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OSARC newsletter

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OSARC

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OSARC To Focus On Elder Law



Judith Grimaldi

The January OSARC meeting will feature information on legal and financial issues affecting your retirement years. OSARC will be addressed by Judith Grimaldi, an elder law attorney and partner in the firm Freedman, Fish and Grimaldi.

Ms. Grimaldi will present information on a range of topics, among them wills, health care proxies, living wills, powers of attorney, HIPAA release forms, Medicare, and long term care insurance.

Ms. Grimaldi is recognized for her Medicare rights work and as an expert on issues involving home care, health law, trusts and wills, and estates.

A graduate of Brooklyn Law School, Ms. Grimaldi also holds an MSW from Hunter College. Ms. Grimaldi is a former instructor of Gerontology at Marymount Manhattan College and a former director of the Lutheran Medical Center's Community Care Organization.

The January OSARC meeting is a chance to get your questions and concerns about legal matters addressed.

MEDICARE ELIGIBLE RETIREES:

FILE FOR DRUG RIDER PREMIUM REIMBURSEMENT

If you're a Medicare-eligible retiree, pay special attention to the letter from OSA Executive Director Sheila Gorsky enclosed with this issue of the *Newsletter*. It outlines the way in which Medicare-eligible retirees with the optional drug rider on their City-approved health plan should file with the OSA Welfare Fund for partial reimbursement of their 2007 drug rider premiums.

The OSA Welfare Fund now directly reimburses Medicare-eligible retirees for themselves and their covered spouses or domestic partners, in the form of a lump sum check to be mailed by sometime in mid-2008, for up to \$50 per month. The Welfare Fund will need copies of your pension checks for January 2007 and December 2007 if you were Medicare-eligible and on a drug rider for the full year.

[continued, page2]

Next Organization of Staff Analysts' Retirees Club Meeting

Wednesday • January 9, 2008 • 12:30– 2:30pm

OSA Union Office

220 East 23rd Street Suite 707 (Between 2nd & 3rd Aves)

On the Agenda:

Guest Speaker: Judith Grimaldi, Elder Law Attorney
Freedman, Fish and Grimaldi

OSARC Officers 2007-2008

Co-Chair.....	Betty Henderson
Co-Chair.....	Kaye Lee
Co-Vice-Chair.....	Regina Berry
Co-Vice-Chair.....	Fred Ranzoni
Co-Vice-Chair.....	Ana Vives
Treasurer.....	Dan Morgan
Secretary.....	Al Gundersheimer
COMRO Representatives.....	Jim McKeon, John Ost, Edna Riley

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Newsletter Editor/Photos.....Rob Spencer

We'll Be Seeing You In All The Old Familiar Places

Thirty-five (35) OSARCers and friends attended the December OSARC meeting:

Gilberte Ambroise, Jean Anmuth, Renée Bash, Shirley Bonadie, Yvonne Broughton, Joan Capel, Ida Chin, Ralph DeMattia, Joan Doheny, Bea Eisenberg, Tom Gorse, Richard Guarino, Al Gundersheimer, Horacio Gutierrez, Betty Henderson, Mary Hillman, Sylvia "Cookie" Hodge, Irving Kreindler, Rosanne Levitt, Marvin Lutenberg, Hank Mandel, Dan Morgan, Fred Ranzoni, Edna Riley, Nilsa Mangual Rios, Nancy Russell, Michael Schady, Sallie Stroman, Jean Taylor, Madeline Taylor, Hattie Thomas, Richard Walters, James Wertheim, Peter Wong, and Leola Zeigler



Hank Mandel

Sylvia Hodge and Peter Wong were among those attending an OSARC meeting for the first time. Welcome. We look forward to seeing *you* at our next meeting.

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In Memoriam

The *Newsletter* has recently learned of the deaths of two OSA retirees. **Geoffrey Ryan** retired in 2002 from the Department of Environmental Protection as an Associate Staff Analyst and **Gloria Rosenzweig** retired in 2007 from the Human Resources Administration as an Administrative Staff Analyst. We extend our sincere condolences to their families and friends.

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Laptop Saga Continues

OSARC members attending the December meeting reviewed and discussed a letter to the Financial Information Services Agency dealing with the loss of a laptop computer containing pension data last summer. Hattie Thomas agreed to rewrite part of the letter. A revised draft will be assembled for the officers to sign and send to FISA. The letter, as sent, will be distributed at the January meeting.

Reminder: Time to Renew Your Dues

The list on the back of this issue includes more than 450 retirees whose 2008 OSARC dues we received by the end of December 2007. For the rest of OSA's retirees a reminder dues notice is enclosed with this issue of the *Newsletter*, which is going out to all OSA retirees.



Betty Henderson

If you mailed your dues in late December, we may not have received them by the time we mailed this issue to you. We encourage all of you to renew your membership, to consider joining for the first time, or to rejoin, if you've let your membership lapse.

Dues are a modest \$18 a year and are paid on a calendar year basis. You receive 10 issues of this *Newsletter*, invitations to monthly OSARC meetings, and the chance to stay in touch with your fellow retirees.

So, take a moment now to write a check to OSARC. Happy New Year to you and your family!

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Drug Rider Reimbursement [continued from page 1]

If you became Medicare-eligible or started a drug rider in the middle of 2007, you will need to supply a copy of your pension check for the first month that shows deductions for a Medicare-eligible drug rider and for December 2007. If you dropped your drug rider sometime in 2007, you'll need to supply a copy of your pension check for January, 2007 and the last month during which rider deductions were made.

If you are on direct deposit, you will need to provide a copy of the relevant quarterly NYCERS statements. The last quarter's statement for 2007 should be received sometime in early 2008.

Please wait until you have secured all the documentation needed for your reimbursement before mailing the information to Sheila Gorsky at OSA in the envelope provided. Please do not fax this information to the union. If you have questions, contact Vojna at the union office at (212) 686-1229.

Upcoming OSARC Meetings and Events

Here's what you can expect in upcoming months. Pencil in the dates in your calendar:

- **February 13, 2008:** Lenore Hoffman of the AARP Tax-Aide program will explore the tax laws and how they impact older taxpayers. It's your chance to ask your most taxing questions about federal, state and city income taxes.
- **March 12, 2008:** Guest speaker to be determined.
- **April 8, 2008:** Annual OSARC trip. Destination to be determined.
- **May 14, 2008:** Guest speaker on health issues.
- **June 11, 2008:** Annual gala luncheon.

Round Robin



OSARC's December meeting was given over largely to the Round Robin, an OSARC activity in which members report on their travels, work and hobbies. December's Round Robin was particularly diverse in the destinations and activities reported.

During the past year, **Jean Anmuth** traveled to South America and journeyed by boat from Rio de Janeiro to Buenos Aires. In August, she traveled to Russia for a river cruise from Moscow to St. Petersburg. She also spent time cleaning out her late mother's house. She plans to travel to Mexico during the Christmas holidays. Next year, she plans to travel to Eastern Europe and to revisit Bhutan.

Gilberte Ambroise accompanies people who are ill to medical appointments and brings them communion.

Shirley Bonadie took a three-week trip to her native Barbados during September and October. Unfortunately, it rained for 19 days during the time she spent in the country. She is active in her church.

Yvonne Broughton visited family in North Carolina and Colorado. Her youngest daughter, Alicia, is a singer with several compact discs to her credit. While at home, she is the director and soloist of her church choir.



Shirley Bonadie

She has been cleaning out her "collyer's mansion" of a house by throwing out items she accumulated while working, but never used. She is in the process of "shredding" and is "really working at it."

Joan Capel recently attended the convention of the National Council of Negro Women in Washington, D.C. Among the guest speakers were entertainer Bill Cosby and Dr. Alvin Poussaint, co-authors of *Come on People: On the Path From Victims to Victors*. She ushers for special events at Riverside Church.

Peter Wong is a member of the New York Academy of Sciences and enjoys attending their meetings for the intellectual stimulation. He has helped to raise money for his college by writing a letter to his classmates, urging them to contribute through estate planning. He has taken several lengthy trips to China, the first time in 1985. In response to a question, he said that over the years he has noticed a decrease in the overt military presence, as well as a decrease in public spitting and urinating. On the other hand, he noticed that urban

traffic congestion has become even worse than it is here in the United States. China is now the number three producer of automobiles in the world.

Renée Bash notes she "has been retired a long time and can't recall working anymore." She has also traveled to China. Recently, she returned with her chorus to Europe to sing in a youth festival. She will shortly be performing in Menotti's *Amahl and the Night Visitors* in a church on Park Avenue and 84th Street. She has resumed yoga, as she is finally recovering from a protracted knee problem.

Rosanne Levitt also sings as part of a chorus, the Greenwich Village Singers, and plays the recorder. She plans to travel next month to Costa Rica. Her previous travel plans were blocked when she developed a severe case of shingles, which she described as "very painful and unlike anything I've ever had before." She urges that all get vaccinated against this disease, now that a vaccine is available.

Sylvia "Cookie" Hodge is president of the Southeast Queens Camera Club, with which she has taken trips to Florida to photograph birds. The group has an exhibit at York College upcoming in January. She is also involved in three quilting guilds.

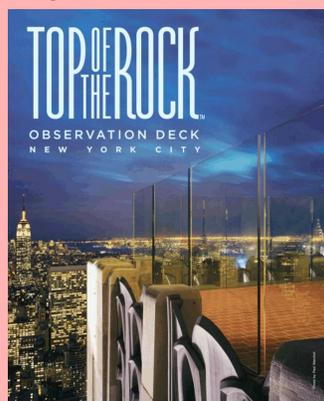
Hattie Thomas traveled to Europe with a group of her female friends, visiting Spain, Italy and France. Rome and the Vatican were the highlights of this tour for her. The trip was challenging because no one in her tour group spoke any of the native languages of the countries which they visited. She is also active in the Convent Avenue Baptist Church.

Madeline Taylor took her grandchildren to Disneyland and visited the Dominican Republic. The poverty in that



Sylvia Hodge

Trip Planned To "The Top of the Rock"



On January 23, 2008, the OSARC travel committee is planning a visit for OSARC members to the "Top of the Rock" observation deck in Rockefeller Center, across from Radio City Music Hall. Top of the Rock's 3-tiered observation deck is located on the 67th, 69th and 70th floors of 30 Rockefeller Plaza and includes a panoramic 360-degree, unobstructed view from the 70th floor

observatory. The main entrance to the building is located on 50th Street between 5th & 6th Avenues. The cost will be \$15.61 per person.

If you are interested in taking part in the trip, please call Mary Hillman at (718) 462-6485 or Sallie Stroman at (212) 267-6569.



Yvonne Broughton

country made her appreciate the U.S.

Al Gundersheimer is active in his church. He canceled a planned vacation and thereby learned that his wife "was much less suited to being retired than I am – so I won't be pressuring her to retire now."

Irving Kreindler just passed 16 years of retirement and has been an OSARC member for 15 of them. He remembers his first OSARC meeting was attended by five members. He has been active in Democratic politics. His own Democratic club, faced by attrition

as members aged, merged with another club to form the second largest Democratic club in Brooklyn. The merged club has been very effective.

Nilsa Rios is happy that her granddaughter is about to receive a masters degree and become a nurse practitioner at the age of 23. Nilsa traveled to Mackinac Island, Michigan and to Ocean City, Maryland. She participates in belly and hula dancing classes, as well as singing in a church chorus. She is also a member of a theater club which recently took in *Carmen* at the New York State Theater and enjoyed a backstage tour of the theater. She recently visited the U.N. for the first time since she was in high school.

Ralph DeMattia's wife retired shortly after he did. They traveled to Panama, where she attended high school, and then visited Florida. They also went on a tour of Eastern Europe visiting Prague, Vienna, and Budapest, with some time spent in Germany. He also attended his high school reunion in Cincinnati. Ralph sings in a church chorus and urged OSARC to start its own chorus, since so many OSARCers sing in choirs.

Sally Stroman writes articles for the *OSARC Newsletter* about her adventures and places she visits in New York City, which gives you some idea of what she is up to on a regular basis.

Betty Henderson has been using genealogical records to research an ancestor named Sarah or Sally Thomas who was born in 1778 or 1788 in Catskill and later moved to Illinois. She has not yet figured out if this is Catskill the city, the township, or the entire NY State region. Betty reports she has learned a great deal about early American history through this research. She was surprised to learn the extent of the acts of genocide committed by European immigrants in the Americas.



Gilberte Ambroise

Mary Hillman traveled to Florida and Maryland within the last year.

Fred Ranzoni volunteers in Prospect Park, where he helps with park maintenance. He traveled to a destination wedding on a beach in the Dominican Republic back in June. He reports "getting married on the beach in the Dominican Republic is not bad and, when you're not the one getting married, it's even better." He also took his family on a 6,500-mile car trip which included Montana, Minnesota, Wisconsin, Canada, Niagara

Falls, the Finger Lakes, and Binghamton. The trip centered around a visit to his daughter who had a job with the Montana Conservation Corps. They went to five different national parks including Yellowstone, Badlands, Glacier, Theodore Roosevelt and Teton. They visited relatives in Wisconsin and Minnesota, one of whom lived on a large lake featuring a boathouse and a deck with a pontoon boat. Fred pronounced the house, set back 100 yards from the road, his "dream house."

Dan Morgan is the OSARC Treasurer. He values OSARC most because he met **Betty Henderson** here.

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COMRO Report

OSA staffer Lou Albano, standing in for OSARC's regular representatives, reported at the December OSARC meeting on the activities of the Council of Municipal Retirees Organizations (COMRO). COMRO brings together representatives of 21 municipal retiree organizations, including OSARC and the DC 37 retirees.



Lou Albano

New COMRO officers are to be elected in January.

Lou reported that COMRO is also drafting a letter to FISA about the loss last August of the laptop computer containing pension data. They are asking that retirees be indemnified for any losses resulting from the misuse of the lost data. They are seeking an extension of the free credit monitoring service from Equifax from one to three years. They are also asking for better training for in-house staff, which they

hope will lessen the access of outside consultants and contractors to City pension data.

Lou noted that COMRO and the NYC Alliance for Retired Americans were urging the use of alternative identity numbers, different from one's social security number, for Medicare claims, to help prevent identity theft.

COMRO also expressed concerns about the privatization of Medicare. This is being done by providing higher payments to private "Medicare Advantage" plans, allowing them to offer more services than traditional Medicare.

The rising cost of Medicare Part D drug plans also drew COMRO concern, since the original legislation did not permit negotiations with pharmaceutical manufacturers to keep down the price of medications.

The \$9 trillion national debt threatening those on fixed incomes was also a subject of discussion.

Regarding the City Council resolution to provide health care coverage for the spouses of deceased retirees, it was noted that Council Speaker Quinn has not brought it to the floor for a full Council vote. The assumption is that she is waiting for sufficient numbers of sponsors to be able to guarantee a 2/3 override vote of the anticipated mayoral veto of the proposed legislation.

OSA Settles Tentative 2006-2008 Contract; Recent Retirees Affected

For those of you who retired before August 13, 2006, feel free to skip to the next article. But, for those of you who retired since August 13, 2006, we summarize below the terms of the tentative contract agreement between OSA and the City for the period from July 13, 2006 to August 24, 2008.

As a more recent retiree, you are due retroactive raises to the applicable dates.

In addition, NYCERS will be refiguring your pension basis to include any retroactive raises in salary for the period covered by the new contract during which you were actively employed.



Peter Wong

Effective August 13, 2006, there is a general increase of 2%.

Effective February 13, 2007, there is a general increase of 5%, compounded.

The general increases are also applied to additions-to-gross, such as service increments (like the 20 year longevity) and advancement increases.

If your title was Systems Project Leader, Administrative Test & Measurement Specialist, or NYCAPS Process Analyst, contact the union for information on the increases that apply to you.

The new contract includes substantial increases in 10, 15 and 20 year longevitys. However, those increases only apply to active employees in service on August 24, 2008, the last day of the contract, so they do not apply to those already retired.

The contract also features increases in payments by the City into the OSA Welfare Fund of \$100 per year per member as of July 13, 2006 and a one time payment of \$166.67 per member as of November 13, 2006.

Other items in the agreement provide for Transit Check enhancements, a salary review panel, a labor-management committee on pension issues and support for relaxation of residency requirements for active employees.

Overall, the negotiating committee was pleased with the improvements to the new contract.



Dan Morgan

OSA Chair Bob Croghan, writing to the active members noted, "the longevity increases that come with the current offer go a long way towards compensating for the loss of the 'productivity' clause of the old contract."

Those retirees affected by the increases should expect a retroactive check from their agencies within a few months of the contract's approval. A few months after that, NYCERS should be refiguring your pension and contacting those affected. If NYCERS does not get in touch with you within four months of

receiving your retroactive pay, you should contact NYCERS directly.

Sallie Spies Some Savvy Silhouettes



Sallie Stroman

OSARC's cultural commissar Sallie Stroman recently visited the Whitney Museum of Art for artist Kara Walker's extensive installation, *My Complement, My Enemy, My Oppressor, My Love*, a comprehensive overview of her work to date.

Walker was born in California in 1969, then moved to Atlanta at the age of 13, a move which had great impact on the young Walker. Moving from an integrated community to a region still overtly affected by racism, led her to become "black in more senses than just the kind of multicultural acceptance that I grew up with in California. Blackness became a very loaded subject, a very loaded thing to be—all about forbidden passions and desires, and all about a history that's still living, very present . . . the shame of the South and the shame of the South's past; its legacy and its contemporary troubles."

Walker received her BFA from the Atlanta College of Art and pursued an MFA at the Rhode Island School of Design. She lives in New York, where she is associate professor of visual arts at Columbia University.



Kara Walker: Darkytown Rebellion, 2001. Cut paper and projection on wall, 14 x 37 ft. overall. Musee d'Art Moderne Grand-Duc Jean, Luxembourg. Photo: the artist and Sikkema Jenkins & Co., NY

Sallie notes, "upon entering the Whitney Museum there is a warning sign to visitors that the Kara Walker exhibit contains sexual content. This is the second time I have written about this artist. Last year, I wrote about an exhibition of her silhouettes on the Katrina disaster.

In this exhibit, Walker's work is shown in 13 rooms of drawings, paintings, light projections, writings, and film animation, as well as her signature black paper silhouettes.

Among the themes covered by Walker's work are the chattel slave trade aboard ships to America, plantation life, slave auctions, slave women bearing children by the plantation owners, and the division of families by slavery.



Photo: Sheldon Collins

The exhibit featured various strong images including silhouettes showing sexual intercourse. The projections included “Darkytown Rebellion” (shown in a photo accompanying this article) and “Before the Battle.” Each of the projections tells a story with different scenes and characters.



Nilsa Rios

As you are leaving the museum, there is a billboard at the elevator bank with a message from Walker. I will quote part of her message, “You keep creating a monster that swallows you. But as long as there’s a Darfur, as long as there are people saying ‘Hey, you don’t belong here’ to others, it only seems realistic to continue investigating the terrain of racism.”

The exhibit runs through February 3, 2008. The Whitney Museum of American Art is located at 945 Madison Avenue at 75th Street.

For general information call 800-

WHITNEY.

The museum is open Wednesday–Thursday 11 am–6 pm, Friday 1–9 pm (6–9 pm pay-what-you-wish admission) and Saturday–Sunday 11 am–6 pm. The Museum is closed on Mondays and Tuesdays. Admission for adults is \$15, and for senior citizens (62 and over), \$10. The nearest subway is the number 6 train to 77th Street.

A special panel connected to the exhibition, “Slow Fade to Black,” will be presented on Wednesday, January 30 at 7pm. It will feature a conversation among cultural critic Margo Jefferson and filmmakers Marco Williams and Michelle Parkerson as they “consider cinematic portrayals of African-American history and film as a narrative device for interrogating stereotypes.”

Admission to the panel is \$8, \$6 for seniors. Advance purchase strongly recommended, as space is limited. For more information call (212) 570-7715.



Irving Kreindler

–Sallie Stroman

Apply For Social Security Online

For most of its 70-plus-year history, the way you applied for Social Security benefits was to stand in line at your local Social Security office.

Today, you can also apply online at the Social Security Administration’s website www.socialsecurity.gov. So far, more than a million Americans have applied for benefits online, according to the SSA.

In addition to completing the application for retirement benefits online, you can also file for disability and spousal benefits and check the status of your benefit application; change your address or phone number of record; enroll in direct deposit of your Social Security benefits; use online calculators to plan for your future and determine your monthly benefits; locate the nearest Social Security office; and request a replacement Medicare card.

The website features a range of information on a variety of Social Security and Medicare issues.



Edna Riley

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Senators Demand List Of Worst Nursing Homes

In late December, nine US Senators—Edward Kennedy, Tom Harkin, Barack Obama, Joe Lieberman, Evan Bayh, Bernie Sanders, Ron Wyden, Jeff Bingaman and Hillary Clinton—demanded that the Dept. of Health & Human Services release to the public the names of the nation’s most problematic nursing homes. The Centers for Medicare and Medicaid Services had named 54 homes as among the worst in their areas, selected from a larger list of 128 that failed health and safety requirements. The AFL-CIO affiliated Alliance for Retired Americans noted, “it is in the best interest of seniors to have the most information possible.”

Time To Sing for OSARC?

At the December OSARC meeting, member Ralph DeMattia noticed that nearly ten members present, including Ralph himself, were currently singers in choirs and choruses, both church and professional. He assumed many who were not at the meeting might also be singers.

He wondered whether OSARC could form an OSARC chorus which might sing for the members (at least once a year at holiday time.)

The *Newsletter* thinks it’s a great idea. What do you think? If you would like to take part in building an OSARC chorus and determining how often and what it would perform, please call *Newsletter* editor Rob Spencer at the union at 212-686-1229 or email him at webmaster@osaunion.org.

Let him know you are interested and he will pass your contact information along to Ralph, who anticipates reaching out to those who respond (providing enough do respond) after March. So, come join. Sounds like fun!

GHI-HIP For-Profit Conversion Back on Front Burner



Rosanne Levitt

Last year, the two major health plans covering active and retired New York City employees, Group Health, Incorporated and the Health Insurance Plan of New York merged and formed a new combined company dubbed EmblemHealth. (We would have preferred GHIP, pronounced “gyp” but, whatever.)

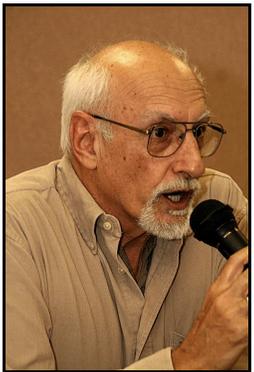
As long rumored, the combined company and its affiliated not-for-profit subsidiaries GHI and HIP, have now begun the move toward conversion to for-profit status.

According to a letter sent to HIP subscribers in late December, “to better serve our members, EmblemHealth and its affiliated companies HIP and GHI, must expand access to health care in the communities we serve and increase the number and variety of plan options we offer. To accomplish these objectives, we will need access to investment capital, which our competitors now have. In our view, the best way to obtain such capital is as a publicly traded, for-profit company.”

The letter contends that the first priority of both GHI and HIP will remain to provide “quality health care at affordable prices” to people in NYC, though it does not spell out just how the for-profit company will provide better, more competent or more comprehensive services at reasonable cost to subscribers.

Most City union leaders, among them Municipal Labor Committee head Randi Weingarten and DC37 chief negotiator Dennis Sullivan, have previously expressed support for the merger and conversion and believe the conversion will not diminish municipal workers’ benefits. They argue that the transition may, in fact, increase those benefits.

Legislation passed in the New York State legislature in April of 2007 authorized the conversion, which will result in the sale of more than 20% of EmblemHealth’s stock in a registered public offering. Ninety percent (90%) of the proceeds of the offering, as well as any remaining EmblemHealth stock, are to be transferred to the NY Public Asset Fund and 10% to the New York State Health Foundation, which were both created in the earlier for-profit conversion of Empire Blue Cross in 2002.



Fred Ranzoni

The merged company intends to merge subsidiaries of each of its companies performing similar operations to “streamline the resulting corporate structure.”

The conversion plan establishes “GHI HMO Select” as the for-profit subsidiary that will be the successor to HIP’s HMO business which will be renamed “EmblemHealth Plan.”

According to the conversion plan, EmblemHealth will “not discontinue any health benefit program or coverage category and will cover members enrolled in all government sponsored and/or financed programs. Accordingly, no members entitled to these benefits will experience any disruption in coverage.”

However, the 2007 legislation removed existing protections that provided for more extensive review by the Attorney General and the Insurance Commissioner of the conversion plan.

EmblemHealth companies, which include Vytra Health as well as GHI and HIP, cover some 4 million residents. In 2005, HIP earned \$115 million in net income and the merged company has revenues of about \$7 billion. GHI and HIP provide health coverage to 560,000 City employees and retirees.

So what could be wrong with conversion? According to Consumers Union, publisher of *Consumers Reports* magazine, “any proposed conversion should first be carefully scrutinized in an independent review process to determine whether it is in the public interest and how the full market value of the nonprofit insurer would be used to expand health coverage.”

Mark Scherzer, legislative counsel to New Yorkers for Accessible Health Coverage observed, “Governor Spitzer’s office and legislative leaders have hinted that they would use some or all of the HIP conversion money to expand health coverage in NY State but there’s no firm commitment of the assets and the money remains a sitting duck for special interests. Would the money really fund coverage expansion programs above and beyond the state’s current level of effort - and for how long?”

Scherzer believes the merged for-profit will be quickly acquired by a much larger insurance company, likely based outside of New York.

Consumers Union says “there are many reasons as to why a HIP-GHI conversion might have “disruptive impacts to New York’s health care system” including inability by providers to secure “timely and adequate payment” from the for-profit “insurance goliaths,” which may affect the quality of services provided to consumers and the fact that the HIP-GHI conversion could “dramatically reduce competition in downstate markets.”

There is also concern that, down the road, municipal workers and others could face higher premiums or reduced benefits. A consultant to New York City estimated the merger could cost New York City as much as \$200 million annually in added insurance costs. New York City unsuccessfully filed suit to block the HIP-GHI merger in 2006, and Mayor Bloomberg testified in opposition to the conversion.



Madeline Taylor



Mary Hillman

According to an article in the civil service newspaper *The Chief* in late 2006, DC37 negotiator Dennis Sullivan contended, however, that the City's opposition was based on a desire to transfer health care costs to employees.



Jean Anmuth

The article added that union officials believe that the increased "volume of subscribers could make doctors and hospitals more willing to take their members even if the reimbursement rates are significantly below what they could get for patients with other private insurance."

At the time, Randi Weingarten said "I think this was about the City wanting something from these carriers in exchange for their support for the merger."

According to *The Chief*, "the municipal unions are also looking to share in what has been estimated as up to a \$5 billion windfall from an IPO if the new company becomes a for-profit."

The NY State Insurance Department has scheduled two public hearings on the proposed plan of conversion, one in NY City and the other in Albany. The public hearing in the City is scheduled for Tuesday, January 29, 2008 at 10am at HIP's principal office at 55 Water Street in lower Manhattan and the Albany hearing is set for Thursday, January 31, 2008 at the Empire State Performing Arts Center starting at 11am.

Anyone can testify or submit written comments concerning the plan of conversion. Testimony or comments should address the plan. Testimony and comments on the legislation that enabled the conversion or on the disposition of assets of the not-for-profit company are not permitted. If you wish to testify, contact the State Insurance Dept. at (212)480-5262. Written comments can be sent to Emblem Hearings, Public Affairs Bureau, New York State Insurance Department, 25 Beaver Street, NY NY 10004 and/or emailed to the Insurance Dept. at EmblemHearings@ins.state.ny.us. Written comments are accepted for 30 days from the last public hearing.

A summary of the plan can be obtained by calling 800-447-9975. The complete plan is also posted on the internet at www.hipusa.com and at www.ghi.com.



OSA Chair Bob Croghan and Executive Director Sheila Gorsky wish all OSARC members a Happy New Year. They are pictured here at the December 13th OSA Holiday Party.

Bush Labor Board Continues Assault on Worker & Union Rights

On December 21st, Junior Bush's National Labor Relations Board issued the latest in a barrage of more than 60 anti-worker and anti-union decisions released since September. In its latest decision, the Board ruled that employers can prohibit workers from using the company's email to send out union-related messages. The ruling, in a case from the year 2000, held that if the employer has a policy barring employees sending out email for "non-job-related solicitations" for any outside organization, it can bar union-related messages as well. The majority held that the "employer has a 'basic property right' to regulate and restrict employee use of company property." The minority wrote that the majority failed to give proper weight to employee rights and the balancing of the parties' interests in privileging the employer's property rights.



Renée Bash

Among the other anti-worker decisions handed down by the NLRB were rulings that make it harder to form a union by majority card sign-up, harder for workers who are illegally fired to gain back pay, easier to discriminate against union supporters, easier to decertify a union, easier for employers to permanently replace strikers, and easier for employers to avoid bargaining in good faith.

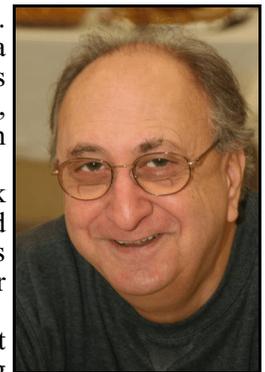
In one ruling, the board decided that if a union wins recognition by card-check rather than election, the board will send the firm a notice which it must post, telling dissenters that if they file a decertification petition with enough signatures within 45 days of recognition, the decertification is valid. Bargaining on a first contract often has not even started at that point.

The Bush board also ruled that if a majority of workers signed cards calling for a decertification election, the company can drop the union without even a vote.

The board cut the amount of back pay due to workers once the board finds they were illegally fired. Workers must prove they are seeking work after the firing to qualify for back pay.

In a similar case, workers who wait before seeking interim work after being fired, because they believe their contract dispute will be settled soon, will now receive no back pay for the period during which they did not seek other work.

The board ruled that an employer that threatened to close its plant and eliminate jobs, then demoted and reduced the pay of a pro-union worker, confiscated union literature and committed other labor law violations could remedy those violations simply by holding a new union election. Previously, employers engaging in these sorts of overt labor law violations were ordered to immediately [continued, p.9]



Ralph DeMattia

NLRB Continues Attacks On Workers And Unions

[continued from page 8] recognize and bargain with the union.

The board also ruled that replacement workers can be treated as permanent and given preference over strikers even if they were informed that they were working at the employer's discretion and could be let go because the company was taking the strikers back.

Of the more than 60 decisions, more than half of the decisions had been pending for four years or more. One illegal firing case dated to 1989 – and those workers have not yet received any back pay.

This latest string of decisions continues the Bush board's ongoing attack on worker rights and reinforces the need for the Employee Free Choice Act, which would bring several needed protections to organizing and first contract drives.

Pension Funds Doing Well

The office of City Comptroller William C. Thompson, Jr., recently released data on the state of the city's pension funds for the fiscal year ending June 30, 2007. According to the report, the funds paid \$9.6 billion in benefits during the fiscal year. The combined net assets of the pension funds rose to a record \$111 billion, up \$14.9 billion from the prior year, largely due to investment gains experienced during FY 2007. The gains were in excess of the actuarial investment assumption of 8 percent. For the three year period ending June 20, 2007, the combined return for the funds was 12.7%, for the five year period it was 11.6% and for the 10 year period 8.1%. This led to a reduction in projected City contributions, although the long term projection is for City pension contributions to grow from \$4.7 billion in FY 2007 to \$6.3 billion in FY 2011. In a letter to the editor of the civil service newspaper *the Chief*, former Assistant Chief City Actuary James Beirne noted that "additions to assets from contributions (\$6.18 billion) plus investment income (\$18.27 billion) exceed(ed) deductions from benefit payments (\$9.55 billion) and administrative expenses (\$0.10 billion)."

Happy Birthday to OSA Retirees Born in January!

Leslie Allen, Steven Balicer, Theodore Barbal, Joanna Belt, Regina Berry, Earlene Bethel, Michael Bharose, Andrea Bloom, Carmine Borzell, Paul Bowen, Marlene A. Bowen, Carolyn Brooks, Rosemary O. Brown, Shirley Brugman, Velma Callender, Burton Carlin, Maxine Carter, Johnsie Cheatham, Himangshu Chowdhury, Margaret Clay, George Cohen, Sheldon Cohn, Rosalee Coleman, Othon R. Collado, Gloria Colon, Maria L. Crisci, Sadie Culler, Marilyn Daitzman, Marie Davis, Edward Davis, John Dellecave, Sybil DeVeaux, William A. Douglas, Christine Dudley, Laraine Eldridge, May Engler, Carrie Fair, Philip Flaum, Jacquelyn Fleming, Flora Foster, James Freaney, Beverly Freierman, Grace Gabrielsen, Joseph Garber, Boushra Ghaly, Joan Gittens, Manuel Gonzalez, Jeanne N Gorbacheff, Eli Gottlieb, Frank Gulino, Claire Hall, Robert Henke Jr, Tareq Hossain, Maria Ibanez, Pauline James, Edwina Jenkins, Elizabeth Johnson, Clifford Johnson, Mable Jones, Eileen V Jordan, Sheldon Kier, Eleanor Kinard, Joel Leichter, Angela Lopez, Michel Louis, Robert McCallum, Velarie Melvin, Charles Montalbano, Donna Mulgrave, John F Nash, Edgar Noguerola, David O'Brien, Olivia Parker, Eugene Parker, Fred Parris, Carol Payne, Antony Penel, Rosetta Peterkin-Atwood, Irving Phillips, Nauford Phipps, Jack Pilchman, Lee Pleva, William Pope, Dorothy Ragin-Primus, Peter Reese, Oswald Rivera, Pablo Rodriguez, Ruby Ruffin, Benjamin Salisbury, Cheryl Samuels, Philip Sanchez, Marc Sawyer, John Schild, John Sellers, Ina Sinclair, Lillian Smith, Karen A Smith, Janette Springle, Peter Stanford, Louis C. Starkey, Edelmira Ventura, Aldo Vigliarolo, Carolyn Walton, Joseph Warfield, Joanne Webb, Shirley Wertheimer, Georgia Wheeler, John Yoshida, Phyllis Zito



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Fred Steinberg
Wayne Steinman

Betty Stewart
Cele Stolzenberg
Jo Ann Stone
Trumilla Stone
James Story
Phyllis Stothers
Sallie Stroman
Chun-Hwai Su
Margaret Suite
Mortimer Sullivan
Elbert Sweat Jr
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Alfredo L. Tan
Tuly Tanenbaum
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Madeline Taylor
Mary D Taylor
Stuart Tepper
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Vida Wagner
Perry Walker
Michael Walsh
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Bassanio Wong
Peter Wong
Peter Wood
Simeon Wright
Benjamin Wright, Jr.
Leoila Zeigler
Margie Zinzi
Phyllis Zito

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Maureen Benson
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