



MONDAY ALERT

New York State Alliance *for* Retired Americans

800 Troy Schenectady Rd., Latham, NY 12110 | 518-783-6231 | www.newyorkstateara.org

NYS Budget Update - New Funding for Aging Services

From our partners at LiveOn NY

The Senate and Assembly passed the final budget last weekend which included new funding for aging services. Seniors in New York thank Aging Committee Chairs Senator Sue Serino and Assemblywoman Donna Lupardo for their strong leadership during the budget process and for fighting vigilantly for aging services.

Key highlights include:

- **\$1.375 million in new funding for Community Services for the Elderly (CSE)** program which will help address the 16,000 seniors on waiting lists statewide;
- **Continued investment in NY Connects totaling \$40.655 million over two years**, and this amount is now a separate lined allocation specifically for aging to serve older adults;
- **\$4 million in NEW funding in Naturally Occurring Retirement Communities (NORCs)** to help older adults receive the supports they need to continue living independently in their homes;
- **\$945,000 for statewide elder abuse victims' services** (same amount as last year);
- **\$15 million for continued investments in the nonprofit sector to support nonprofit human services contract adjustments** needed to keep pace with increases in the State minimum wage;
- **Continued investment in developing or rehabilitating affordable senior housing**, a program that was first allocated last year.

NYSARA Biennial Election Convention April 9th Postmark Deadline for early Registration



The biennial NYSARA election convention will convene on April 19, 2018 from 11:00 am to 3:00 pm at the NYSUT offices at [800 Troy Schenectady Road](#) in Latham, New York. Keynote speakers will include Alliance for Retired Americans Executive Director, Richard Fiesta and NYS Assemblyman John T. McDonald (D/108th AD) a member of the Assembly Aging Committee . Also, presentations on "Death by a Thousand Cuts for Social Security, Medicare and Medicaid" and an analysis of the success of Constitutional Convention issue advocacy will be given. Unfortunately, the NYS Comptroller Tom DiNapoli let us know that he had an unchangeable conflict and would not be able to speak with us at this convention.

At the biennial convention we will also be electing officers for 2018 - 20. The current nominees for office are: **Barry A. Kaufmann (NYSUT/NYS AFL-CIO) - President, Paul Schuh (UAW) - Executive Vice President of Labor, OPEN - Executive Vice President for Community, Doris Welch (IBT) - Secretary and Gary Lanahan (CSEA) - Treasurer.** Nominations will be accepted from the floor for each office. The nominees from the floor MUST be in attendance and must represent a statewide fee payer. [To get a registration form for the 2018 biennial NYSARA election convention click here.](#) April 9, 2018 is the deadline for early registration. Any registrations after that time will be charged \$20 if available.

Reminder, reminder, reminder

Do Not Forward the NYSARA Monday Alert through your e-mail program. USE THE FORWRD TO A FRIEND button at the bottom of the Monday Alert. If you forward through your e mail program and the person or persons it is forwarded to either unsubscribes or reports it as spam it will unsubscribe you and make it extremely difficult to re subscribe without a different e mail address.

New York State Budget - Changes to Taylor Law Help Unions

The governor and legislature passed legislation during the state budget process that changes the Taylor Law in an effort to help fortify unions against the impending implications of Janus v. AFSCME.

Duty of Fair Representation Limited

The most important change to the Taylor Law relates to the Duty of Fair Representation. As we prepare for the likelihood that the Supreme Court may allow non-members to benefit from union representation without having to contribute, this is a big win for unions. The new legislation provides that public employee unions will not have to provide representation to non-members in any disciplinary cases as well as any legal, economic, or job related services beyond those provided in the collective bargaining agreement.

New Employee Information Within 30 Days

The new legislation also states that public employers must notify an employee organization of new employees, and provide the following, within 30 days of employment: name, address, job title, employing agency department or other operating unit and work location. Public employers must also allow a duly appointed representative to meet with new employees at the worksite during work time for a reasonable amount of time without requiring employees to charge leave time. Additionally, employee organizations are now permitted to use electronic membership cards.

Members Returning from Leave to Same Employer Stay Members

One other significant change to the Taylor Law addresses the "churn" problem that has occurred when members have gone out on voluntary or involuntary leave and been reinstated as agency fee payers upon their return. Now, when members return to the same employer after voluntary or involuntary leave, they will return as members and the right to deduct dues will be automatically reinstated.

No-Talk Phone Scams targeting Seniors

Dialing deceivers don't need you to say anything to rip you off

Most telephone scammers rely on talk, getting you to pick up the phone so they can give their impersonations of IRS agents, noble fundraisers, tech-support saviors or grandkids in need. But with a new breed of telephone fraudsters, sometimes you don't even need to say "Hello" to get ripped off. Here's how some of these crooks may target you.

Call Center Fraud

There are scam artists who spend hours calling the customer service centers of banks, insurance companies and other institutions, posing as people like you, to try to access accounts. These crimes have more than doubled in the past year. "That's because reps only ask a couple of simple authentication questions — maybe your mother's maiden name or your Social Security number — before you can transfer money or do whatever," explains Ken Shuman of Pindrop, a company that provides antifraud services to call centers.

Scammers start by assembling information on you, stolen in data breaches, purchased on the “dark web” or gleaned with a simple Google search. Then, working from boiler rooms (often overseas), they spend all day phoning different call centers to determine if you have accounts with those companies. With your data in hand, they can often answer the authentication questions that call centers ask.

ATM PINs are especially prized — and vulnerable, adds Shuman. He notes that there are only 10,000 possible combinations for a four-digit PIN. Unless a bank’s system blocks calls after several tries — and some don’t — there are scammers who call back 150 times a day, trying different PINs until they get it right. Then they immediately log in as you, change your PIN and take over your account.

Smartphone Swindles

An ever-growing segment of the 20 billion text messages sent each day are attempts at defrauding people through “smishing” (a word that combines the SMS technology that sends text messages and phishing, a ploy to coax confidential information out of you). Typically, a scam texter will fake a problem with one of your financial accounts and ask you for data. Or they might pitch low-cost mortgages or credit cards, or promise free gift cards. If you respond by texting back confidential personal information, your identity may be stolen. Millions of these smishing texts can be launched simultaneously.

Your best defense is to be stingy with your phone number. Scam texts may result if you provide it to contests, say, or businesses. Mobile apps can also be to blame. When you install them, the fine print in the user agreement may grant permission to the app’s developer to use or sell your phone number and sometimes even the numbers of your contacts. In one recently popular scheme, scammers get your contacts from mobile apps, then text you posing as people you know to seek money or ID-theft-worthy information, says Jonathan Sasse, marketing executive at First Orion, a digital security firm that provides the mobile app PrivacyStar.

One more important tip: Never follow a text’s instructions to push a designated key to opt out of future messages. Instead, forward the questionable text to short code 7726, so cellphone carriers can block that sender. You can further bolster defenses against mobile scams — which have quadrupled in the past two years — with call-blocking apps such as Hiya, Truecaller, NoMoRobo and PrivacyStar.

Curiosity Cons

Knowing that you are likely to ignore unrecognized or private numbers on caller ID, today’s crooks use software that allows them to display fake numbers that are hard to resist. Here are some variations.

- **The neighbor ploy** Your area code and prefix are displayed, so the call appears to be from a neighbor or nearby business. “Fewer people are comfortable blocking local numbers, increasing scammers’ success rates,” notes Jonathan Nelson of Hiya. And the fake number makes it hard for law enforcement to track.
- **The “Hey, there’s a call from my own phone number” scam** It’s hard to resist answering a call from your own number, which scammers can simulate. And they are able to get around any call blocking that you’ve set up.
- **The one-ring rip-off** Criminals sometimes program auto-dialers to make repeated calls to you, each disconnecting after just one ring. They know this might spur you into calling back the displayed number to complain. There’s double trouble if you call area codes such as 268,

664 and 876. These are for Caribbean countries and other places that have high per-minute phone charges. One scam involves getting you to call one of those numbers, then getting you to hold through transfers that rack up your bill until a scammer gets on the line and starts a fraudulent pitch.

Kentucky Teachers Strike for Pensions, Education Funding; Oklahoma Teachers also Strike

The halls of Kentucky public schools were empty on Monday as teachers stormed the state capitol in Frankfort. They went on strike as legislation to reform sewage systems suddenly included pension “reform” and education funding cuts. Kentucky teachers, one of the groups of public employees who are not eligible for Social Security benefits, took a stand against cuts to cost-of-living adjustments under the pension system they rely on for their retirement security.



the state bill would cease all future enrollment in the state pension plan for teachers hired after January 1, 2019, enrolling them instead in a cash-balance fund that revokes a previous guarantee of a 4% return on investments when teachers and the state pay into the fund.

West Virginia teachers took part in a [successful strike](#) earlier this year and won a pay increase, and teachers in others states are hoping for a similar outcome.

Thousands of Oklahoma educators also walked out of classrooms this week, rebelling against a decade of state tax cuts that triggered deep cuts in education spending and forcing about 20% of public schools to switch to a four-day-week schedule. The cuts pushed average teacher salaries there to 49th in the country, and they haven't seen a raise in 10 years.

Arizona teachers are also demanding a 20% raise in order to make up for low pay and are asking state leaders to restore more than \$1 billion in education funding to cover necessary expenses including textbooks, buses and building maintenance.

“Kentucky teachers are emphasizing to the state legislature that they will not beg to keep the pensions that they have rightfully earned,” said **Robert Roach, Jr.**, President of the Alliance. “In Oklahoma and Arizona, teachers also are having to fight for fair pay. We must support them as they fight for the pay and retirement benefits they have earned.”

Balanced Budget Amendment, Rescissions Would Mean Cuts to Social Security and Medicare

In response to protests from so-called fiscal conservatives, President **Donald Trump** and congressional Republicans are considering forcing votes to cut billions of dollars in spending from the funding deal they passed barely two weeks ago. Called "rescissions," the cuts would cancel parts of

the bipartisan appropriations measure that averted a government shutdown in March. Republicans are also preparing to make a big push for a balanced budget amendment (BBA).

According to the [Center on Budget and Policy Priorities](#) (CBPP), a BBA would mean that Social Security would be unable to draw down from its reserves to pay benefits. Benefits in a given year would instead have to be paid out from tax revenue collected that year, or would have to be cut. The same holds true for Medicare, and the benefits paid to civil service and military retirees. With the change, their pensions could only be paid out of the revenues collected that year, not from their pension trust funds.

By design, the Social Security trust fund is building up reserves — in the form of Treasury securities backed by the full faith and credit of the United States — which will be drawn down to help pay benefits when the number of retired “baby boomers” peaks in the late 2020s and early 2030s. Currently, Social Security holds \$2.9 trillion in Treasury securities. But under the balanced budget amendment, it would essentially be unconstitutional for Social Security to draw down these savings to pay promised benefits. Social Security would be allowed to use its accumulated Treasury securities to help pay benefits only if the rest of the federal budget ran an offsetting surplus (or if the House and Senate each mustered three-fifths or two-thirds votes to permit deficits).

Medicare Part A — the Hospital Insurance trust fund — has the same structure as Social Security. That trust fund currently holds about \$200 billion in Treasury securities, but under a balanced budget amendment, it would be unconstitutional for Medicare to draw down those savings to pay hospitalization costs because all federal expenditures — which includes Medicare payments — would have to be covered by taxes collected in the same year.

The military retirement and civil service retirement systems, which have their own trust funds, would be affected in the same way. As a result, the \$700 billion in Treasury securities held by the military retirement trust fund and the \$900 billion in Treasury securities held by the civil service retirement trust fund would be unavailable to pay promised retirement pensions.

“These moves would be terrible for Medicare and Medicaid, as well as Social Security,” said **Joseph Peters, Jr.**, Secretary-Treasurer of the Alliance. “The GOP would be reneging on their budget deal before the ink is even dry, as well as endangering our retirement security if they pass a balanced budget amendment. If they truly wanted to trim the deficit, they could roll-back some of the massive tax cuts they gave to the wealthiest Americans earlier this year.”

Centers for Medicare and Medicaid Services Offers Private Insurers a Gift they Don't Need

The Centers for Medicare and Medicaid Services (CMS), a division of the U.S. Department of Health and Human Services, has decided to raise the [2019 Medicare Advantage reimbursement rate](#) by 3.4%. CMS had previously proposed a hike of 1.84% in February, but this rate increase is higher than expected.

Medicare Advantage (“MA”) plans are administered by private insurance companies. The government reimburses a certain amount per enrollee to the health insurers in return for the care provided.

The plans have been highly profitable for the health insurers, leading to significant growth in the industry. They have been able to maintain profitability in these plans by keeping claim costs down.

Since April 2017, the industry has grown at a rate of 33.7%, compared with the S&P 500 growth of 11.9%.

“This increase by CMS is a giveaway to private insurance companies that we should not fritter away,” said **Richard Fiesta**, Executive Director of the Alliance. “It would be much more useful to spend these funds to help struggling seniors rather than increase insurers’ profits.”

President Roach Attends Tribute to Martin Luther King, Jr. in Memphis

A celebration of **Dr. Martin Luther King, Jr.’s** life was held Wednesday on the 50th anniversary of his assassination, with political, civil, and cultural leaders converging in Memphis, where Dr. King drew his last breaths on April 4, 1968. The week’s events drew a diverse group who united in a call to continue Dr. King’s legacy.



Wednesday’s events followed a rousing celebration the night before of King’s “I’ve Been To the Mountaintop” speech at Memphis’ Mason Temple Church of God in Christ. He delivered the speech the night before he was assassinated.

President Roach represented the Alliance, paying tribute to Dr. King with the civil rights leader’s family and descendants, and joining several of the sanitation workers who were there in Memphis when tragedy struck five decades ago.

“It was a moving, beautiful tribute to a legend,” said President Roach. “I look forward to a day when civil rights and economic and social justice are a given, and we no longer have to use the anniversary of a violent act to come together.”

President Roach in Memphis

“Martin Luther King, Jr. was in Memphis in 1968 for organized labor and to address the low pay of sanitation workers,” President Roach added. “He brought millions of people the right to vote, and we must exercise that right.”

Lee Saunders, President of the American Federation of State, County and Municipal Employees (AFSCME) and an Alliance executive board member, said at the rally, ““Dr. King’s work — our work — isn’t done. We must still struggle; we must still sacrifice. We must still educate and organize and mobilize. That’s why we’re here in Memphis. Not just to honor our history, but to seize our future.”

Robert Martinez, Jr., International President of the International Association of Machinists and Aerospace Workers (IAMAW), and also an Alliance board member, declared, “It is up to all of us to continue the sacred march toward justice, equality and dignity for all. We cannot, we must not, and we will not tolerate anything less!”

The New York State Alliance for Retired Americans is an organization of 490,000 activists across NYS advocating on behalf of seniors and their issues.