

AFSCME RETIREES CHAPTER 4041
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AFSCME Retirees Newsletter Survey

Please complete and return the following short survey so that we can better focus our lobbying efforts on behalf of our membership regarding issues brought before Congress, Nevada Legislature, Nevada Public Employees Retirement System (PERS) and Nevada Public Employees Benefits Program (PEBP). Mail your completed survey to AFSCME Retirees Chapter 4041, P.O. Box 662, Carson City, NV 89702, or scan and email to afscmeretirees4041@gmail.com.

Question 1: Social Security

Do you qualify for Social Security benefits? Yes No
Are you getting a reduced benefit caused by the Windfall Elimination Provision? Yes No
Are you getting a reduced benefit caused by the Government Pension Offset? Yes No

Question 2: Medicare

Are you covered under Medicare Part A? Yes No
Are you covered under Medicare Part B? Yes No
Are you covered under Medicare Part D? Yes No

Question 3: Nevada Public Employees Retirement System (PERS)

Are your Periodic Rate Increases (PRI) "capped" by the Consumer Price Index that exceeded your purchasing power since your retirement? Yes No

Question 4: Nevada Public Employees Benefits Program (PEBP)

Are you covered under the Consumer Drive Health Plan (Health Scope)? Yes No
Are you covered on VIA (Medicare Exchange)? Yes No
Should PEBP only contract with Third Party Firms from Nevada? Yes No

Question 5: Experience with Retirement Programs

On a scale of 1 to 5, where 1 is not responsive and 5 is very responsive, please rate (circle) the following programs on how well they communicate with you or respond to your questions or issues:

	Poor		Good		Great
Nevada Public Employees Retirement System (PERS)	1	2	3	4	5
Nevada Public Employees Benefits Program (PEBP)	1	2	3	4	5
Health Scope	1	2	3	4	5
VIA	1	2	3	4	5

Thank you for your participation.



THE SENIOR MOMENT

AFSCME NV RETIREES CHAPTER 4041

JUNE 2019



Legislature 2019 Final Edition



LEGISLATIVE OVERVIEW Part 1

(Priscilla Maloney Lobbyist Retirees Chapter 4041)

Friday June 14th was the final day for the Governor to sign, veto or let stand without his signature the hundreds of bills that made it to his desk after the Legislature formally ended on June 3rd. Out of the over 1100 bills that made it

to his desk, we tracked, supported or opposed approximately 100 bills. Of those bills we supported, many were signed by the Governor and are now law.

We can't emphasize enough that elections matter. The consequences of all the hard work that the Nevada Labor family put in last year in making sure that worker-friendly candidates won their places in 2018 in the Statehouse and in our Constitutional offices meant that we had the most pro-worker and pro-union results that Nevada has ever seen in a legislative session. Unlike the last legislative session where 41 bills were vetoed, our new Governor vetoed only three bills-none of which we were following as within our areas of concern for labor.

Much of the damage done to Labor rights in the 2015 session was reversed-reinstating laws such as decades-old prevailing wage rights, project labor agreements and restoring public employee protections. The Governor also signed a bill that is widely recognized as a crucial first step in allowing State Workers to collectively bargain.

We focused our legislative program primarily on five areas: NV PERS, PEBP/Healthcare, Collective Bargaining rights, Elections, and Public Records law.

As in past sessions, we met weekly with our coalition partners in the Labor Community: Nevada AFL-CIO, Police and Fire Associations, Education (Nevada State Education Association/Nevada Faculty Alliance) and other employee groups such as the Retired Public Employee Association (RPEN).

This collaboration and coordination made for a tremendously successful session-so now let's go through some of the bills and take a "peek under the hood".

NV PERS

Despite having a pro-worker majority in both houses this session, we still had to monitor and take positions on several bills that could have effected NV PERS negatively and also on a couple that we felt were positive for the system. In doing our analysis, we rely heavily on the professional assessment that the NV PERS staff and their legal counsel take on the session's bills. The PERS board met regularly during the session and we were able to benefit from their insights, as well as any fiscal notes submitted on such bills to the legislature. Here is a run-down below:



AB75 and SB 83: These two bills were a re-hash of poor ideas attempted in the 2015 session (similar to AB 190 and AB 3 from that year). **AB75** was another pass at the so-called "Hybrid Programs" beloved of hedge-fund managers everywhere. These types of schemes would close the existing defined benefit program, and funnel new hires into 401-k type plans with exorbitant fees, weakening the system drastically and giving a poorer benefit to new employees. These types of plans have been attempted in other states with undesirable results. **SB 83** would have re-configured the current PERS board public employee membership makeup in a way that was unconstitutional-by adding the state Controller and the state Treasurer to the board-and also two more positions to the board from the private sector-to be appointed by both the Controller and the Treasurer. Both bills were "pre-filed" by the former Controller and never got a hearing.

(cont. next page)

(Part 1 continued from front page)

We also had a pair of bills (**AB 382** and **SB 272**) that would change PERS law to benefit one particular sector of the state workforce-as part of a larger motivation to recognize public safety positions. **AB 382** was originally submitted as a bill to address the disparity in salaries in law enforcement in local government versus salaries for the same or similar positions in state government. While this was a worthy legislative goal, the proposed bill in its original form included a provision that retirement contribution that these state employees get taken out of their pay be calculated as well. While state employees have two options (“Employer-employee pay” or “Employer pay”) local government employees have in most cases only “Employer pay” as a contribution option. The issue arose when it was clear from discussions with the bill’s sponsor and NV PERS staff that there was a misunderstanding in a belief that the system treated local government employees more favorably than state employees in their contribution rates. The system’s design and the salaries schedules in both state and local governments result always in a “50-50” match, regardless of the pay scales used. Once that was cleared up, and the bill amended NV PERS had no further concerns-but the bill did not make it out of committee in any event.

SB 272 was a different approach to the same issue of disparity of salaries for state public safety employees and similar local government positions. This bill however would have actually changed NV PERS law to essentially have the state as the employer subsidize the entire PERS contribution (instead of the required 50-50 contribution) for these types of employees. NV PERS submitted a fiscal note that not only showed the enormous fiscal impact to the state from the effect of such a bill, but also detailed existing long-established federal 9th Circuit Court of Appeals case law prohibiting such an idea from decades ago. NV PERS opposed this bill throughout the process as did we, and this bill also never got out of committee.

A good NV PERS bill that we supported and was signed by the Governor was **SB 416**. This bill was sponsored by outgoing Senator David Parks and addressed a situation that while it doesn’t come up very often, can lead to sad consequences for families where a parent was a member of the PERS system, but passes away and the surviving child beneficiary(s) are adopted. Under the existing law-if the child under 18 is adopted, that child loses their survivor’s benefit. Now-thanks to this bill, that child does not lose the benefit and those funds can be saved for college or used for the child’s care.

Legislative Overview Part 2



PEBP/ HEALTHCARE

This session there were relatively few bills that would have substantially affected the PEBP system plan design and how it functions-though there were dozens of different health care system bills covering subjects from drug and pharmacy policy to out-of-network billing that would have been applicable to all healthcare insurance policies in the state. As with NVPERS, the PEBP board maintained a list from the start of session that we followed that summarized the bills in their original form that would affect PEBP’s day-to-day operations or cost the system (which costs would be passed onto the participants) unduly. Many of the Healthcare bills sought to enshrine existing provisions of the Affordable Care Act (ACA) into all healthcare coverage provided in Nevada. **Many if not most of these types of bills had provisions that the PEBP system was already following under the ACA.** As the healthcare bills moved through the session, the PEBP system tended to get “amended out” of most of the bills, leaving the interested parties of employers, insurers, providers and in some cases larger unions with their own healthcare trusts to work out differences.

Two bills that are of note are **AB 469** and **AB 170**. **AB 469** does include the PEBP system in its provisions addressing “out of network surprise billing” issues. This is where a person in an emergency is taken to a facility for care that is not normally in the provider network in their healthcare policy, and charges that exceed co-pays and deductibles occur-often catastrophically large. As amended and signed by the Governor, this bill will allow PEBP program flexibility to opt-in and opt-out of the Bill’s provisions, so that the member is best served depending on the individual circumstances.

AB 170 which enshrines ACA protections such as mandatory coverage for pre-existing conditions does not affect PEBP because the program has already “baked in” these protections into its plan design, but for all other Nevadans, including Medicare retirees purchasing supplemental plans on the PEBP retiree exchange, those protections in the ACA are Nevada law if the ACA fails at the federal level sometime in the future.

Legislative Overview Part 3

COLLECTIVE BARGAINING

There was tremendous progress made this session in the area of public employee collective bargaining. **SB 153** and **SB 111** were supported by groups that already have collective bargaining with local governments such as teachers, police and fire groups. Both these bills reversed damaging changes to long established collective bargaining law that occurred in the 2015 legislative session, restoring valuable protections under the current local government bargaining chapter **NRS 288**.



Governor Steve Sisolak presents AFSCME President Lee Saunders with a signed copy of SB 135 granting state employees collective bargaining rights.

Finally, in an historic change to Nevada law, state employees are now allowed to collectively bargain under NRS 288 along with groups such as those listed above due to the passage of **SB 135**. The bill has some provisions that do not grant the power to state employees to negotiate the same list of rights as other groups under NRS 288, and the Governor, as representing the Employer State of Nevada, can override negotiations due to fiscal constraints, but this is an important first step.

ELECTIONS

Nevada made tremendous strides in this area this session. **AB 50** reconfigured the date for municipal elections to be on even years only-thus ensuring better turnout and organization. **AB 137** establishes wider access to polling places by creating them in a tribal colony or native reservation. **AB 345** creates same-day voter registration, allows a new form for those who wish to opt-out of automatic registration at the DMV, allows the County Clerks to expand polling places where any voter can vote, makes absentee ballots simpler to request and other reforms designed to encourage participation in the electoral process.

PUBLIC RECORDS

This was an extremely “hot” topic this session. Whether it feels this way or not to the average public employee or retiree, Nevada is regarded on a national level as one of the least transparent states in the country in regards to access to public records under the public records act, **NRS 239**. There were multiple bills to expand access to public records however for purposes of our membership the main focus was on the continuing issues around the confidentiality of NV PERS members’ information-specifically those who have retired.

Retired public employees have the right to privacy and protection as vulnerable seniors. Recognizing this, the non-profit organization Retired Public Employees of Nevada (RPEN) has for the last two sessions submitted bills to try to put reasonable limitations on access to personal information contained within the NVPERS system’s data. As many know, this battle between the so-called “public’s right to know” and public employees’ desire not to have their private information “out in the world” has been the subject of several years of litigation. RPEN’s **SB 224** was signed after a compromise was reached giving the public access to a PERS member’s name and pension amount as non-confidential information (upon request). This bill did not change public records law under NRS 239, but amended the PERS statutes under NRS 286 to make all other information about PERS members confidential, with that information only allowed to be released under certain circumstances.

2019 DATES TO REMEMBER

Sunday August 11 AFSCME (Sierra Range, Washoe, Prison North, Retirees) SUMMER PICNIC 11:00am—3:00pm Bowers Mansion North Pavilion.(Old Hwy 395 in Washoe Valley) Food, drinks, etc. Games and events for kids!

Saturday August 17 is **AFSCME Retirees Chapter 4041** night at Greater Nevada Field (250 Evans Avenue, Reno, NV 89501). **TICKETS ARE GOING FAST!** But there is still time to get yours! Game time is 7:05 PM Each AFSCME Retirees Chapter 4041 member will receive 2 Infield Reserved tickets at **no cost to you!** All you have to do is email us at afscmeretirees4041@gmail.com with your name and address **no later than July 31, 2019** and we will mail you 2 tickets. Additional tickets can be purchased for the Group Rate of \$16.00 each. So don’t wait, tickets are limited, no requests will be honored AFTER July 31, 2019.

August 8, General Membership Meeting 10:00am Carson City office,(625 Fairview Ste 110) video conferenced to Las Vegas (601 S Rancho Dr. Unit C-24)

Monday September 2 Labor Day Parade 12:00pm—1:00pm “C” Street, Virginia City, NV

Saturday October 26 Nevada Day Parade 10:00 am Downtown Carson City