



The Peralta Retiree

January — March 2011

Vol. 7 No. 2

<http://www.peraltaretirees.org>

From the President...

by Jerry Herman, PRO President

Come To The Spelling Bee At The Altarena

PRO is sponsoring a spring night at the theater at the Altarena Playhouse in Alameda where two years ago we saw the wonderful production of *Chicago*. This time the production is the *The 25th Annual Putnam County Spelling Bee*, the very clever Tony award winning musical. We look forward to seeing a large contingent of PRO members, their families and friends at the Altarena on March 26. Details on page 3.

Public Employee Wages And Pensions: Myths And Facts

As our nation's economic woes persist, many conservative politicians and commentators have zeroed in on public employee wages and pensions as targets for Draconian cuts, blaming them for excessive government spending and the perpetuation of the recession. Though public employees make easy scapegoats for demagogues, an examination of the facts shows quite a different picture. Below are some myths and facts about public employees and their pensions as reported by the California Retired Teachers Association:

MYTH - Public employees now earn more than private industry workers.

FACT - A recent study by the Center for Excellence in State and Local Government (<http://www.slge.org/>) shows that employees of state and local government earn an average of 11 percent and 12 percent less, respectively, than comparable private sector employees. The pay gap has widened in recent years.

MYTH - Public employees retire with lavish pensions.

FACT - Because a person's pension is calculated

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PRO's Spring Theater Party

The Tony Award Winning Musical



at

Altarena Playhouse

In Alameda

Saturday · March 26

8 PM

\$17/ticket

Details on Page 3

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PRO Joins Amicus Brief on Scope of Retiree Health Benefits

The California Supreme Court is about to decide if a court may interpret contract articles concerning retiree health benefits in an agreement between a public agency and a union based on non-explicit past practice and negotiations notes. This case has gone to the Supreme Court after the 9th Circuit US Court of Appeals directed this question to it. This means that the scope of employee rights to retiree health benefits is about to be decided in the California Supreme Court.

Attorney Bob Bezemek filed an *amicus* brief in the 9th Circuit for the CFT, the California Community College Independents and FACCC, along with the California Retired County Employees Association. He also filed an *amicus* in the California Supreme Court which PRO has signed on to. An *amicus* brief is a filing by an attorney representing

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Peralta Retirees Organization

PO Box 1951
 El Cerrito, CA 94530
<http://www.peraltaretirees.org>

President - Jerry Herman
jerrherm@sbcglobal.net
 Vice President - Bruce Jacobs
 Secretary - Ann Whitehead
 Treasurer - Shirley Timm

Board of Directors

Remo Arancio
 Pat England
 Linda Japzon
 Sondra Neiman
 Alex Pappas
 Ned Pearlstein
 Jay Quesada

The Peralta Retiree Editor - Bruce Jacobs
webmaster@peraltaretirees.org

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(From the President... Continued from page 1)
 based on salary, age and years of service, each person's pension is different. However, very few retire with exorbitant pensions. The average for all current CalSTRS retirees is \$2,700 per month, though those who retired in the 1970s and 80s receive far less.

MYTH - Public pensions are a drain on the state's economy.

FACT - Actually, every \$1 spent on pensions sees a return on investment of \$6.71 through investment earnings, money spent by retirees and taxes and fees (based on a 2007 report by CalSTRS, "The Annual Economic Impact of CalSTRS Benefit Payments.")

The *CalPERS Responds* website (<http://www.calpersresponds.com/index.php>) also debunks the lies about public employee compensation. Robert Reich, Secretary of Labor in the Clinton Administration and currently Professor of Public Policy at UC, Berkeley, has written a blog called "The Shameful Attack on Public Employees" (<http://robertreich.org/post/2615647030>) that does the same.

It's time that we retired public employees, who often chose a career of public service over more lucrative private sector jobs, defend ourselves with the facts and the truth against the know-nothing attacks of those who choose scapegoating over thinking and prejudice over objectivity.

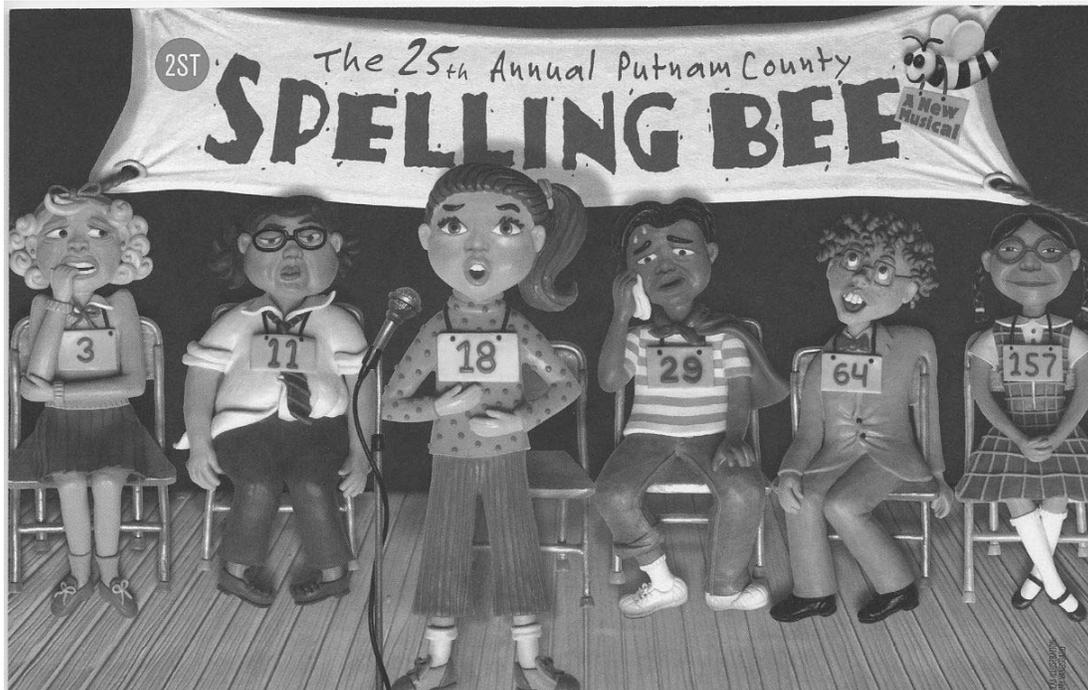
Welcome New Members

PRO welcomes the following retirees who have recently joined.

Karen Bougae
 Telly Castro
 Michael Feiler
 Ann Kircher
 Edie Cottrell Kreisler
 Diana Lara
 Lenora Powell

Bishop Scott
 Peter Simon
 Norma Singleton
 Bobby Snell
 Donald Tate
 Socorro Taylor

Attend PRO's Spring Theatre Party at The Altarena



“Can you spell irresistable? Drat! I mean, i-r-r-e-s-i-s-t-i-b-l-e? ...precisely the word for this entirely adorable new musical.” —The New York Times

Six kids face off in the battle of their lives. The competition is intense. The words are outrageous. Let the spelling (and the singing) begin! Three adults adjudicate the proceedings: a nostalgic former spelling bee winner, a mildly insane Vice Principal and The Official Comfort Counselor completing his community service to the State of New York. Both tender and sardonic, this hilarious Tony Award-winning musical of overachievers’ angst brings you inside the spelling championship to end them all. From the author of *Falsettos* and *A New Brain*.

Saturday • March 26 • 8 PM

\$17/Ticket

Altarena Playhouse

**1409 High Street • Alameda
(between Central Ave. and Santa Clara Ave.)**

**Ticket orders must be received by
Wednesday, February 16**

**(Order early—only a limited number
of tickets are available!)**

To order tickets complete the form, enclose a check made out to “PRO” and mail to:
PRO, PO Box 1951, El Cerrito CA 94530. Please print.

Name _____ # of Tickets _____ X \$17 = _____

Address _____ City _____ State _____ Zip _____

Telephone _____ Email _____

Images From The PRO Luncheon



Shirley Nedham and PRO Board Member Sondra Neiman



PRO President Jerry Herman in fiesta headgear



Alze Roberts, Ida Pound and Ed Lopez



Dorcas Kowalski, Adam David Miller and Bunny Moeller



PRO Board Member Ned Pearlstein



Myrtle Bennett and Vickie Redus

and Annual Meeting on Nov. 5



Jack Mooradian, Edie Chandler and Ralph Marinaro



Anna Pavelka-Lodato and John Lodato



Mary Kay Holland wins a door prize



Joyce Allen wins a door prize



Rip Talavera



Stan Peters

It's Time to Join PRO or Renew Your Membership for 2011

We are living through challenging times. Many public agencies are questioning their commitment to retiree health benefits, and the media are frequently calling these benefits "overly generous" and "uncalled for."

PRO is the organization that Peralta retirees turn to for timely information about the District's benefits programs and for vigorous defense of those benefits when the District tries to renege on its promises.

PRO also sponsors social events for retirees and a scholarship program for students at each of the Peralta Colleges.

PRO's annual dues are \$20. You can join for 3 years (\$55), 5 years (\$85), or a lifetime (\$250). Please sign up today. *Our strength is in our numbers.* It's easy to join - just fill out the form below (please print), enclose a check made out to 'PRO' and mail to:

PRO, PO Box 1951, El Cerrito CA 94530.

Name _____

Address _____

City, State, Zip _____

Email _____

Phone _____

Amount enclosed: \$ _____

If you are not sure whether you are paid up for 2011, you can check the mailing label on this newsletter to see your membership expiration date. No expiration date on the label means you have never been a member of PRO.

(Amicus Brief Continued from page 2)

organizations and/or individuals who are not a party to a lawsuit but who wish to provide the court with legal arguments because the outcome may materially affect them.

The case in question involves a lawsuit filed by the Retired Employees Association of Orange County (REAOC) after the county discontinued its practice of "pooling" retired employees with active employees in setting rates for health care benefits and, instead, "split the pool," thereby creating different premium pools for active and retired employees. The result has been a huge increase in the cost of medical insurance premiums paid by retirees. The decision against the retirees in the Federal District Court relied on the argument that the County Board of Supervisors had never explicitly promised to keep the retirees in the same pool as active employees and that such a commitment was not in the contract language which had guaranteed that the County would subsidize health care benefits for retirees.

In the *amicus* brief Bezemek argues that the District Court erred by disregarding fundamental principles of California law, including that "a collective bargaining agreement *is not an ordinary contract* and must be interpreted within ...the context in which it was negotiated and applied." Further, "it ignored the rule that extrinsic evidence should be examined when an ambiguity exists in a collective bargaining agreement."

You can read more details about the lawsuit, the events that led up to it, and the court decisions on the REAOC's website (<http://www.reaoc.org/page.php?12>).

Wise Allen To Continue Serving as Interim PCCD Chancellor

At its December 7 meeting the Peralta Board decided to scrap the nearly completed process for selecting the next Chancellor. The Board was responding to strong objections from District employees who complained that the search process had not followed Board policy and had excluded meaningful input

(Continued on page 8)

Contribute To The Pro Scholarship Fund By Honoring Or Memorializing A Friend Or Loved One

✂

Yes, I want to support the PRO Scholarship Fund with a contribution.
(Please print)

In honor of: On the occasion of: In memory of:

Please send acknowledgement card to:

Name: _____

Address: _____

City: _____ **State:** _____

Zip: _____

Contributor's Name: _____

Contributor's Address: _____

City: _____ **State:** _____

Zip: _____

Make check payable to: **The Peralta Foundation—PRO**
Send to: PRO, PO Box 1951, El Cerrito, CA 94530
Contributions are tax deductible to the extent allowed by federal and state law.

IN MEMORIAM

The following Peralta retirees have passed away during the last months. PRO extends our deepest condolences to the families and loved ones.

Mark J. Marlais
Robert Maynard

If you have any information about the passing or the serious illness of a Peralta retiree, please contact Bruce Jacobs at: webmaster@peraltaretirees.org or by writing to PRO, PO Box 1951, El Cerrito CA 94530.

Contributions Received for the PRO Scholarship Fund

In Memory of	Contributor
Alan Bodine	Juanita Peterson
Elvo D'Amante	Ed Minasian
Betty Ellet	Dorcene Nelson
Mark J. Marlais	Beatrice Marlais
Jack Olson	Jim Mohr
In Honor of	Contributor
My grandchildren, Tallula and Quinn	Jerry Herman
PRO	Steve Schneider

Renew Your Membership · Join PRO

Board Members Re-elected At Annual Meeting

PRO members re-elected the current PRO Board members whose terms ended in 2010 at the Annual Meeting. The re-elected members were Jerry Herman, Bruce Jacobs, Linda Japzon, Ned Pearlstein, Shirley Timm, and Ann Whitehead. The Board will elect officers at its next meeting which is scheduled for February 2.

At the December Board meeting the Board held a discussion about the importance of bringing in new people at the next Board election which is scheduled for November 2011. Most of the current Board has served for several terms and some members have indicated that they would prefer to go off the Board in the near future. Other concerns that came up in the discussion included the lack of representation on the Board by retirees who retired after July 1, 2004 when there were major changes to the District medical benefits.

There is also a need for more participation on PRO's committees, including the Health Benefits Committee which works to resolve problems as they arise with the District health benefits, the Social Committee which

organizes PRO's social events, the Membership Committee which recruits retirees to become PRO members, and the Service Committee which oversees PRO's scholarship program. If you are interested in joining a committee, contact PRO by emailing to webmaster@peraltaretirees.org or sending in a note to the PRO post office box (PRO, PO Box 1951, El Cerrito, CA 94530).

(Chancellor Search *Continued from page 6)*

from faculty and staff.

As a result the District may not have a permanent replacement for Elihu Harris, who left last summer after trustees declined to extend his contract, until the 2011-12 school year is under way. Trustees had planned on the new chancellor starting by next July.

Longtime Peralta administrator and PRO member Wise Allen has led the district since Harris left and likely will remain at the helm until the permanent replacement is hired.

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P. O. Box 1951
El Cerrito CA 94530