, Hutchings, Bronx, and Bronx Children's Psychiatric Centers. The legislature rejected those closures and restored funds.

"Halting the Closure of the Institute of Basic Research" – The executive budget proposed closing IBR, the research arm of OMRDD. The legislature rejected the closure.

"Rejecting Privatization of OCFS Youth Facilities" – The executive budget proposed the privatization of youth facilities, which could have resulted in the layoff of 120 employees. The legislature kept the facilities state operated.

"Legislature Overrides 119 Pataki Vetoes" – The overrides restored funds for hundreds of state jobs that were targeted for layoffs. The legislature raised taxes on the wealthy to avoid budget cuts.