



Retired Public Employees Association

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MEMORANDUM IN SUPPORT

S.2051, by Senator Gounardes
A.3634, by Assemblyman Abbate

AN ACT to amend the civil service law and the legislative law, in relation to certain benefits provided pursuant to collective bargaining agreements

The **Retired Public Employees Association**, as the association representing retired public employees, supports this bill which would establish the State's level of contribution for the cost of health insurance coverage under the New York State Health Insurance Plan (NYSHIP) for retired State employees who retired prior to the existence of collective bargaining agreements which raised such level of contribution.

This legislation sets retiree health insurance premiums at the contribution level they made when they retired and requires excess contributions made since October, 2011 to be returned to retirees. It also provides that any bill introduced to implement the terms of a collective bargaining agreement shall be limited to provisions necessary for the implementation of the collective bargaining agreement.

Chapter 491 of the Laws of 2011 amended Civil Service Law, §167(8) and made significant changes to the health insurance contribution rates by allowing the President of the Civil Service Commission to extend the collectively negotiated contribution rates administratively, with the consent of the Budget Director, to retirees who were not and could not be parties to the negotiations.

Such administrative action was an abuse of power as only the Legislature has the authority to set NYSHIP contribution rates for retirees. When such contribution rates had been raised by collective bargaining agreement in 1983, those retirees who had already retired were not affected and there was no Legislative intent to change retiree contribution rates in 2011.

Public servants who retire after devoting a lifetime of service to their community have earned the health insurance benefits which are provided to them. Legislative enactments ratifying collective bargaining agreements cannot be interpreted to affect these essential retiree benefits.

For these reasons, RPEA respectfully urges passage of this bill.