CONTRA COSTA COUNTY
RETIRED EMPLOYEES ASSOCIATION, LOCAL ONE

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Fall 2013

President's Message

I had a great aunt tell me once, "Growing old ain't for sissies!" To that I would add, it ain't for the meek and modest either. I recently had surgery to remove my gall bladder and a tumor on my right kidney, and I have to say, they did things to me that I thought they only wrote about in alien abduction stories. Three weeks later I am almost back to my old self (less a couple of worn out parts), but I worry now that the warranty is expired, what's next.

As a follow up to the summer issue of the newsletter, I would just say that we are still waiting for a response from the IRS regarding our request for a tax exemption for a non-profit organization. Since our tax filing extension is up August 15th, I contacted the IRS "customer service" hot line, and was told that it can take up to one year to receive an exemption.

We have also filed a request with the United States Patent and Trademark Office to have our logo trademarked. Again, we are still waiting for a response.

For those who are interested in the status of the CalPERS Long Term Care rate increases. I have received several responses from my request for input from our membership. Needless to say, no one is happy with this situation.

The CRCEA committee working on this issue has written to the Commissioner of the Department of Insurance, Dave Jones; sent a letter of protest to CalPERS, and also sent a Public Records Act (PRA) request to CalPERS for information regarding the financial status of this program. We have also sent a letter to the State Auditor's office requesting an audit of CalPERS Long Term Care Program.

The committee is also searching for a lawmaker willing to carry a CRCEA sponsored bill through the legislature that would place the CalPERS Long Term Care Program under the jurisdiction of the Department of Insurance.

To date, we have received the requested information from CalPERS regarding our PRA request, and members of the committee are analyzing the data. CalPERS also reached out to us to offer us a spot on a "research committee" that is being set up to investigate the options available to them regarding this issue.

Finally, a group of people that are insured under the CalPERS program have filed a class action lawsuit against CalPERS; however I don't have the particular details of this suit yet. Stay tuned for more.

Our speaker at the last luncheon was Paul Kraintz, founding member and coordinator of the Contra Costa County Meals on Wheels. Paul told us of the extreme need for volunteers to help with delivery of food for 2,000 at risk seniors throughout the county that are either physically incapacitated, or without needed financial support. Paul also said the Meals on Wheels volunteers are often the only people some of the home bound customers have contact with on a day to day basis. This makes the volunteers a very important part of these seniors safety net. The volunteers often notify aid agencies if there are indications the senior is in some type of distress.

Our speaker for September will be Contra Costa County Supervisor, Karen Mitchoff. Karen was just recently chosen to represent the county on the Retirement Board. Karen spoke to us in 2010 about her general duties and responsibilities as a supervisor. Now that her vote directly affects our retirement, I felt it would be good to have her give her perspective and goals for this issue, especially regarding how she will safeguard our current retirement benefits.

Also mentioned in our last newsletter, for some period of time, your board of directors has been talking about the need for a membership card, and now after much discussion, a card has been designed and printed. You can look for your new membership card in the mail sometime in September. We hope you like it, we and would love to hear your feedback. You can contact me at mesloan1@aol.com.

Your board of directors is constantly looking for ways to make your membership in CCCREA more valuable, and we believe we have found something that may appeal to everyone. While attending the past several conferences, and discussing membership benefits with members from other 37 Act counties, we found that most of them offer their members a supplemental insurance program. (Continued on page 2)

The program that appears to be the most popular among the counties that now participate in these supplement insurance programs say that their members are extremely pleased with the products and the cost of each type of insurance. The types of supplement insurance offered include pet insurance, travel insurance, dental insurance, car and home insurance, ID theft protection, vision care, and legal services.

These policies will be offered by Pacific Group Agencies, Inc. out of Santa Clarita. A mailing will be sent out in October to all retirees in the county, but everyone that wishes to purchase one or more of these supplements, must be a member of CCCREA. Since you are already a member, you qualify immediately, so watch your mailbox for the mailing in October.

In the last newsletter, I mentioned that we would be needing assistance when it came our turn to host the CRCEA conference in 2016. Several people have come forward, and I want to send a special thanks to them for the offer, however there have only been a few, and we will need many more. As the date gets closer, get ready for more arm twisting from me.

I know that many of you reading this newsletter would like to have some updated information on the lawsuits that have been filed by county employees and retirees around the state. Since there was so much information regarding this issue, we have included it at the end of the Legislative Report.

If there are other areas of interest or concern you think other retirees might like to read about, please let me know and we will try to research it and include it in future newsletters. You can either reach me by email at mesloan1@aol.com or on my cell phone (925-250-4796). If I don't answer, please leave a message and I will call you back as soon as possible.

See's CANDIES

It's that time of year again where we give gifts and what better and easier way to give to friends and relatives than a See's Candy Gift Certificate.
We have them for sale at $14.75 and they can take them to the store and get the candy they like the most, they do not expire,
If you are interested please call our secretary, Marilyn Cramlett at (510) 724-6788 for further information.

Local One Introduces New General Manager Peter Nguyen, J.D.

Mr. Peter Nguyen currently serves as General Manager of Public Employees Union, Local 1. Immediately prior, he held the posts of Executive Director of the University of Connecticut AAUP (American Association of University Professors) and Senior Collective Bargaining Advisor to the University of Connecticut Health Center chapter of AAUP. Previously, as National Director of Member Education and Organizing for the Screen Actors Guild, he helped lead that union through a major nation-wide contract campaign and nearly seven month strike, the longest in Hollywood history. Mr. Nguyen has also worked as an organizer and representation specialist for the California Faculty Association and California Federation of Teachers, where he developed extensive experience as a labor negotiator and political strategist.

In addition, he has served as expert panelist, presenter, and trainer for numerous organizations, including the Beverly Hills Bar Association, San Fernando Valley Leadership Institute, House of Blues Foundation, Museum of Tolerance, AAUP Summer Institute, AFT Collective Bargaining Conference, AFT Union Leadership Institute, AFT Western Regional Conference, CFT Leadership Conference, CFT Council of Classified Employees Conference, AFT Oregon Local Presidents Conference, and CFA Statewide Conference on Equity, among others.

Mr. Nguyen earned a Juris Doctor from the UCLA School of Law, where he focused on civil rights, Critical Race Theory, and labor law, and served as Student Bar Association President. He completed a Bachelors Degree in Psychology and Political Science from the University of California, Davis, where he was elected President of the Associated Students. Mr. Nguyen has taught or guest-lectured at the University of Connecticut, California State University, Channel Islands, Cerritos College, and California State University, San Bernardino.

He has also testified publicly before the California State Assembly and Senate Higher Education Committees, the University of California Board of Regents, and various local government boards on topics such as the curriculum, funding, and diversity of public education and the working conditions of public employees.

Outside of work, Mr. Nguyen has earned certifications in three different martial arts, enjoys photography, is a sports car enthusiast, and roots avidly for the San Francisco 49ers, Los Angeles Lakers, and UCLA Bruins.

WELCOME !

2013 Luncheon Dates

- **Sept 12, 2013**
- **Dec. 12, 2013**

Remember, if you are a new member your first lunch is free. Just be sure to call in your reservation and let us know you're a new member. The telephone number is 925-228-1600. Please feel free to invite friends who have recently retired to our luncheon!

Contra Costa County Retired Employees Association Board of Directors

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2013 Regular Meeting Dates

- October 8, 2013
- November 12, 2013

The above meetings are held at PEU, Local #1 in Aiello Hall from 10:00am until Noon.

All are welcome to attend and share your thoughts and suggestions. Besides, Secretary Marilyn bakes the best cookies!

Call to let us know you are coming.

CRCEA CONFERENCE DATES

The Fall conference in Fresno will be held on October 21, 22, 23, 2013 at the Radisson Hotel.

Call (559) 268-1000 for reservations.

October 2014	Sacramento County
April 2015	San Bernardino County
October 2015	San Joaquin County
April 2016	Kern County
October 2016	Contra Costa County

MEMBERSHIP

Maria Cantanese, Chair

At the end of December 2012, the number of total of active employees in Contra Costa County was 8,640, and number of retirees was 7,269. Since that date, if you count the deferred retirees (those that have left county employment, but have put receiving their retirement benefit on hold), the number of retirees has exceeded the number of active employees.

Since we know there are over 8,600 people that qualify for membership in CCCREA, and considering we only have approximately 1,650 members, we must not have been doing a very good job at recruiting.

One of our recruiting gaffs appears to be that we continue doing the same thing that we have for the past 10+ years to get information to retirees, and have been expecting better results. Currently we give our informational brochure to the retirement office, and have asked them to distribute it with their retirement package. To the best of my knowledge, they have been doing this, but the brochure must not be getting the attention of the retiree.

Unfortunately, at one time we were given the opportunity to talk to small groups of retirees during their retirement interview, but that practice has been discontinued since there are so many large groups of employees retiring.

We are planning a mailing in October to all retirees regarding a Supplemental Benefits program which will give everyone a chance to purchase dental, vision, and travel insurance, as well as pet care and travel insurance. This benefit will only be offered to members of CCCREA, however an application with be included in the mailing.

So what are the advantages of being a member of CCCREA? I will list a few:

- Access to this very informational quarterly newsletter
- Quarterly luncheons offered at discount prices, and a chance to win $25 gift cards
- Access to special travel offers, i.e., Day at the Races, Princess Cruises, and more
- Access to Supplement Insurance Benefits (soon)
- Membership card with discounts (September)
- Representation by a professional lobbyist in Sacramento through our membership in CRCEA to protect your retirement benefits
- Representation at county retirement board meetings
- Representation at county supervisor meetings
- Planned family scholarship program (Soon with increased membership)

So, what can you do to help us with our recruitment efforts? All you need do is refer a retired county employee that you know is not a member to us. A name and address is all we need. We will send the retiree an invitation to join and a membership application. If the member joins, we will include your name in a special drawing for a free lunch at Zio Fraedo's restaurant and a $100 Visa Gift Card.

DID YOU KNOW?

Keep a new chalkboard eraser in your glove box to clean fog off the inside of your car windows

Before putting sticky substances into a measuring cup, fill it with hot water. Dump out the water, but don't dry the cup. Add your ingredients (peanut butter) and watch how easily it slides out.

CAUSE FOR ALARM

by Sid Kircheimer (Reprinted from an in article the AARP Bulletin - July 2013)

The calls grab your attention as a grim recorded voice warns of increasing rates of death and injury from a fall or other home-alone medical emergency. But the real incentive to proceed and "Press 1" may be the promise of a free medical alert device that will quickly bring help when you need it most.

Here's what is likely to happen if you "Press 1": A live telemarketer comes on the line, and what was touted as a no-charge offer becomes a full press to get your credit card or bank account information for supposed monitoring fees or other expenses associated with the device.

Give out that information, and the possible result is identity theft.

Officials warn that scammers are behind many of these robocalls, sometimes stealing the names of reputable manufacturers, or inventing corporate names that often include the word "senior".

Some of the callers falsely claim that your doctor ordered the device for you. Others - such as Instant Response Systems of New York, which was recently shut down following a Federal Trade Commission investigation, allegedly up the ante with threats of legal action.

"They called seniors claiming they had already ordered a medical alert device and threatened them with a lawsuit if they didn't pay," says FTC attorney Arturo DeCastro. Jason (aka Yaakov) Abraham, who runs Instant Response Systems, did not respond to telephoned requests for comment.

If you feel you or a loved one needs a medical alert device, get recommendations from your health care provider or a social service agency.

When you call companies, ask for documentation about fees before providing payment accounts. Some hospitals and aging ser

vices agencies have subsidized programs. But if you don't qualify, you may need to pay a one-time installation fee of around $100, plus $1 to @2 per day for device rental and monitoring. Other companies require you to purchase the device. In the meantime, you can foil scammers with these five tips:

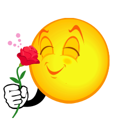
HANG UP ON UNSOLICTITED OFFERS - Don't even ask for sales information from cold callers: You could be targeted for "pay us or else" intimidation later on, says DeCastro.

FLEE FROM "FREE" - Medicare, Medicaid, and most insurance companies typical don't pay for this equipment. In rare cases when they do, a doctor's recommendation is required - and you'll know about it in advance.

REJECT ROBOCALLS - They're illegal unless you have contacted the company. So assume that any unsolicited prerecorded sales calls are the work of scammers.

DON'T RESPOND TO OFFERS TO "OPT OUT" OF FUTURE CALLS - That alerts the caller to a working number.

DON'T PAY FOR ANYTHING YOU DIDN'T ORDER- "Even if legal is threatened," says DeCastro.



SENIORS STILL NEED NEWSPAPERS

I was visiting my niece last night when I asked if I could borrow a newspaper .

"This is the 21st century," she said. 'I don't waste money on newspapers. Here, use my iPad."

I can tell you this......<u>That fly never knew what hit him</u>!

PASSAGES

Some people come into our lives and quickly go. Some people move our souls to dance. They awaken us to new understandings with the passing whisper of their wisdom. Some people make the sky more beautiful to gaze upon. They stay in our lives for awhile, leave footprints in our heart, and we are never ever the same. ~ Chicken Soup for the Soul

Leonard Mello	12-9-2010
Patricia DeRuntz	12-29-2012
Albert Boot	05-29-2013
Darlene Corrado	04-17-2013
Delora England	04-27-2013
James Bradley	07-08-2013
Charlotte DuBois	05-28-2013
Norman Johnstone	04-21-2013
Barbara Allen	06-21-2013
Shirley Mead	06-20-2013
Judity O' Donnell	05-26-2013
Barbara Allen	06-21-2013
Patricia Calhoun	07-25-2013
Loveth Melton	06-16-2013

Welcome New Members

Steven Goetz
Marita Mayer

August 2013 Legislative Report

Art Goulet, CRCEA Legislative Chairperson

There hasn't been a lot of activity on the legislative front since my last report, but here's where things stand:

Urgency Bills

AB 160 (Alejo) would exempt certain public employee retirement plans from PEPRA if the employees' collective bargaining rights are protected by federal law. This bill pertains to transit agency employees and will be controversial. It is at the Assembly Appropriations Committee. Apparently, the bill is still awaiting a response to a letter to the Federal Department of Labor from the Administration, which states the PEPRA does not affect employees' collective bargaining rights.

SB 13 (Beall) is an urgency "clean-up" bill for PEPRA. So far, it is non-controversial. It includes a couple of provisions requested by SACRS to clarify that member contributions may be based on age at entry or a flat rate, at a system's option, and that the existing calculation methodology for retirement allowance in systems coordinated with Social Security contained in the 1937 Act does not apply to employees who become new members of the system on or after January 1, 2013. It passed out of the APER&SS Committee on June 26 (6-0) and referred to SAPPR.

AB 822 (Hall) originally would have required a charter or charter amendment that proposes to alter, replace, or eliminate the retirement benefit plan of employees of a city, county, or city and county to be submitted to voters at a statewide general election. It would also require an independent actuary's impact statement, not to exceed 500 words, to be included in the ballot statement. A fee of no more than $500 could have been charged to the proponent of the measure to pay for the actuary's statement. It was amended on July 10 to include any ordinance doing the same as described for a charter or charter amendment, and expanded to cover all cities, counties, community college districts, and special districts, and to eliminate the fee requirement. It then passed out of the SG&F Committee (5-2) and sent to the SAPPR.

AB 1373 (Perez) is a reintroduction of last year's AB 2451, which was vetoed by Gov. Brown. It seeks to expand the statute of limitations under which surviving family members of California police and firefighters can claim death benefits worth a quarter of a million dollars at minimum. Last year's measure, as originally introduced, would have eliminated the statute of limitations entirely for death benefits for public safety officers. So, given the presumptions in law, if an officer died of cancer or a heart attack 10 or even 20 years after retiring, his family could still collect death benefits worth a quarter million dollars at minimum. Eventually last year's bill was tightened to double the statute of limitations, not eliminate it entirely. This bill initially left blank the new statute of limitations. It passed out of the Senate Labor and Industrial Relations Committee on June 27 (4-0) and referred to the Senate Appropriations Committee (SAPPR). It was amended on July 1 to again double the current statute of limitations and is still in SAPPR.

AB 373 (Mullin) would provide that domestic partners and adult children are eligible to enroll in long-term care plans offered under the Public Employees' Long-Term Care Act. The bill would also authorize the board to expand eligibility for these plans to all classes of persons who meet relevant requirements under the act. It passed out of the SPE&R Committee on June 11 (4-0) and referred to SAPPR. It passed out of that committee on June 24 (7-0) and is on the Senate floor.

Two Year Bills

SB 24 (Walters) would eliminate the requirement that the Legislature approve changes by a local agency that establish a lower defined benefit plan formula than those provided under PEPRA. It would also authorize a local agency public employer or public retirement system that offers a defined benefit pension plan to offer a benefit formula with a lower benefit factor at normal retirement age and that results in a lower normal cost than the benefit formulas that are currently required, for purposes of addressing a fiscal necessity. It is still at SPE&R Committee.

Proposed Bill

RPEA, PORAC and CPF intend to introduce a bill, after the legislature returns from its summer break, to limit the amount if information regarding pensions paid by CalPERS and STRS. This was in response to an announcement by CalPERS that it was going to create a website where extensive information concerning individual pensions would be available. This information would include much more than that included in the $100K Club websites set up by anti-pension groups. At this writing, retirees under the 1937 Act would not have the same protections. Because of the announcement of the proposed bill, CalPERS is holding off on opening the planned website.

37 ACT COUNTY RETIREMENT PENDING LAWSUITS

Art Goulet, CRCEA Legislative Chair

In Fresno County, retirees who were granted non-service connected disability (NSCD) retirements between January 1, 2001 and June 30, 2009, received pensions based on an enhanced benefits formula. At one point, it was determined that this practice was not in conformance with the 1937 Act, so it was discontinued, although the retirement board waived recovery of past overpayments. Subsequent NSCD retirees sued the retirement board, alleging that the enhanced benefit calculation methodology was an implied provision of a settlement agreement entered into after the Ventura and Ventura II decisions. They were relying on the California Supreme Court decision in Retired Employees Assn. of Orange County, Inc. v. County of Orange, which ruled there could be implied provisions in contracts in California. Unfortunately for the plaintiffs, the Appellate Court decided there was no such implied provision in the Fresno County settlement agreement, particularly because the settlement agreement clearly and unequivocally expressed that all issues relating to the Ventura II litigation were being compromised and resolved solely by what was expressly set forth in it, and that there were no other implied or unexpressed agreements

In Sacramento County, in a case seeking continuation of healthcare and dental subsidies for retirees (SCREA v. County of Sacramento), there was a hearing in Federal Court on June 28. SCREA is awaiting the Court's decision. Issues in that case include "implied contract" and "unequal treatment of similarly situated employees."

In Stanislaus County, there was an unsuccessful mediation attempt in San Francisco on June 19 in the O'Neal v. StanCERA case. The plaintiff hopes this case will reach court in the fall. One of the issues in this case is whether a retirement system can use non-valuation assets to offset a required plan sponsor contribution.

In the lawsuit in filed by the Contra Costa Deputy Sheriff's Association, and enjoined by the court with similar suits from Alameda, Marin and Merced counties, seeking to overturn parts of PEPRA restricting how pensions are calculated for workers already in the retirement systems before the law took effect are still active. The Attorney General succeeded in getting approval to consolidate all the lawsuits into a single court proceeding to avoid conflicting decisions among the four Superior Courts, but there has been no published activity since.

A new, but different, lawsuit has been filed against Riverside County by the Deputy Sheriff's union. Riverside County is not a 1937 Act county, so the issues are different, although they also derive from the passage of PEPRA.

A trio of law firms has filed suit against CalPERS in Los Angeles Superior Court, saying the pension fund misled public employees and retirees into buying long term care coverage by promising their premiums would be stable. The complaint alleges that CalPERS touted the financial strength of its program and said it had the experience to successfully manage it. But the agency pursued an improper investment strategy that left the program grossly underfunded and then failed to warn policyholders about these financial problems in a timely manner, according to the suit. The firms are seeking to have the suit certified as a class action on behalf of more than 125,000 affected policyholders.

You've probably read about the aborted effort by CalPERS to create a website on which names and pension amounts of all CalPERS retirees would be made available. Currently, this information is only available for retirees who receive $100,000 or more annually, and not on a CalPERS web-site.

In the face of objections by the Retired Public Employees Association, Police Officers Research Association of California, and the Professional Firefighters union, coupled with an announcement that legislation would be introduced to prevent this information from being disclosed, when the Legislature returns from its Summer recess, CalPERS refrained from placing the website online. Notably, the proposed legislation would only apply to retirees receiving pensions from CalPERS and CalSTRS.

CRCEA (California Retired County Employees Assn.) has asked its lobbyist to attempt to get retirees from 1937 Act counties included in the legislation. Whether or not such legislation will pass and/or be signed by the Governor remains to be seen. You can be sure that the newspapers and the open government advocates will be opposing it strenuously.

(Note: As many of you may remember, the Retiree Support Group (RSG), CCCREA's sister retirement organization within the county, fought this fight back in May 2009 and lost the court battle to the newspaper and tax payer lobbies.

CCCREA members should also be aware that RSG has sued Contra Costa County on behalf of its members and their survivors to obtain a court order requiring the County to rescind its changes to retiree health insurance benefits that went into effect on January 1, 2010. RSG maintains in their suit that the right to at least an 80% County subsidy of our health insurance premiums was promised to retirees by the words and actions of the County since 1962, and constitutes a vested right that may not be taken away by the County. The County's motion to dismiss the case was denied recently, and they are moving ahead with this suit.)