



# The Peralta Retiree

## From the President...

by Jerry Herman, PRO President

*Note: PRO President Jerry Herman is on vacation as this issue of The Peralta Retiree goes to print. We are reprinting below Jerry's letter to retirees (written in early June) about proposals to change medical insurance benefits for retirees that surfaced in the Peralta District last spring. In his letter Jerry references an open letter published by Peralta's unions to their constituencies about this issue. A copy of that letter appears on page 4 of this newsletter.*

—Bruce Jacobs, Editor.

Dear PRO members,

For the last three or four weeks information has been circulating from a variety of sources that PCCD management (in particular, Thuy Nguyen, District Counsel) has been exploring whether it is legal to modify our retiree guaranteed lifetime health benefits. Management remained publicly silent about the issue throughout this period, leading to uncertainty and anxiety among both retirees and active employees. The district's unions investigated and published their conclusions in an open letter that was distributed to all Peralta personnel. (The letter is reprinted in its entirety on page 4.)

In addition to sending you a copy of the open letter, the PRO Board and I want to update you on what has transpired and to assure you that our benefits do not seem to be in immediate jeopardy.

From everything we have discovered, the PRO Board agrees with the allegations made by the unions in the open letter. I invited PCCD Counsel Thuy Nguyen to the PRO Board meeting to address the unions' claim that she has suggested that there is a legal case to be made for the reduction of retiree benefits, but she declined the invitation saying that her clients (the PCCD Board and chancellor) had advised her not to discuss the issue with any-

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## Upcoming PRO Events



### PRO's Annual Picnic

Thursday, August 13

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### PRO Theater Party at Woodminster Amphitheater

## Brigadoon

Friday, September 11

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**WHAT ARE WE UP TO?****RETIREE NEWS****Alameda County Women's Hall of Fame Honors Margot Dashiell**

Peralta retiree Margot Dashiell was inducted into the Alameda County Women's Hall of Fame at a ceremony held at H'S Lordship's in Berkeley on April 25. Four hundred people attended a celebratory luncheon where they cheered Margot on for her award in the Community Service category. Ten other women were honored that day for contributions in such fields as education, science and business. Margot continues to do volunteer work on behalf of families of people living with mental illness. One of her most important contributions has been the organization of The Alameda County Families Coalition which provides networking and advocacy for family members seeking to support relatives living with serious mental illness. The

*(Continued on page 8)***Peralta Retirees Organization**

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The Peralta Retiree is published four times a year by the Peralta Retirees Organization (PRO)

Volume 5 Number 4

*(From the President...Continued from page 1)*

one. We have concluded that had she not suggested modifying retiree benefits, she would have been eager to put the matter to rest by denying it. She has never denied the unions' claims.

Nevertheless, after discussions with union leaders we believe that there is little, if any, support for modifying retiree benefits among Peralta's senior managers or the PCCD Board. The union leadership has also assured us that if Nguyen's suggestions had slightly opened the door to a discussion of the subject, the effect of the unions' open letter was to slam that door shut.

Tom Smith, Peralta's Chief Financial Officer and architect of the bond issue investment plan that currently funds our benefits, told me that our benefits are on solid ground, especially in light of the stock market gains in the last few months. He asserted that modifying our benefits was not an issue now being discussed in Peralta.

As far as we can tell, that is the current state of affairs regarding our benefits, so you can breathe a sigh of relief - at least for now. However, current California economic conditions, especially regarding education, are perilous. We can only hope that Peralta - and the rest of the state's educational system - survives the economic breakdown intact.

Should anything further on the subject of benefits modification arise, we will certainly let you know. You can be certain that PRO will be following any developments tenaciously. We are pleased that the active employees' unions believe that any attack by the District on retiree benefits affects active employees as well as current retirees and that they are steadfastly on our side. We have formed a very powerful alliance with the unions that any potential adversary would be foolish to challenge.

*The above letter was emailed early in June to all retirees for whom we have an email address. If you did not receive the email, please send PRO an email at [webmaster@peraltaretirees.org](mailto:webmaster@peraltaretirees.org). Be sure to include your name in the text of the message. You will then be placed on our list for receiving informational emails.*

*Join your fellow Peralta retirees for*

# PRO's ANNUAL PICNIC

*in the redwoods at the Huckleberry Picnic Area of  
Oakland's beautiful Roberts Regional Recreation Area*

**Thursday, August 13 · 11 am to 3 pm**



**Bring your picnic lunch and your choice of beverage. PRO will supply water, soft drinks, plates, utensils, salad and dessert.**

**Come join PRO for a day under the shade of the redwoods  
full of fun with prizes and surprises.**

**Parking: \$5 per car**

**Wheelchair Accessible**

**Driving Directions:**

**From Highway 13 (Warren Freeway)**

Take the Joaquin Miller exit and go east, up the hill on Joaquin Miller. Turn left at Skyline Blvd. Proceed one mile to the Roberts entrance on the right.

**From 580**

Exit on 35<sup>th</sup> Ave. and proceed up the hill on 35<sup>th</sup>, which will eventually become Redwood Road. At the intersection of Redwood and Skyline Blvd., turn left

and proceed for one mile, then right to stay on Skyline. Proceed for one mile to the entrance to Roberts on the right.

**RSVP: Let us know if you're coming and how many will be in your party. Call or e-mail Social Committee Co-Chair:**

**Linda Japzon**

**510-483-7183 · [coolbigeyes@sbcglobal](mailto:coolbigeyes@sbcglobal).**

## An Open Letter to Faculty, Staff and Managers from SEIU, PFT and Local 39

The unions have strong reasons to believe that the General Counsel of the District, Thuy T. Nguyen, has suggested to the Chancellor and the Board of Trustees that current and future retiree's health benefits can be cut, changed, and/or reduced. If this is true, willfully or not, she is advocating such action be considered and perhaps taken.

That General Counsel believes this is not altogether surprising. Her legal and negotiating position during the 2006 negotiations was: there are no legally protected/guaranteed retirement benefits in Peralta; vesting does not protect/guarantee employee benefits; management has the right to change benefits, including retiree's benefits, through negotiations, or failing that, imposing the changes on their own.

It is disturbing that three years *after* participating in the 2006 negotiations with the District (specifically, on the extension of the contract with a modification to Article 22-Health and Welfare Benefits) and making an agreement that settled this issue, General Counsel is raising it once again. **Protected and guaranteed retirement benefits was the single issue for the employee organizations in those 2006 negotiations.** It is what the contract extension and agreement was all about. For General Counsel, as one of the District's chief negotiators in 2006, to be saying this now violates the spirit, intent, and language of that contract settlement. The whole point of that agreement – along with the 150 million dollars worth of bonds – was to put that argument to rest. Now, she is raising it again. It is unacceptable and will not be tolerated.

Furthermore, two months ago, at General Counsel's initiation, Peralta began trying to create a consortium of community colleges that would allow *managers* to leave their current district (i.e., Peralta) and go to work in another district (i.e., LA) **and** retain Peralta's retirement benefits if those benefits are better than LA's. General Counsel has argued this is a good arrangement because it is cost free to Peralta. Why is it cost-free? Because management's retirement benefits are *already* vested, therefore Peralta is *already* obligated to pay for them – so what does it matter if we pay for them while they work/retire at Peralta or they retire from LA? That's her argument: management retirement benefits are guaranteed, so there's no additional cost. Yet at exactly the same time, she is telling the Chancellor and the Board that *all* retirement benefits may be cut. To the managers in Peralta, we say be warned. To the other employees we say beware.

(Continued on page 6)

## Peralta District Delayed Implementing Savings for Retiree Medical Benefits

Peralta's recent interest in reducing retiree medical benefits as a cost-saving measure is ironic given the history of the District. Peralta ignored repeated pleas in 2001 by retirees Alex Pappas and Ned Pearlstein to encourage retirees to sign up for Medicare by offering to reimburse for Medicare fees. The two retirees also informed District managers about the STRS offer to pay the Part A Medicare premium for retirees who were not eligible for Medicare based on their earnings record.

Alex and Ned attended meeting after meeting where they documented potential savings of at least \$750,000 per year only to find themselves ignored. It took the District over two years to start implementing their suggestions. Even then, the District failed to properly carry out STRS procedures for the reimbursement program resulting in many retirees losing their eligibility for STRS to pay their Part A premiums.

In addition, the District failed to request Medicare to waive the surcharges on the A and B premiums for those retirees who enrolled after age 65. The penalty (10% of the premium for each year past age 65 that the person enrolls) should not apply if the late enrollee had other coverage which, of course, all Peralta retirees did have through the District. The District has still not obtained these waivers which has resulted in an estimated annual loss of \$250,000.

## Order your tickets now for the PRO Evening at the Woodminster Amphitheater



# Brigadoon

Book and Lyrics by Alan Jay Lerner • Music by Frederick Loewe

**Brigadoon** opens up a whole new world to its audience. The show, originally produced on Broadway in 1947, is a Scottish fantasy about a town that disappears into the Highland mist and returns for only one day every one hundred years. To the villagers, the passing of each century seems no longer than one night. The enchantment is viewed by them as a blessing rather than a curse, for it

saved the village from destruction. Songs include Waitin' for My Dearie, I'll Go Home with Bonnie Jean, Come to Me, Bend to Me, Almost Like Being in Love, There But for You Go I, The Heather on the Hill and My Mother's Weddin' Day. This is a tribute to simplicity, true love and goodness, which is often hidden from the ordinary traveler.

**Friday □ September 11**

**\$21 per ticket**

(center section—close to the stage—regular price for these tickets is \$40)

Before the show PRO will have a picnic/barbecue for theatergoers. Details will be included when we mail your tickets.

To reserve your tickets (friends and family are welcome) complete the form below and mail by August 8 to:  
PRO, PO Box 1951, El Cerrito, CA 94530

✕ Please send me \_\_\_\_\_ tickets for the Woodminster Summer Musical *Brigadoon* on Friday, September 11. Enclosed is my check made out to 'PRO' for \_\_\_\_\_ (\$21/ticket).

(Please print)

Name \_\_\_\_\_

Address \_\_\_\_\_ Email \_\_\_\_\_

Phone \_\_\_\_\_

# Pro Awards Scholarships

By Sondra Neiman, PRO Board Member and Chairperson of the PRO Service Committee

Four outstanding students from each of the Peralta Colleges were awarded the annual PRO scholarships of \$1000 at each of the college's awards ceremonies.

The scholarship recipient from Berkeley City College was Paula Camila Torres-Galindo. Paula is from Ecuador and is planning to transfer to either UC Davis or UC Berkeley, in the fall of 2010 to study agriculture with a biological science emphasis. Her minor is in Sociology and Medicine. After completing her studies she plans to return to Ecuador to work in rural development. She has a 3.9 gpa and received outstanding recommendations from her science professors, for whom she has worked as a lab assistant. She is also a dedicated dancer. Ms. Galindo received her award from PRO Service Committee member Chris Hadley.



Paula Torres Galindo receives her \$1000 scholarship check from PRO member Chris Hadley

The scholarship recipient from College of Alameda

was Osmary Hernandez. Osmary plans to transfer to CSU East Bay after completing course requirements for an AA degree in Sciences. Osmary's career objectives are in the field of Health Administration with the goal of affecting the destiny of health care in a positive way.

For the second year in a row it was my pleasure to personally present PRO's Laney scholarship at the Laney Honors and Awards Banquet at the Oakland Airport Hilton. The PRO scholarship recipient was Keunyoung (Brian) Kim, who came to the U.S. from South Korea. Brian plans to attend U. C. Berkeley where he will major in Business. He states that ever since the fourth grade he has wanted to be a businessman.

He has already completed a course in Business Communications at the U.C.B. Haas School of Business where he got the opportunity to role play a CEO and planned and ran group meet-

*(Continued on page 7)*

*( Open Letter Continued from page 4)*

This is an important matter for *all* Peralta employees for the following reason:

1. *All* full-time, regular Peralta employees (faculty, staff, managers and confidentials) may be or can be affected – not just those hired before July 1, 2004. The current contract says if you retire before you are Medicare eligible, Peralta will continue to pay and provide full medical benefits to you and your eligible family members *until* you become Medicare eligible. This is a substantial post retirement benefit, as are the benefits of pre July 1, 2004 hires. *ALL* of those benefits are placed in jeopardy by General Counsel stating they can be cut. *ALL of Peralta's full-time, regular employees are negatively af-*

*ected by General Counsel's statement.*

Beware and be warned the District may be coming after retiree health benefits. This is serious business, and impacts many of the employees at the District. We have a right to know that the benefits provided in the contract we retire under are the benefits we will have for our post retirement years. The unions will fight. Any attempt to touch retiree benefits will result in lawsuits and great discord in the district. If the Chancellor or any Trustee supports a take away of retiree benefits, they should expect major opposition from the unions.

# 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.

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Contributions Received for the PRO Scholarship Fund	
In Memory of	Contributor
Richard Masato Aoki	Juanita Peterson
Don Denison	Frank and Janet Poulos

**IN MEMORIAM**

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

**Ernest H. Berg  
 Jean English  
 Jerome (Jerry) Healy  
 Kathy Koutoufas**

*If you have any information about the passing or the serious illness of a Peralta retiree, please contact Bruce Jacobs at: webmaster@peraltaretirees.org*

*(Scholarship Continued from page 6)*  
 ings. His grade in this course was A- and illustrates his aptitude for his future career.

The scholarship recipient from Merritt College was Maritza Torres. She is majoring in Community Social Services and expects to transfer in 2010 to CSU East Bay. She currently volunteers at Women on the Way Recovery Center. Once she receives her B.A. degree in Social Services she hopes to obtain a position working for the state of California as a social worker while continuing her education to obtain her Masters Degree. Maritza, the mother of three children, is a returning student who decided to go back to school after 16 years. She is a student with a disability and is legally blind.

PRO is proud of the opportunity to assist these worthy students in the pursuit of their personal and career goals. I hope these inspiring stories will encourage PRO members to continue supporting the PRO scholarship fund so we can continue the scholarships next year.

*(Retiree News Continued from page 2)*

annual event is organized by the Alameda County Commission on the Status of Women and endorsed by the County Board of Supervisors.

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## **Ferragallo’s Digital Artwork on Display**

Roger Ferragallo taught art at Laney for many years and later founded and administered the PCCD's TV channel PCTV. He remains a cutting edge practitioner of digital art into his eighties and shows no signs of letting up. “Cosmic Tree Of Life” (CTOL) is Roger’s most recent opus — a massive 546 megapixel digital painting that has been underway since 2002. It was recently exhibited at the University of California San Diego on the world's largest high resolution computerized screen, HIPerSpace measuring 31.8 x 7.9 feet. You can view a just released YouTube video with narration and music that gives you a sense of this fabulous work of art at:

<http://www.youtube.com/watch?v=awkGbvBz30I>

CTOL is also being exhibited live and interactively at GIGAPAN.COM, a web project developed by Carnegie Mellon University with partners Google Earth, NASA Ames and National Geographic. GIGAPAN is a global project that invites high resolution photographic panoramas from around the world. They invited CTOL because of its uniqueness and scale as a high resolution digital painting. It has had over 20,000 hits since it was posted in 2008. To explore CTOL at the Gigapan site go to: <http://www.gigapan.org/viewGigapan.php?id=868>

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*Are you doing something that would interest your fellow retirees? Publishing a book? Having an art exhibit? Winning an award? Is there is a public event where you will be honored that you want to publicize? You can let PRO know by submitting information by email to [webmaster@peraltaretirees.org](mailto:webmaster@peraltaretirees.org) or by US mail to the PRO PO Box (PRO, PO Box 1951, El Cerrito CA 94530). We'll try to put the info in the next newsletter and/or in a special email to members.*

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