

THE Independent

Winter 2018-2019

President's Message

Michael B. Powers



First and foremost, I would like to wish all of the hard-working men and women of NYSCOPBA a Happy Holiday Season, as well as wish all of your families well in the new year. In an environment in which the job of law enforcement officials is becoming increasingly difficult, it is important that we work together in 2019 to protect New York's communities and

watch out for one another in the line of duty.

Over the course of the past several Executive Assemblies, I have sounded the warning bells that we continue to face legislative changes that impact our safety and security, as well as the consolidation of dorms. The Executive Board, law firm, Legislative team and Public Relations team are all working together to oppose these changes. We need all the help we can get to voice our opposition through letters to your local Legislators, petitions and PAC support.

To that end, I recently wrote to you about a bill coming before the State Legislature this year which threatens to significantly undermine our ability to keep people safe and perform our jobs. As I wrote, this legislation, called "HALT", would overhaul Special Housing Unit procedures in unprecedented and detrimental ways. It would create mandates that go far beyond other restrictive policies that have made our jobs unquestionably more difficult and more dangerous.

The most important thing to understand about HALT is that it would change the existing regulations that govern how our members can utilize SHU and dramatically restrict how this important tool can be used.

A legal settlement reached between the State and the New York Civil Liberties Union in recent years already significantly changed how SHU is utilized to curb violence and other crimes that put everyone in our correctional facilities in harm's way. HALT unnecessarily goes further to render SHU all but useless as a deterrent to crime and as a safety mechanism.

Simply put, HALT doesn't adequately consider the safety and well-being of all who work and live within our prisons.

As those who read my previous letter know, HALT most notably would:

- In most cases, prevent sending inmates 21 years of age or younger or 55 years of age or older to SHU for any reason whatsoever
- Only allow this new "special population" to be kept in keeplock for a maximum of 48 hours prior to a disciplinary hearing
- Prohibit SHU confinements longer than 15 consecutive days (or 20 out of 60 days) for all but the most serious in-facility crimes; minor assaults on staff would not meet the definition of a serious crime under HALT

I can assure you that NYSCOPBA is already pushing back against this and other dangerous legislation.

Our legislative team is currently having serious conversations with Legislators across the state who will be influential in the debate over HALT and criminal justice reform. They are making it clear that NYSCOPBA supports the safety of everyone in our prisons. That is why we must oppose legislation that promotes the exact opposite.

In addition to the HALT legislation, a bill continues to be

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introduced that would repeal Civil Rights 50-A; the law that protects law enforcement officers' and first responders' personnel records from public release. NYSOPBA continues to oppose amendments to this bill.

We will continue working diligently to make it clear to our decision makers that we cannot allow policies that will increase violence — violence that has led to 51 percent more assaults on staff since 2013, the last year before current SHU restrictions were implemented.

As NYSOPBA members, it is important that you remain vigilant of incidents in your facilities and work with us to make it known that Albany must oppose policies that degrade safety.

In spite of the challenges we face in the coming year, we remain UNION STRONG. Our collective efforts are why we are a unionized organization and are what it will take to

make a difference. We have garnered positive changes with the Department with the OC Spray, transition to the glock, holding DOCCS to implementation of the staffing MOU and changes to the staff allowable list. Working together, we will continue to send a message that safety and well-being of security staff must be the State's top priority.

I am consistently reminded of the countless times our members go above and beyond in benevolence in their roles as Chief Sector Stewards, Stewards, Sector Treasurers, Business Agents, Grievance and Staffing Specialists, Retirement Specialist, Sergeant Liaison, Special Assistant to the President and the Executive Board, and am proud to be a part of this Association. Wishing all of you Happy Holidays and a safe and prosperous New Year!

Wishing all a Safe and Happy Holiday!

NYSOPBA Executive Board

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Michael B. Powers

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Frank Gilbo

Vice President - Corrections North
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Scott Carpenter

Vice President - Corrections West
Joe Miano

Who We Are

NYSOPBA was formed in 1998 and since that time has provided superior representation to our membership under the independent and democratic model. Our objectives are to improve the terms and conditions of employment, protect our members contractual rights, provide high quality representation in the collective bargaining process, communicate effectively with the membership, achieve legislative gains, and to promote the overall welfare of our members. NYSOPBA is the largest independent law enforcement and public safety union in New York State. We are 21,000 members strong in virtually every sector of law enforcement, keeping New York Safe. We are Capital Police Communications Specialists, Community Correctional Center Assistants, Campus Public Safety Officers, Safety & Security Officers, Correction Sergeants, Correctional Officers, Forest Rangers, Security Officers, Security Screening Technicians, Motor Vehicle Investigators, Security Service Assistants, Security Hospital Treatment Assistants, Institutional Safety Officers and State Police Communications Specialists.



Executive Vice President

Tammy Sawchuk



The issues covered in this edition of the Independent will speak of many challenges we face ahead of us. They will speak of “progressive” ideals and other initiatives which advocates for prison reform are pursuing.

Embedded in this progressive framework for how they are viewing mass incarceration is their belief that the victims of the system are those who are incarcerated. This irony becomes immediately evident within the proposed HALT legislation.

Convicted felons are being cast as the innocents and those of us running the facilities day-to-day are being demonized. The reality is that corrections officers, sergeants and our members of our law enforcement titles are on the front lines of a crisis.

Our members will be forced to implement new programs, yet their voices were excluded regarding how the programs will affect the security of our facilities. It is important for the membership to understand that these initiatives that NYSCOPBA views as compromising the safety of our members and the prison system as a whole are being introduced through legislation which will change the laws of New York State.

They are not policies introduced by the Department that could be discussed or debated in labor / management meetings. This means that if the legislation is signed into law, NYSCOPBA members may have NO CHOICE but to follow the law.

As you are aware, with the recent election results in New York State, the Executive and Legislative branches are controlled by the same party. As such, any opposition to legislative initiatives could be moot. We all must come together as one unified organization to try and stop the legislation from being passed.

You are already aware that these are unprecedented times to work in the Department. I am always mindful of the stressful conditions inherent in our jobs which are exacerbated by policy changes that seem to favor the inmate.

We must stand together to fight this shift for our own sakes.

I understand the sacrifice you make each and every day. Staffing shortages continue to plague us, causing longer work hours and creating fatigue and stress.

Double bunking is unacceptable and I will continue to push for a safer work place and better equipment. If we truly want to achieve secure facilities to which we ascribe, those that prescribe to liberal prison reform must learn not to undermine security or diminish our experience and knowledge of safety and security.

This is a wonderful time of year to celebrate with family and friends, but for some, it can be a difficult or painful time of year. If you or a family member is in need of assistance, please reach out to EAP, OAP and/or Catch A Falling Star. Visit our website for contact information for these programs or see your local EAP Coordinator.

Your Steward is your first point of contact when you have a question about whether your workplace rights have been violated or when you have an idea about some union action that might improve conditions in your workplace.

It is a Steward’s responsibility to do what it takes to find out, if necessary, what action may be appropriate to challenge an employer initiative and to safeguard employees’ rights. Please forward those concerns to your Local representatives.

I will continue to tour worksites; and I am always available by phone or email.

I wish all of you a Safe and Happy Holiday Season!



Treasurer

Frank Gilbo

As prison violence and new rules impeding our ability to perform our jobs properly continue to rise, one thing you should not have to worry about is your dues money. As your Treasurer, rest assured your money is being utilized in an effective and efficient manner. The Finance Committee and I have put together a 2019 budget that addresses our day-to-day needs and also holds in reserve the ability to fight back against the state, should the need arise. Rest assured, the Executive Board has your back in this trying time.

Sergeants Representative

William Sellers



As 2018 comes to a close, we find ourselves in a department that has enacted many changes to directives and FOP's. These changes have increased the responsibilities of the Sergeant's position. They have also increased stress levels. It is imperative that Sergeants are very thorough when documenting UOF's and all investigations. Demotions have been more frequent since the changes have been in effect. We continue to look for senior Sergeants to step up and help probationary Sergeants complete their first year. Your guidance and experience are crucial in the development of new Sergeants. Looking out for each other is what we do and should be a top priority.

I would like to say congratulations to all recent promotions. We wish you the best as you advance your careers. I would also like to extend to all members and their families a safe and happy Holiday Season.

Northern Region

John Roberts



I would like to start by wishing everyone a Merry Christmas and a Happy New Year. This year has been extremely busy, from fighting legislation to interrogations, arbitrations and contract grievances. In the last year, despite an increase in arbitrations, we have also seen an increase of positive outcomes. Not a day goes by where either myself or Rick Brunelle are not doing everything in our power to assure that each member is properly represented.

As a reminder, please know your rights when dealing with outside police agencies, as stated on page 133 of your contract. It is crucial that you speak with your union representatives prior to being questioned and do not speak with any agencies at your residence without proper legal or union representation. If you are assaulted by an inmate, it is your right to report it to your local police agency. If an incident happens to you, we do not automatically know about it. Please know your rights and contact Rick Brunelle or myself at any time for assistance. We are here for you.

I would like to express a huge thanks to the Local union representatives and chiefs in the Northern Region facilities. Without each and every one of them, we would not be able to accomplish all that we do. Additionally, I would like to thank each member in the Northern Region for their continuous support in the community. Please continue to submit photos from your local events.

As always, I look forward to seeing each and every one of you at our next round of site visits this coming year.


Happy Healthy Holidays

Recording Secretary

Chris Summers



I hope each and every one of you and your families have a great Christmas and Holiday Season.

I have been in Office as your Recording Secretary for one (1) year now. It has been my pleasure to put forth necessary hard work and dedication for you, the NYSCOPBA membership.

So far, I have been to 21 facilities. I am trying to make more site visits to see members. I have been to numerous memorial services, fundraisers, wakes and funerals to show my support of my NYSCOPBA Brothers and Sisters.

It has been a busy year with the continual daily changes happening within the (DOCCS) Department of Corrections and Community Supervision.

It is obvious that this Governor cares little about the safety of NYSCOPBA's Membership, as shown by the careless decisions and initiatives the Governor and DOCCS are enacting for inmates, while at the same time, eliminating or reducing our ability to have a safe working environment.

The assaults on staff are at an all-time high. The incidents of contraband being brought into our facilities, as well as being sent into our worksites, are an ever increasing threat. This is unacceptable. It can no longer be tolerated. Dedication, hard work and long hours are being put forth to show the Department and the Governor that we are not the "bad guys"; and as a collective membership, we need to stress to the Governor and DOCCS that we are NOT the bad guys.

I cannot stress enough that the membership needs to share information from facilities and worksites with the Union immediately.

Just a friendly reminder about Local Union meetings:

PURPOSE: Establish a standard for the reporting of Sector Activity to the Association Recording Secretary. Compile a tangible, current working resource and history to pass on.

PROCEDURE: Each CSS, or designee, shall submit to their Regional Vice President and the Association Recording Secretary on the last day of each month a report containing Sector business. This report shall include, but not be limited to, membership meeting minutes (including attendance and motions submitted), labor/management minutes, labor/management agreements, changes in Stewards and any other pertinent information. Should there be no

Sector activity for the month, a report shall be submitted indicating such.

The Recording Secretary shall forward information to the appropriate departments, then archive all reports at the Association Headquarters.

Be safe and watch each other's backs. Thank you for all your hard work and dedication.



FVOA Presentation

The FVOA (Forgotten Victims of Attica) were presented bracelets that were worn on the arms of NYSCOPBA Green Haven members who rode in the Police Unity Ride. Each rider adorned a bracelet with a FVOA name engraved upon it. The 300 mile ride started in North Jersey and ended at the National Law Enforcement Memorial in Washington DC. Chris Summers presents the memorial to Mark Cunningham. The bracelets will be kept in the Museum across the street from Attica CF.

Central Region

Scott Carpenter

As we fast approach 2019, look back on what we have accomplished throughout this year....in the Central Region, we have met the challenges our members face on a daily basis. We have seen many of our senior members rightfully take advantage of their ability to retire and enjoy a life past state service, and we wish them all well.

Traveling through the region and being in contact with our diverse membership was why I ran for this position. To meet you, to hear your concerns and to be your voice in Albany – all privileges I wear with pride. We attend as many of the Sector union meetings as possible as our way to keep in contact with you for the personal level of commitment you all deserve. Touring facilities is an important facet of that commitment; to come to your work sites and see what you face on a daily basis.

In the past year, we have heard your frustrations over the lack of a solid and fair contract, and your concerns were shared with our Collective Bargaining Committee in a manner they understand, thus ensuring those concerns are communicated to the State in a clear and concise message.

This past year has also brought into focus the need to remain informed in light of social media and those who would spread rumors and innuendo. Back in the “old days”, such rumors and innuendos were spread via word of mouth at the truck trap via visiting officers who heard rumors while traveling to different jails. Today, with facebook, instagram, twitter and other social media platforms, those rumors and innuendos are spread quicker and reach further than ever before. Our job in the Central Region now includes monitoring the spread of factual information and preventing the proliferation of false rumors that only manage to enrage and upset the membership, with no concern of the damage that proliferation causes.

As we end the year, we are cautiously optimistic that our current mediation process will yield an agreement that addresses our concerns and gives us the compensation that is commensurate with the tasks we are assigned.

Western Region

Joe Miano



I hope everyone has a Happy Holiday Season and wish you all a Happy New Year.

I want to send a reminder to everyone to make certain all your beneficiaries are up to date. We have had several issues over the past few months concerning beneficiary payouts and unfortunately, the insurance company can only issue the benefit to the person listed as the beneficiary.

I want to thank all the people who continue to support this Union as a Union is only as strong as its membership.

I want to thank all the Local Union Stewards who work each and every day in the facility handling Union business for their membership. Without them, my job, as well as your Business Agents' jobs, would be impossible. I encourage all members to get involved with the Union on the Local level as a Steward or to attend their Local meeting.

I want to give well wishes to all the members who are retired or are retiring this coming year. I also want to congratulate Wyoming Officer Jim Walsh for his recent induction into the Western New York Softball Hall Of Fame.

Stay safe and Stay Informed!

Stay Strong
Stay United

Southern Region

Clarence M. Fisher, Jr.



Seasons Greetings my Brothers and Sisters.

I would like to start by thanking all of the Southern Region Chief Stewards and my Business Agent for their outstanding work and assistance in our region. Things have dramatically changed in corrections and not for the better. I have made sure that each and every one of you was represented to the best of my ability.

It has been a hard fight but it's not over. There is legislation pending that directly affects us but is being fought on a daily basis. We need to stand strong and unified! If we separate, if we falter, if we don't care, our safety and job security are doomed! When we are behind the walls, WE MUST BE FAMILY! Please watch each other's backs. Please stay informed.

I will be moving on to the next stage in my career but I will always be here to help. I am very proud to have been a part of and worked with the Executive Board of NYSCOPBA. I want to thank all of the staff at NYSCOPBA for their assistance during my tenure. Please support your next Southern Region Vice President and his Business Agent. They will be there for you.

In closing, I wish you all a happy, healthy and prosperous Holiday Season; and I will see you around!



**THANK YOU
BILL SHEEHAN**

Bill Sheehan has been a friend to NYSCOPBA since its inception. In fact, Bill was essentially the architect of the legal aspects of NYSCOPBA.

Bill and some of his best colleagues left Hinman Straub to start the firm that was Sheehan, Greene, Golderman, and Jacques (Prior to becoming Lippes Mathias Wexler Friedman) because he felt that Hinman Straub represented competing issues that did not allow for the focus and dedication he understood the members of NYSCOPBA deserved.

His entire legal career was devoted to representing public labor employees and we are so fortunate to have had him on our side!

There has been no greater champion of public labor unions than Bill. From a positive arbitration outcome to PERB decisions on key IPs to the interpretation or successful negotiating of a new contract, Bill understood what was at stake in the lives of our members. When NYSCOPBA bled, Bill bled along with us. He truly embodies the definition of Advocate.

Bill leaves us in the highly capable hands of his partners because he has influenced and mentored them invaluable.

You are a class act, Bill, and we will miss you and your understated sense of humor.

Best wishes from us all!

Health Insurance Updates

OPTION TRANSFER PERIOD RUNS FROM 12/10/18 THROUGH 1/18/19

There are several changes to health insurance coverage for 2019. Please see below.

Empire Plan In-network Out-of-Pocket Limit

Beginning January 1, 2019, the out-of-pocket limits for covered, in-network services under the Empire Plan are \$7,900 for Individual coverage (\$5,150 for Hospital, Medical/Surgical and Mental Health & Substance Abuse and \$2,750 for the prescription drug program). Family coverage has a limit of \$15,800 (\$10,300 for Hospital, Medical Surgical & Mental Health and Substance Abuse and \$5,500 for the Prescription Drug Program).

Empire Plan Flexible Formulary Drug List

Two drugs will be excluded from the Flexible Formulary effective 1/1/19: Bravelle (urofollitropin) injection and Follistim AQ (follitropin beta) injection (both for infertility), and one current excluded drug will be added back on to the Formulary at Tier 2, which is Gonal-F, Gonal-F RFF injection (also for infertility).

For those currently utilizing either of the two newly excluded drugs, be advised that since it would not be clinically appropriate for utilizers to switch drugs in the midst of a treatment cycle, CVS/Caremark will allow short-term grandfather coverage for both drugs for those currently engaged in a cycle of treatment or who start a cycle of treatment prior to 1/1/19 (for new utilizers starting a treatment after 1/1/19, these two drugs will be excluded).

Empire Plan New-to-You Prescription Drug Program

Effective January 1, 2019, this program is eliminated. The 30-day quantity limit for maintenance medications required by the Program goes away and members will be able to get up to a 90-day supply without having to fill two prescriptions at a 30-day quantity first.

New York Presbyterian Remains in Empire Plan Network

Empire Blue Cross/Blue Shield has been in contract negotiations with New York Presbyterian and a settlement has been reached. The hospital remains in-network.

Empire Plan addition of Acupuncturists to the Participating Provider Network (initially focusing on in-state providers)

Effective 1/1/19, the Empire Plan will begin adding Acupuncturists to the Participating Network (initially in-state providers). As additional Acupuncturists are recruited, they will be added to the In-Network Directory immediately following receipt of their executed contract. Members will be able to identify network Acupuncturists by service rendered or name, and will be able to search within a given geographical area by a desired radius.

The FDA considers this service safe when applied by qualified practitioners applying sterile needles. Based on current trend, the Empire Plan can expect to see increased utilization of acupuncture services as members seek alternative treatments for acute and chronic pain. The Plan expects the acupuncture recruitment initiative to take 1-2 years to fully evolve into a robust network throughout the state.

Empire Plan addition of Quest Diagnostics to the Participating Provider Network

Effective 1/1/19, Quest Diagnostics will participate in the Empire Plan's in-network laboratory network. Quest has 6,000 in-network patient locations nationwide. Please note that LabCorp remains in the network.

Debit Cards for Members Participating in the Health Care Spending Account (HCSAccount) for 2019

The Flex Spending Account Program will soon be issuing debit cards to members enrolled in the Health Care Spending Account for 2019. The debit card will be referred to as the myFBMC Card and is a Visa card that offers a secure, easy way for members to pay medical copays at all eligible health care provider offices, as well as the cost of prescription drugs at their drugstore or mail order pharmacy. The card may also be used to purchase over-the-counter drugs filled by a pharmacist when they have a prescription. This card may not be used to pay for Dependent Care Advantage Account expenses.

The cards will be mailed to members the end of December, and WageWorks will also send an informational email to participants at that time. Members will be able to use the card to pay for eligible expenses for 2019.

Should you have any questions to the above, feel free to contact Sharon Smith, Extension 236.

Legislative Update

Dan Valente, Legislative Director

Election Day Outcomes

In what many considered to be a referendum on Donald Trump's presidency, voters went to the polls in record numbers on Election Day. Nationally, democratic candidates experienced a surge in votes, resulting in the re-taking of the House of Representatives, as well as many governorships in states across the country. However, republicans were able to gain two seats and maintained control of the United States Senate. The next two years of President Trump's term in office are certain to be turbulent, to say the least.

Here in New York State, all of the top-of-the-ballot races resulted in no real surprises. Governor Andrew Cuomo secured a 3rd term with 59% of the vote, beating out republican gubernatorial candidate Marc Molinaro by more than 1.25 million votes. Lieutenant Governor Kathy Hochul was successful in her race, also elected for an additional term of four years. State Comptroller Tom DiNapoli was resoundingly re-elected to another four year term...and for the first time in our State's history, New Yorkers elected Leticia James as the State's next Attorney General, the first female ever elected to the State's top law enforcement position.

The New York State Senate saw a tremendous power shift following Election Day. After years of being stymied by a bi-partisan coalition between the republican conference and the IDC (6 out of the 8 IDC members lost primary elections in 2018), and following two tumultuous years in the majority nearly a decade ago, the Senate Democratic conference will go into the 2019 legislative session with the strongest numerical majority in recent years. 39 senators will be in the Democratic majority conference (15 of which are newly elected). 23 Republicans will make up the minority conference. One senator who has conferenced with republicans since being elected in 2013 has not yet indicated which conference he will join. So, technically, the Democrats' majority could potentially grow to 40 seats out of 63.

Also as a result of the change of power in the Senate, New York State will see another first, as Senator Andrea Stewart-Cousin is poised to become the first female Majority Leader of the New York State Senate when the legislature reconvenes in early January. Republican Senator and current Majority Leader John Flanagan is expected to assume the role of Minority Leader.

With the change of power comes many things, one of which is the appointment of new committee chairs. The incoming majority recently announced the appointments of new committee chairs. Committees of interest to

NYSCOPBA saw the following appointments:

- Crime Victims, Crime and Corrections - Senator Luis Sepulveda (Bronx)
- Mental Health - Senator David Carlucci (Rockland, Westchester)
- Civil Service and Pensions - Senator-elect Andrew Gounardes (Brooklyn)
- Codes - Senator Jamaal Bailey (Bronx, Westchester)
- Finance – Senator Liz Kreuger (Manhattan)
- Labor – Senator-elect Jessica Ramos (Queens)
- Veteran – Senator John Brooks (Long Island)

The New York State Assembly saw little change as a result of the elections. The Democratic majority in the lower-house grew their majority to 107 seats (from 104) compared with the 43 Assembly members in the Republican minority. Speaker Carl Heastie (Bronx) is expected to remain as Speaker of the Assembly. Majority Leader Joseph Morelle (Rochester) was successful in his congressional campaign and will be headed to Washington DC in January. The selection of the #2 position in the Assembly has not yet been announced, but it is expected that position will be given to an upstate member, as has been done in the past. No changes to committee chairs that are of importance to NYSCOPBA are expected.

2019 Legislative Session and Executive Budget

The 2019 legislative session is scheduled to kick off in January with the Governor's annual State-of-the-State address. Soon after, the 2019-20 Executive Budget Proposal will be released and NYSCOPBA will begin analyzing and taking various positions on the Governor's proposed fiscal plan. NYSCOPBA will provide updates on all major policy proposals affecting NYSCOPBA members that could be contained in the budget. Once the budget is introduced, the legislature is consumed with coming to an agreement on the spending package prior to the April 1st deadline. NYSCOPBA will ensure that our members' voices are heard and that all of the necessary allocations are made to protect our members' rights and provide for safer working conditions. During the budget negotiations, very little legislation is acted upon by the legislature. However, once the budget is negotiated, NYSCOPBA will continue pursuing the objectives contained in NYSCOPBA's legislative agenda until session concludes in late June.

2019 Legislative Agenda

The NYSCOPBA legislative agenda is developed based on recommendations and ideas received from NYSCOPBA members. Input from the membership, Executive Board, Legislative/PAC Committee and the Executive Assembly is essential to our success as we gear up to move legislation in the upcoming legislative session. Members are always encouraged to submit new ideas for legislation so we can continue to fight to improve working conditions and safety for all NYSCOPBA members.

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Given the change in dynamics of the legislature, we will need to change our approach and take on the role of preventing troublesome bills from coming to fruition. This is not new as we have had to maintain this position many times before, but we no longer have the "safety net" of a Republican Senate to prevent these bad bills from making their way through the process. Many bills that have been introduced in the past by Senate Democrats have died in that house because the Senate Republican majority prevented them from being voted on. Bills like HALT – which would severely restrict the use of Special Housing Units - is one bill that we will be strongly opposing. Other bills, such as the bill that would remove restrictions on releasing the information contained in members' disciplinary files, or the plethora of other bills aimed at restricting SHU's, are also likely to gain traction with the new majority. We will fight vigorously to prevent these bills from becoming law. We will be meeting with all of the legislators, new and old, to ensure that members of NYSCOPBA voices are heard loud and clear.

As always, please refer to the NYSCOPBA Legislative webpage for a complete list of bills of interest. Click on the "Bill Tracker" link and you will be able to view all of the significant legislation that NYSCOPBA is tracking.

Please visit the NYSCOPBA Legislative webpage at <http://www.nyscopba.org/legislative> for updates on the legislative agenda, lobby days, legislative activities, legislative scorecards and all other legislative and political updates. If you have any questions regarding legislation or political action activities, please contact Dan Valente, Legislative Director, at 518-427-1551 X306, or by email at dvalente@nyscopba.org.

2017 PAC/Retirement Seminars

Over the past two months, NYSCOPBA's Legislative Team has conducted a series of open seminars in all regions of the state designed to train and educate NYSCOPBA members on the the union's legislative and political agenda. New this year, we incorporated a segment on retirement where members can receive information related to planning for and applying for retirement. NYSCOPBA's Retirement Specialist Bill Naylor was on hand to provide information and answer many questions related to retirement and disability. We continue to see an increase in participation at these events from year to year. Thank you to the members who took the time to come out and learn about the process and got involved. Keep a lookout for future legislative events on the NYSCOPBA online calendar.

2017 Legislative Session/ Executive Budget/Agenda

The 2017 Legislative Session is scheduled to kick off next month with the Governor's State-of-the-State address and Executive Budget presentations. Last year, Governor Cuomo combined the two initiatives into one event and it appears as though the combined presentation will continue in 2017. NYSCOPBA will provide updates on any major policy proposals affecting NYSCOPBA members that could be contained in the budget as soon as it becomes available.

The NYSCOPBA 2017 Legislative Agenda is being developed thanks to recommendations received from members who attended our annual PAC Seminars. Input from the membership, Executive Board, Legislative/PAC Committee and the Executive Assembly is essential to our success as we gear up to move legislation in the upcoming Legislative Session. Members are always encouraged to submit new ideas for legislation so that we can continue to fight to improve working conditions and safety for all NYSCOPBA members.

Finally, NYSCOPBA's Legislative Team would like to wish all NYSCOPBA members and their families a safe and happy Holiday Season.

As always, please refer to the NYSCOPBA Legislative webpage for a complete list of bills of interest. Click on the "Bill Tracker" link and you will be able to view all of the significant legislation that NYSCOPBA is tracking. Please visit the NYSCOPBA Legislative webpage at <http://www.nyscopba.org/legislative> for updates on the Legislative Agenda, lobby days, legislative activities, legislative scorecards and all other legislative and political updates. If you have any questions regarding legislation or political action activities, please contact Dan Valente, Legislative Director, at 518-427-1551 X306, or by email at dvalente@nyscopba.org.





As the nationwide 2018 November elections approached, many political pundits spoke of a potential “blue wave” sweeping across our nation. And while the blue wave never fully came to fruition on a national level, a blue wave certainly swept through the State of New York, potentially changing the political landscape with respect to state politics for decades to come.

The State of Legislative Politics Pre-2018 Elections

At the close of the 2018 Legislative Session, the New York State Assembly was firmly controlled by the State Democratic Party, with the Assembly Dems holding more than 100 of the 150 seats within the chamber. Democratic control of the State Assembly has been a reality for decades, with the Republican Party currently lacking a requisite number of seats to even prevent a veto override. (A veto override requires a 2/3 majority vote from each House of the Legislature.)

The New York State Senate, however, has been a bastion of power for the Republican Party for years. And while the ratio of Republicans to Democrats within the Senate chamber has not been nearly as lopsided as the ratio of Democrats to Republicans within the Assembly chamber, the Senate Republican Conference has nevertheless managed to maintain control of the Senate for decades (aside from a short period of Democratic control in 2009-2010). In recent years, after forming a working coalition with the members of the Independent Democratic Conference (“IDC”), led by Bronx Senator Jeff Klein and receiving assurances from New York City conservative Democrat Senator Simcha Felder that he would caucus with the Republican Party, the Senate Republicans enjoyed a comfortable voting margin, despite a very slim majority within the chamber when looking strictly at the number of Republicans verses the number of Democrats.

During the 2018 Legislative Session, however, the IDC dissolved and announced that its members would join the mainline Senate Democrats and become part of the Senate Democratic Conference. Notwithstanding the dissolution of the IDC, the Senate Republicans still maintained control of the chamber by virtue of Senator Felder’s continuing pledge to caucus with the Senate Republican Conference. All of this changed, however, following September’s primaries and the November general election.

Post-2018 Elections

As of the writing of this article, the Senate Democratic Conference appears to have secured 40 of the chamber’s 63 total seats, with 6 of the 8 former IDC members having been ousted during September’s primary elections. (Only former IDC members Senator Savino and Senator Carlucci remain.) While many people believed that the Senate Dems could possibly secure a majority of the seats within the Senate chamber heading into this past fall’s election cycle, few believed that the pendulum would swing as far as it has, creating a significant majority of Democratic members within the once Republican controlled New York State Senate.

Recognizing the sheer number of Democrats holding Senate seats in recent years despite their lack of a majority, and the tenuous hold the Republicans had on the Senate chamber, working on behalf of NYSCOPBA we have ensured that the union has maintained positive working relationships with both Democrats and Republicans. That said, the chamber that was once very cognizant of protecting and promoting the interests of law enforcement officers throughout the State will now be led by a conference that prioritizes significant criminal justice reform, including the enactment of legislation that would greatly curtail the use of SHU as a disciplinary tool (“HALT” legislation).

With so many new members who will be a part of the Senate Democratic Conference, it will be incumbent upon the members of NYSCOPBA to assist with educating these newly elected officials about the true nature of the jobs performed by the men and women of this law enforcement organization. We look forward to working with the Executive Board, the Legislative Department and its Director and all of the men and women of NYSCOPBA as we embark on this critical endeavor.

Lippes Mathias Wexler Friedman LLP
Attorneys for NYSCOPBA



by Bill Naylor, Retirement Specialist

Retiree Chapter Membership cards

Retiree Chapter membership cards were mailed out to all members who retired before November 2018. Any future cards will be generated and mailed at the end of every calendar year. The next mailing will include November 2018 to December 2019.

Deferred Comp Limits Increased

Effective January 2019 the IRS authorized increases to contribution limits to your Deferred Compensation plans. The increases are as follows:

- for active employees who participate it increased from \$18,500 to \$19,000.
- catch-up contribution limits increased from \$37,000 to \$38,000.
- the age 50 plus deferral limit increased from \$24,500 to \$25,000.

Your Pension and Direct Deposit

Finally, NYS Retirement is setting members up with direct deposit after retiring. Upon doing so, they will send you a letter to explain what your advanced payment will be and will issue you your retirement number.

Retiree Chapter Life Insurance

As a Retiree Chapter Member, you are covered by a \$20,000 group life insurance policy. Renewed membership in the Retiree Chapter is contingent upon us setting up automatic dues deductions. To do this, we need your retirement number. Submit your retirement number to us as soon as you get it.

Dental Options in Retirement

Upon retirement, you lose dental coverage. If you choose COBRA, you need to sign up within 60 days of retirement. COBRA coverage is a continuation of the same plan you

had while an active employee. COBRA lasts 36 months. Once it expires, you can sign up for a Direct Pay policy with EmblemHealth or options through Norvest: Basic Dental Plan - Covers basic and preventive services. Enhanced Dental Plan - Includes all services covered by the Basic Plan as well as major care. Open Enrollment is from January – February with changes effective in April. You are required to continue coverage until the following April.

Vision Options in Retirement

Upon retirement, you lose vision coverage. If you choose COBRA, you need to sign up within 60 days of retirement. COBRA coverage is a continuation of the same plan you had while an active employee. COBRA lasts 36 months. Once it expires, you can choose the free Davis Vision Discount, which is a pre-purchase discount services plan offered to Chapter Members, as well as their dependents. Norvest also offers the VSP Vision Plan. There is a monthly cost for this plan and it operates more like an insurance plan. Open Enrollment is from February – March, with changes effective in May. You are required to continue coverage until the following May.

Retiree Chapter \$100 Eyeglass/Contacts Reimbursement Program

Only a few Chapter Members are taking advantage of the \$100 eyeglass/contacts reimbursement program. This is an easy and valuable benefit that can be combined with any other vision benefit.

Medicare Coordination with the NYS Health Insurance Program

Under the Empire Plan, when you or your dependent/domestic partner become Medicare eligible, you (or your dependent/domestic partner) must sign up 3 months prior to turning 65 for Medicare Parts A & B (do not sign up for Parts C or D). Effective the day your Medicare becomes primary, your Empire Plan becomes secondary.