

SELECT COMMITTEE ON PENSION POLICY

Constituent Correspondence as of July 17, 2012

Received by			
OSA	From	To	Subject
3/29/12	Governor Gregoire	Representative Bailey, Chair	Pension Garnishment
5/10/12	Bonnie Anthis	Representative Bailey, Chair	Pension Garnishment
5/14/12	Chris Vance - King County Adult Corrections Guild	Executive Committee, SCPP	2012 Study of Risk Classification of High Risk Employees
5/14/12	Kelly Fox - LEOFF 2 Board	SCPP	2012 Interim Issues
5/18/12	David Westberg	SCPP	Defined Contribution Pension Plans
5/12/12	Richard Warbrouck - Retired Firefighters of Washington	Senator Conway, Chair Representative Bailey, Vice Chair	LEOFF Merger
6/15/12	Keith Flewelling - Washington State APCO - NENA Chapter	SCPP	2012 High-Risk Job Classifications Study (E9-1-1 Telecommunicators)
6/18/12	Gabe Hall - Local 862 Washington Federation of State Employees	SCPP	2012 High-Risk Job Classifications Study (JRA Staff)
6/21/12	Matthew Zuvich - Washington Federation of State Employees	Senator Conway, Chair SCPP	2012 High-Risk Job Classifications Study (DSHS Institutional Workers and DOT Workers)
6/25/12	Matthew Zuvich - Washington Federation of State Employees	SCPP	2012 High-Risk Job Classifications Study (DOT Highway Maintenance Workers)
7/17/12	William Kantor	SCPP	LEOFF Merger



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RECEIVED

JUN 21 2012

Office of
The State Actuary

June 21, 2012

To: Senator Steve Conway, Chair
Select Committee on Pension Policy

From: Matthew D. Zuvich, Lobbyist

RE: Member Correspondence

Attached you will find correspondence from several of our members asking the Select Committee on Pension Policy to recommend including DSHS institutional workers and Department of Transportation (DOT) Workers for inclusion to the Public Safety Employees Retirement System (PSERS).

I cannot do a better job of speaking to the need for this recommendation than they do. We recognize that a close study of which classifications with in DSHS institutions and DOT will be necessary. We hope that you will let us partner with you in making that determination.

Please contact me if you have questions about the enclosed correspondence. I can provide more information you might need for any of our members who wrote to the committee. I can be reached at mattz@wfse.org, or at (360)352-7603 x 1031.

Thank you for reviewing my member's requests for inclusion in PSERS.

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21 June 2012

To: The Select Committee on Pension Policy

From: Gabe Hall, President AFSCME Local 862

RE: PSERS Study

I am writing you to ask that you make employees of the Juvenile Rehabilitation Administration eligible for the Public Safety Employees Retirement System (PSERS). The PSERS was created to allow employees who work in high risk jobs, with high risk offenders, to be able to retire before age and infirmity make it too dangerous for them to work with that clientele.

We in JRA work with volatile, dangerous youths that are, in many cases, highly aggressive. There is a high need for alertness and physical ability when supervising these youths. Fights can break out any time, caused by something as little as one resident maintaining eye contact for a second or two longer than the other resident feels is a "respectful" amount of time.

The number of gang involved youth in JRA has increased significantly in recent years, leading to a marked increase in assaults by residents on each other. We staff are required to physically intervene when resident fight. We have seen an increase in staff injuries that coincides with the increase in resident fights. It does not make much sense to have 65 year old staff trying to physically control young, fit, and in many cases, large young men intent on doing damage to each other. Unlike staff, residents are not constrained from punching, kicking, biting, pinching and otherwise flailing at staff when we attempt to control them.

We staff are required, as a condition of employment, to attend and pass annual refresher trainings on Dealing With Resistive Youth (DWRY) techniques. This training is certified through the Criminal Justice Training Center, as are the instructors. During these trainings, we must demonstrate

proficiency in restraint techniques designed to ensure the safety of both staff and residents caught up in an incident. This involves a high level of physical ability to pass the training. Many staff have been injured while taking the original 40 hour course and the annual 8 hour refreshers. Some staff have been injured so badly during these trainings that they have had to be medically separated from their jobs. We are seeing ever higher numbers of older staff injured during these trainings.

Other employees who deal with this same population are currently eligible for PSERS. Staff of city and county juvenile detention facilities can join PSERS. Our residents come from these facilities. The detention centers generally have the residents for a few weeks or months, while they are being held for trial. Once the youths have been sentenced, they come to JRA, often for terms of several years.

So, in conclusion, it makes sense for JRA employees to be included in PSERS, for the very same reasons that PSERS was established: to allow employees in high risk jobs to not have to continue to work until there is an elevated risk of injury to older employees.

Thank you for your attention to this matter.

Gabe Hall, President AFSCME Local 862

Email: mrsoup@hotmail.com

Phone: (360) 705-0610

June 21, 2012

To: The Select Committee on Pension Policy

From: Kathryn Rogers, AFSCME local 1060

RE: PSERS Study

My name is Kathryn Rogers. I started working for Washington State Department of Transportation as a Maintenance Tech 1 in 1985. I am 55 years old and have been a Maintenance Lead Technician since 1993.

Maintenance Technician is one of the job classes inside the Department of Transportation that are required to have and maintain a Commercial Drivers License. (CDL). One of the requirements of maintaining your CDL is that you pass a physical every two years. During this physical your eyesight, blood pressure, reflexes, dexterity are checked and blood and urine are tested. The older I get the more I am concerned with passing this physical.

Other job classes requiring a CDL are; Equipment Technicians, Bridge Maintenance Technicians, Transportation Systems Technicians.

A Maintenance Technician's job can be labor intensive. Requirements include repeatedly lifting 50 pounds, shoveling asphalt or dirt, repairing damaged guardrail, walking up and down slopes to check drainage or cutting and removing trees and brush with hand tools, setting up traffic control signs, cones and barrels. It also can be sedentary, controlling traffic with a flag paddle, operating equipment such as sweepers, backhoes, tractor mounted bush cutters, controlling traffic with a flag paddle or in the winter driving a sanding / plow truck for 12 hour shifts.

We are required to be available to return to work providing traffic control for investigated vehicle accidents, replacing down / missing regulatory signs, removing trees blocking the roadway and any other safety concern report by the State Patrol that can not wait until regular working hours. We work nights to repair the roadway surface or sweep the roadway minimizing disruptions to traffic. We are subject to emergency schedule changes to respond to snow and ice. An emergency schedule change involves switching from working 8-hour days to a 12-hour night shift with no advance notice. In short we preserve the infrastructure, insure the safety of the travelling public, and responding to emergent safety concerns in all types of weather. All of these things are the essential job functions of a Maintenance Technician 1, 2, 3, Leads and Supervisors. If we are unable to perform these essential functions or pass the CDL physical we can not be employed in Maintenance with WSDOT.

Our assigned duties can change daily. Several of these duties become more difficult the older you are. Switching from day work to night work, switching from sedentary work to physical or repetitive work is increasingly more difficult the older you get. It takes longer to warm up / stretch before performing physical labor, you feel your aches and pains more and it takes longer to recover from the stresses and strains. I personally find the lack of sleep due being called in to work at night or shifting from day work to night work increasingly more difficult the older I get, especially when you are shifted to night work for a week or less. It takes a lot out of you.

I am proud of working for the DOT and the service I provide to the traveling public. I hope that I am able to continue to work until I reach full retirement age (65). At that time I will have 34.5 years of service to the State of Washington.

Kathryn E. Rogers
2318 S. Northbluff Road.
Greenbank, WA 98253
Phone: (360) 632-2903

To Whom it May Concern. From Bret W. Esterberg

This month, June 2012, I will have worked in JRA institutions for 16 years. I have worked in multiple settings and programs, as a Counselor. The one thing they all have in common, is the constant existance of violence and assault. I personally have been assaulted directly or indirectly multiple times over the years. Cuts, Bruises, Black eyes and cracked ribs. Fortunately I have been able to go home, to my family under my own power in the last 16 years. I have also seen my fellow co-workers be assaulted either directly and/or indirectly, and the physical damage that resulted.

There is a "Law of Averages" in this business. I started when I was 26 years old. I am now 42 years old. However, the residents I deal with have remained 16 to 20 year old young men. The potential of injury is not a matter of "if" but "when"; especially the older I get. I love my job, but question the cost when there are more aches, pains and muscle strains, after having to physically handle a strong 17 or 18 year old. Can I see myself doing this job for another 20 years? Mentally yes. Will I be able to physically "perform" my duties at age 62? Without getting injured or seriously hurt. The "Law of Averages", say, No way.

To prove my point: Please see the Executive Team (E-Team) minutes for the month of May.

High Lighted at the bottom of the page. In case you don't know, Staff are the ones that have to stop fights



STATE OF WASHINGTON
DEPARTMENT OF SOCIAL AND HEALTH SERVICES
Green Hill School 375 SW 11th Street Chehalis, Washington 98532

E-Team
June 04, 2012

Present: Dennis Harmon, Charles South, Cindy Blue, Susan Copeland, Everett Gage, Lori Nesmith, Stacy Durham, Johnny Lewis, Chris Ward, Joel Morlin, Criss Stewart, Mike Eberle, Monte Bainbridge, Tami Hodgins and Traci Newton.

AOD:

Criss Stewart shared his weekend report as AOD.

Orange Jumpsuit Uniform:

There were no youth recommended for the removal of wearing Orange Jumpsuit Uniforms.

Disproportionate Minority Contact (DMC):

Staff that did not attend a DMC Training are required to attend one of the sessions being held in Olympia on June 14, 20, and 27. Please contact Criss Stewart to register for this training.

Staff Recognition / No Unplanned Leave Usage:

Managers were asked to submit names of staff that had no unplanned absences during May to their Administrator and Traci by Friday, June 08, 2012.

JRA Extended Management Team Meeting:

There will not be an E-Team meeting next Monday due to the Leadership Team attending the JRA Extended Management Team (EMT) Meeting. The JRA EMT Meeting is being held at the Tacoma News Tribune Building.

PbS:

During the month of May there were 17 recorded resident fights for a total of 121 year-to-date. During last year at the same point there were a recorded 67 total recorded fights.

June 18, 2012

Honorable Steve Conway, Chair
Select Committee on Pension Policy
Olympia, WA 98504

Dear Senator Conway:

This letter is in regards to early retirement for specific job classes within Department of Social and Health Services. I am a licensed practical nurse #2 at Child Study and Treatment Center and have cared for mentally ill children for almost 27 years.

I care for mentally ill children that have unpredictable behavior. Often I must be involved in physical containment when a patient becomes assaultive and out of control. In 2001 I was assaulted by a male patient. I was punched on my face and head, and since then I suffer from "vertigo" on and off. Usually the symptoms come back twice a year. Also, my left knee hurts on and off due to many incidents of hitting the floor during physical containment. Presently, whenever I help do containment I notice that my neck, back, both arms and legs become sore the next day.

An early retirement at the age of 62 is impossible because the penalty is too high, and I don't make enough money to meet the demands of life. To continue working until the age of 65 seems to be too long to wait and dangerous. Just to give you information about my physical stature. I am 4'10" in height and 120 lbs. My patients at work stand between 5'5" to 6 feet tall, weighing 150 lbs to 200 lbs. For my age, considering the type of work I do, it is highly risky.

Respectfully,


Maxima R. Caintic

June 9, 2012

Honorable Steve Conway, Chair
Select Committee on Pension Policy
Olympia, WA 98504

Dear Senator Conway:

My name is Darren Kistler, I am 46 years old, and I have I served the public and the patients of Western State Hospital as an Institutions Counselor since 1993. I would like to address working conditions here from a personal career vantage point. My hope is that the legislature will recognize the public service capacity that all of us provide who work directly with patients; and also understand the rigorous and often dangerous physical environment we are presented with daily here at Western State Hospital. My goal is to encourage the legislature to improve the retirement conditions and benefits for those of us who give so much daily to the citizens of Washington State.

As you are probably aware, Western State Hospital is cited as one of the most perilous worksites in the entire state. In 18 years of service I have been physically assaulted at least 9 times. I have had LNI related surgery and recovery as a result of my duties here. I cannot count the number of "hands on" restraining methods I and my coworkers have performed in order to reduce a threat level and make the environment again safe for patients and staff. This is in addition to a high level of awareness and stress that goes with working in such an environment. In spite of this, I am grateful to Washington State for providing me an opportunity to help with recovery services for some of our state's most vulnerable patients.

It's hard to imagine continuing to do this until my full retirement age of 65. An early retirement option is untenable due to the high penalty placed on an earlier retirement. My \$40,000 yearly gross salary would seem insufficient to allow that kind of penalty on my earnings for future living expenses.

Please consider DSHS specific job classes, including those of us who work with volatile, high needs patients in institutions, for inclusion into a system such as the PSERS. Your attention to this is greatly appreciated.

Sincerely,

A handwritten signature in black ink, appearing to read "Darren Kistler". The signature is fluid and cursive, with a large initial "D" and "K".

Darren Kistler

Sen. Steve Conway, Chair

Select Committee on Pension Policy

P.O. Box 40914

Olympia, WA 98504-0914

RE: Early Retirement Options for DSHS Institutions Staff

I have witnessed too many staff assaults during my nearly 17 years with JRA. Please take into account the cumulative effect of working daily with the threat of 'when not if violence' waiting for a code to be called, fights breaking out in front of you, and enduring verbal abuse. I am classified as a counselor, but my job is currently more custodial than therapeutic case management. I am exposed to and expected to respond to violent, aggressive situations, the same as a security officer. I am a 57 year old female and at this point I do not feel my physical capabilities are effective in this situation. I have suggested reducing my custodial duties and increasing my counseling time. Another co-worker and I, in an effort to reduce our stress proposed a job-share plan which was denied. I am currently experiencing

health related stress problems
(high blood pressure, bruxism, anxiety)
You HAVE to acknowledge that
employees will age-out of this job.
My co-worker and I who wanted to
job share have nearly 50 years of
combined experience. He quit. I
can't. Don't tell me we aren't valuable
and don't turn a blind eye to what
we IRA employees deal with. I
see drug abuse, alcohol abuse,
depression and other illnesses that
are directly related to job burn out.
We keep doing more with less -
I AM NOT DYING FOR THIS
JOB - WE NEED OPTIONS!

R James

GHS

6/12/12

name

institution

date

The Honorable Senator Steve Conway

Chair, Senate Select Committee on Pension Policy

Dear Senator Conway:

I have been employed with JRA since 1987 and am fast approaching my 25 year anniversary date. I am writing to implore you to include DSHS institution staff in the PSERS. DSHS/JRA institution employees are responsible for much of the same duties as state corrections officers and law enforcement personnel. In fact, we train under the same confrontational continuum and are subject to the same defensive tactics training from the Criminal Justice Training Commission. I am wholly supportive of any efforts to identify JRA employees as eligible for the same retirement plan as our counterparts in the adult system.

The residents I work with are adolescents and young adults, few are the height or weight of children. I have suffered serious injuries from incarcerated residents due to pre-planned assault and assault with an object I have also been grievously injured breaking up fights between residents, during physical restraint of out-of-control residents and during defensive tactics training. I have seen co-workers injured as well. For example a counselor who was held hostage after being stabbed in the neck with a bar wrench, beat up and dragged by the hair to her locker where she was forced to get, and give up, her car keys. A DNR foreman was set up by two residents who then proceeded to kick him and beat him with concrete chunks until they thought he was dead as part of an escape plan.

I currently have a permanent partial disability due to on-the-job injury to my lumbar discs. This was the direct result of job duties performed during the physical restraint of an out-of-control resident; this injury resulted in time loss through L&I and a more than year-long painful, difficult recovery. I have pain and mobility issues from this injury that will last my lifetime. The pain and suffering of the actual injury is compounded by the emotional impact and impact on personal life and family. The difficulties of managing work schedules, family, etc. with travel for physical therapy, doctor appointments, L&I medical exams, and prescriptions can be overwhelming.

I have had whiplash injuries to my neck due to being hit over the head with a thermal meal tray and also from being hit over the head with a chair. I have been punched in the face, kicked and spit on. I have had to go to the hospital for prophylactic treatment more than once due to blood borne pathogen exposure. My family has been threatened. Last year I was injured during defensive tactics training (the same techniques taught to law enforcement and corrections personnel). My right collarbone was dislocated from my sternum. Although I could continue to document the many injuries and difficult recovery I have suffered through due my job responsibilities, I believe the above gives perspective on the incredible physical demands of working with incarcerated juvenile felons.

In deciding whether to include the DSHS institution employees in the PSERS, please take into consideration that, although we train to the same confrontational continuum as law enforcement and the Department of Corrections, we are not allowed to use the same responses as they. For example

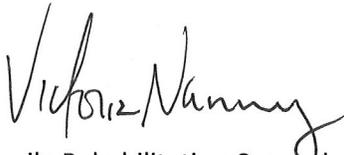
active aggression and active aggravated aggression toward law enforcement or corrections may result in use of level two or level three defensive tactics; the body or other impact weapons, lateral vascular neck restraint, firearms and lethal force. For JRA employees we are only allowed to respond to active aggression and active aggravated aggression with level one defensive tactics. This means that no matter how high the level of danger to staff, we still must respond with only strength techniques, hair holds, control points and counter joint techniques. Pepper spray is a level one defensive tactic that we are not allowed to use and are not trained to use.

I hope in reading this that you come to understand the very dangerous and difficult position JRA institution staff face every day and that the residents whom we serve can be aggressive, assaultive and combative. Currently the majority of JRA residents are committed for Assault, Robbery, Sexual Offenses, and for Murder/Manslaughter.

I began my career with JRA when I was 21 and now, at 47, cannot imagine how I will be able to continue to train and deal with out-of-control youth when I am in my late 50's and 60's. This is a very physically demanding and dangerous job and, coupled with budget restrictions and low staffing, it has become even more so. We deserve the consideration of retirement earlier than that of those DSHS employees who are not subject to grievous injury as part of their job description.

Thank you very much for your consideration of including DSHS/JRA institution staff in the PSERS.

Victoria Nanney



Juvenile Rehabilitation Counselor Assistant

DSHS/JRA

Naselle Youth Camp/Harbor Lodge

Sen. Steve Conway, Chair

Select Committee on Pension Policy

P.O. Box 40914

Olympia, WA 98504-0914

RE: Early Retirement Options for DSHS Institutions Staff

THIS JOB IS EXTREMELY PHYSICAL. I
HAVE BEEN INVOLVED IN AN AVERAGE
OF TWO HANDINGS PER WEEK. I HAVE
SUFFERED NUMEROUS CUTS & BRUISES AND
HAVE HAD MY GLASSES BROKEN. I AM
59 YEARS OLD

DAVID WHITNEY
D. Whitney

NASALLE YOUTH CAMP

6/17/12

Received

JUN 20 2012

WFSE/HQ

6/10/12

To whom it may concern:

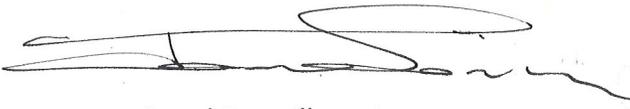
I am writing this letter in response to discussions being held surrounding JRA employees' retirement system options (i.e., *PSERS*), and to voice my support of changing JRA's current retirement system to the *Public Safety Employee's Retirement System*.

I am currently employed with the Washington State Juvenile Rehabilitation Administration, and have been employed for JRA for roughly 6 years now. During this time, I have sustained numerous on the job injuries (i.e., dislocated shoulder, twisted ankle, cracked rib) as a result of meeting the requirements of my job (required to physically intervene in order to safely secure youth engaging in physical aggression). These types of injuries commonly sustained by JRA employees (both young and old) are injuries that often result in a lifetime of chronic pain and/or predispose the individual to further injuries needing more intensive medical care. I am raising this issue, as (unlike the *PSERS* plan) JRA's current retirement system plan (*PERS 1, 2, and 3*) does not address work-related injuries (which can lead to a significant negative impact on an individual's quality of life and their ability to actively function in the workplace).

Having met the eligibility criteria for *PSERS*, I am advocating that JRA switchover to the *PSERS* plan in an effort to secure the health, safety, and well-being of its employees.

Thank you for your time and attention to this matter.

Sincerely,



Jared Sagmiller

Sen. Steve Conway, Chair

Select Committee on Pension Policy

P.O. Box 40914

Olympia, WA 98504-0914

RE: Early Retirement Options for DSHS Institutions Staff

I have worked at Naselle Youth Camp for 17 years. During that time I have been involved in numerous physical restraints of the youths that I supervise. I have been punched once and spit at several times during the restraint process. Please consider the people who work at juvenile institutions for the PERS Plan 2.

Sincerely,

Drew Sipes

Sen. Steve Conway, Chair

Select Committee on Pension Policy

P.O. Box 40914

Olympia, WA 98504-0914

RE: Early Retirement Options for DSHS Institutions Staff

MR. CONWAY,

I HAVE BEEN A DSHS EMPLOYEE FOR 17 YEARS WORKING AT NASALLE YOUTH CAMP. AS A STAFF MEMBER AT NASALLE WE DO NOT HAVE A SECURITY TEAM. EACH COUNSELOR, ASSISTANT COUNSELOR & ON CALL STAFF RESPOND TO CRISIS MANAGEMENT SITUATIONS. PHYSICALLY RESTRAINING OUT OF CONTROL YOUTH IS A TOUGH PART OF OUR JOB. MOST YOUTH ARE 15-19 YEARS OF AGE & ARE VERY PHYSICALLY FIT. THIS IS FINE WHEN STAFF ARE IN THEIR TWENTIES OR THIRTIES. THE TOLL IT TAKES ON ONE'S BODY IS TREMENDOUS. PLEASE CONSIDER EARLY RETIREMENT OPTIONS FOR DSHS INSTITUTIONS STAFF. THANK YOU VERY MUCH.

SINCERELY

CARLY A. Bloom

JRAC

NASALLE YOUTH CAMP.

Mr. Conway,

I am writing this letter with regards to the PSERS option. I'm in favor of PSER Plan 2. I've worked for JRA for nearly 17 years. Part of my duties as a Casemanager is providing security; to ensure custody & security of incarcerated youth ages between 14 and 20 yrs. I have been involved in hundreds of physical handlings where it is our responsibility to restrain the individuals. Many of my co-workers over the years myself included, have been injured or assaulted by these youths. I am currently 40 years old and in fair shape. It is scary to look into the future as a 60+ year old staff responsible to taking down a youth ~~you~~ who is stronger and has no concern for your safety.

Thank you for your consideration on this matter.

Michelle Williams

Sen. Steve Conway, Chair

Select Committee on Pension Policy

P.O. Box 40914

Olympia, WA 98504-0914

Received
JUN 14 2012
WFSE/HQ

RE: Early Retirement Options for DSHS Institutions Staff

Hello, my name is Shawn Braeme. I am 52 years old and have just celebrated (?) my 28th year of working for DSHS as a Juv. Rehab. Security officer. I have worked at both Maple Lane School and Green Hill School continuously since June of 1984. During this time I have been punched, kicked, elbowed, bitten, spit on & had various body fluids and excrement thrown on me.

There is not a day that goes by that there is not a possibility of assault or serious injury. I know that my reflexes are slowing and that as I mature, health concerns compound, I heal more slowly, take longer to recover & generally have less energy. I also have 13 more years that I have to work before I am able to retire without paying huge penalties.

Since I only make \$5,000 over the poverty line anyway, early retirement (as such) is not really an option, since you have to pay 10% penalty for each year of retirement prior to age 65, if I wanted to retire at age 55 I'd have to pay 100% penalty.

But, since I have achilles tendon issues, a reconstructed knee, that is problematic and more or less constant back pain already, my chances of making it to age 65 are not great. So, I will probably have to leave State service ~~leave~~ my retirement alone while I pursue another career path until I'm old enough to collect retirement & Social Security.

At these types of institutions, unless one is management, one is in constant danger, working stressful shifts, with odd hours, all of which take a toll, physically, mentally & psychologically.

Not to mention the strains placed on families & relationships.

Please support early retirement for DSHS institutional workers. Our jobs are at least as dangerous as those in much of DOC, with out the pay, opportunity for advancement or early retirement options.

Thank you for your consideration.

Shawn Braeme Green Hill School

6/12/12

name

institution

date

Wallis, Keri

From: Matt Zuvich <MattZ@wfse.org>
Sent: Monday, June 25, 2012 10:49 AM
To: Office State Actuary, WA
Subject: Correspondence to the SCPP
Attachments: 06-21-2012 053848PM.JPG; Matt Zuvich.vcf

Attached you will find a letter from our member intended to address the SCPP regarding the PSERS study.

Please contact me with any questions or feedback.

Thank you!

Z

06-21-2012 053848PM.JPG

Matthew D. Zuvich
Legislative and Political Action,
Washington Federation of State Employees
1212 Jefferson St. SE, Ste. 300
Olympia WA. 98501
Office: 360.352.7603 x 1031
Fax: 360.705.0176
E-Mail: mattz@wfse.org

To Whom It May Concern,

Washington State Department of Transportation (WSDOT) Highway Maintenance employees should be enrolled into the Public Safety Retirement System.

WSDOT Highway Maintenance employees are emergency responders. Having an aging workforce in this career field is dangerous and irresponsible. Our employees must be able to reach escape routes if needed from such dangers as wind blown trees or erratically driven vehicles to name a few of the many dangers we face on a daily basis.

Highway maintenance is a physically rigorous job that requires sound judgment. They are expected to lift heavy objects, operate power equipment, and be on your feet for long periods of time while being exposed to high speed traffic and inclement weather conditions.

Highway maintenance workers must have a current CDL medical card. As the years add up from doing this job it gets harder and harder to successfully pass this medical evaluation.

Thank you for taking the time to read this letter. I hope this helps to successfully get WSDOT Highway Maintenance employees switched over to a more appropriate retirement system.

Gordon Elley
Local 378 President
WSDOT Highway Maintenance Lead Tech

A handwritten signature in black ink, appearing to read 'Gordon Elley', written in a cursive style.

Wallis, Keri

Subject: FW: SCPP meeting on 24th public statement
Attachments: THE PROBLEM IS.docx; Work sheet with removal of surplus funds in 2001.xls; 1may2012 SHORT FORM.xls; 2000-2011three_five_ten year returns LEOFF 1 and total CTF.xls; File LEOFF1 gain_loss per quarter 3 5 and 10 yr modified.xls

From: wp kantor [\[mailto:12kantor1@frontier.com\]](mailto:12kantor1@frontier.com)
Sent: Tuesday, July 17, 2012 3:05 PM
To: Gutierrez, Aaron
Subject: SCPP meeting on 24th public statement

Aaron I would like to make a statement about LEOFF 1 funding and the Merger of LEOFF1 and LEOFF2 at the SCPP on the 24th of July. What I would like to say is under the title "THE PROBLEM IS". In addition there are five attachments which helped to form my opinion. Would public testimony be appropriate/taken after agenda item 4?

I am sending this stuff to you to show what I would intend to say. I think this is a correct way to get the statement and attachments to the SCPP. Is this a correct format?

Thank you for your time and consideration.

THE PROBLEM IS

EVERYONE SEEMS TO WANT TO MESS WITH LEOFF PLAN ONE

EVERYONE SEEMS TO DISREGARD GENERATIONAL EQUITY FOR LEOFF PLAN ONE

In 1997 LEOFF 1 was prematurely determined to be fully funded and the contributions by the employers and employees were stopped.

In the 2002 time frame there was a move to share a billion dollar “surplus” in LEOFF1. LEOFF1 employers, employees, and the state would have a piece. It did not happen.

In about 2005 there was a move to help the employers with LEOFF 1 medical expenses. This did not happen because of restrictions on using plan assets-not enough to share at that time.

In 2007 there was a medical study for LEOFF1 to help employers with the OPEB. This did not happen because market value on a specific date had to be used to determine assets above 120% for use with this problem.

Everyone seems to disregard the federal definition of “surplus” that is found in the pension protection act of 2006. Prior to 2006 it was 125% funding (100% funding plus a 25% reserve). The act reduced that to 120%

When the state actuary speaks about funding status he describes 100% funding as one dollar of assets for every dollar of plan liabilities. The office has used the word “surplus” to describe assets above 100% (no reserve).

There are individuals that think there is a “surplus” built into the actuary’s assessment of risk. This is the justification used for using assets above 100% funding.

The problem with using the word surplus in this fashion is that the word depends on an assumption that the present assets plus a given rate of return fulfill the obligation now and in the future.

In 2012 using DRS figures it can be shown that if the “surplus” (estimated at a billion dollars) had been taken out of LEOFF 1 assets ***mentioned in paragraph about the year 2002*** the plan would be in as bad a shape as PERS 1 and TRS 1 are in now-“unhealthy”.

The present problem really is that LEOFF2 wants to use the actuary’s definitions about surplus. Then eliminate the 2024 date in present L1 law to show that a merger of L1 and L2 is a good idea. It is a very bad idea in my opinion.

All of the assets for the pension benefit plans are invested together in the Commingled Trust Fund (CTF). Kept separate, but share per portion of the total CTF. Since there are no contributions presently into LEOFF 1, it is completely dependent on asset investment returns to pay benefits to members and beneficiaries.

There is a difference in the year over year returns between the CTF and LEOFF1. An attachment to this paper shows the difference over the past ten years.

Various individuals have advertised that over the past 20 years the CTF has produced a rate of return slightly over 8%.

Going back over the last ten years there is a completely different picture. Returns of well over 8% are needed to meet the 2024 requirements.

The problem is that the CTF has to do at least double digit rates of returns over the next ten years to match the touted returns (mentioned for a 20 year period)

The actuary has made recommendations to lower the expected rate of return (Under 8%) and both the SCPP and Pension Funding Council have given lip service to the recommendations, and chose the least proactive adjustment.

The actuary has warned LEOFF2 about large increases in contributions in order to prevent Pay GO since the 2009 asset losses.

The actuary has given presentations (since 2007) about LEOFF1 funding status that indicate the resumption of contributions to avoid Pay Go are in the future as seen now. These words seem to have been lost in the merger hype and the elimination of the 2024 date in LEOFF1 governance if a merger were to occur according to the LEOFF2 plan.

In my opinion a merger of LEOFF 1 and LEOFF 2 could not pass federal muster in any form I have seen.

WPK 07/17/2012

Four Attachments

Schedule of Changes in Plan Net Assets: LEOFF Plan 1
Dollars in Thousands

Pg. 115 of DRS CAFR for June 30, 2010

Net asset value	6/30/2001	6/30/2002	6/30/2003	6/30/2004	6/30/2005	6/30/2006	6/30/2007	6/30/2008	6/30/2009	6/30/2010
Yr. begins	\$ 5,550,458	\$ 4,987,226	\$ 4,419,614	\$ 4,317,134	\$ 4,710,683	\$ 5,034,702	\$ 5,565,196	\$ 6,418,194	\$ 6,037,179	\$ 4,355,913
Yr.end	\$ 4,987,226	\$ 4,419,614	\$ 4,317,134	\$ 4,710,683	\$ 5,034,702	\$ 5,565,196	\$ 6,418,194	\$ 6,037,179	\$ 4,355,913	\$ 4,586,365
gain/loss as a %	-10%	-11%	-2%	9%	7%	11%	15%	-6%	-28%	5%

Schedule of Changes in Plan Net Assets: LEOFF Plan 1
Dollars in Thousands

Showing Plan Net Asset Value if "surplus" funds (were removed) when the Plan was restated in 2001

Net asset value	6/30/2001	6/30/2002	6/30/2003	6/30/2004	6/30/2005	6/30/2006	6/30/2007	6/30/2008	6/30/2009	6/30/2010
Yr. begins	\$ 4,200,000	\$ 3,780,000	\$ 3,364,200	\$ 3,296,916	\$ 3,593,638	\$ 3,845,193	\$ 4,268,164	\$ 4,908,389	\$ 4,613,886	\$ 3,321,998
Yr.end	\$ 3,780,000	\$ 3,364,200	\$ 3,296,916	\$ 3,593,638	\$ 3,845,193	\$ 4,268,164	\$ 4,908,389	\$ 4,613,886	\$ 3,321,998	\$ 3,488,098
gain/loss as a %	-10%	-11%	-2%	9%	7%	11%	15%	-6%	-28%	5%

CTF BALANCE as of
 May 30, 2012
 \$ 60,319,241,395.00 *

**LEOFF1 PORTION
 of that CTF BALANCE**
 \$ 4,813,177,905.00 *

Discount Rate	Market Value 100% Funding	Market Value 120% Funding	Excess Assets?? above 120% Funding	Actual % funded
10.00%	\$ 3,747,174,169.90	\$ 4,496,609,003.88	\$ (4,496,609,003.88)	128.45%
9.50%	\$ 3,881,240,564.71	\$ 4,657,488,677.65	\$ (4,657,488,677.65)	124.01%
9.00%	\$ 4,024,488,235.17	\$ 4,829,385,882.20	\$ (4,829,385,882.20)	119.60%
8.50%	\$ 4,177,743,726.52	\$ 5,013,292,471.82	\$ (5,013,292,471.82)	115.21%
0.00%	\$ 4,341,921,838.70	\$ 5,210,306,206.44	\$ (5,210,306,206.44)	110.85%
7.50%	\$ 4,518,036,254.48	\$ 5,421,643,505.38	\$ (5,421,643,505.38)	106.53%
7.00%	\$ 4,707,211,571.03	\$ 5,648,653,885.24	\$ (5,648,653,885.24)	102.25%
6.50%	\$ 4,910,696,934.46	\$ 5,892,836,321.35	\$ (5,892,836,321.35)	98.01%
6.00%	\$ 5,129,881,507.47	\$ 6,155,857,808.96	\$ (6,155,857,808.96)	93.83%
5.50%	\$ 5,366,312,035.11	\$ 6,439,574,442.13	\$ (6,439,574,442.13)	89.69%
5.00%	\$ 5,621,712,814.54	\$ 6,746,055,377.45	\$ (6,746,055,377.45)	85.62%
4.50%	\$ 5,898,008,422.19	\$ 7,077,610,106.63	\$ (7,077,610,106.63)	81.61%
4.00%	\$ 6,197,349,606.77	\$ 7,436,819,528.12	\$ (7,436,819,528.12)	77.67%

* Washington State Investment Board figures of Market value by program type

- NOTES:
1. Border highlights the concept of higher discount rate means less assets needed for funding.
 2. The discount rate is *not* the rate of return on assets made by the Investment Board.
 3. Red is used to indicate less than 120% funding at the given discount rates.

LEOFF Plan 1 and CTF
FISCAL YEAR GAINS/LOSSES

COMMINGLED TRUST FUND (CTF)			LEOFF PLAN 1			
FISCAL YEAR GAINS AND LOSSES						
3, 5, &10 year Averages ending in 2011						
2011	\$ 62,268,677,460	18.28%	2011	\$ 5,182,681,927	13.09%	2011
2010	\$ 52,643,899,902	11.07%	2010	\$ 4,582,803,118	5.32%	2010
2009	\$ 47,397,181,591	-23.78%	2009	\$ 4,351,288,738	-27.89%	2009
2008	\$ 62,187,264,110	-2.74%	2008	\$ 6,033,912,234	-5.96%	2008
2007	\$ 63,936,720,338	16.64%	2007	\$ 6,416,367,193	15.36%	2007
2006	\$ 54,814,083,592	15.55%	2006	\$ 5,561,851,508	10.51%	2006
2005	\$ 47,435,668,254	9.25%	2005	\$ 5,032,700,930	6.67%	2005
2004	\$ 43,420,911,366	9.89%	2004	\$ 4,718,024,443	9.89%	2004
2003	\$ 39,513,278,223	1.38%	2003	\$ 4,293,592,463	-2.79%	2003
2002	\$ 38,977,066,010	-9.18%	2002	\$ 4,416,737,961	-11.39%	2002
2001	\$ 42,914,880,812	-15.59%	2001	\$ 4,984,416,058	-10.20%	2001
2000	\$ 50,843,027,000		2000	\$ 5,550,458,000		2000
Three Year Average 2009-2011 1.86%			Three Year Average 2009-2011 -3.16%			
Five year Average 2007-2011 3.90%			Five year Average 2007-2011 -0.01%			
Ten Year Average 2002-2011 4.64%			Ten Year Average 2002-2011 1.28%			

Three, five, 10 year
AVERAGES listed
2002-2011

2001-2012
LEOFF Gain/Loss
by Fiscal year
first half

	3 March	Mar. gain/loss		6 June	June gains/loss	
2012	\$ 5,017,711,417	-2.31%	2012	\$ 4,813,177,905	-7.13%	2012
2011	\$ 5,136,127,182	6.01%	2011	\$ 5,182,681,927	13.09%	2011
2010	\$ 4,844,886,235	15.78%	2010	\$ 4,582,803,118	5.32%	2010
2009	\$ 4,184,645,742	-32.34%	2009	\$ 4,351,288,738	-27.89%	2009
2008	\$ 6,184,549,938	0.47%	2008	\$ 6,033,912,234	-5.96%	2008
2007	\$ 6,155,632,787	10.32%	2007	\$ 6,416,367,193	15.36%	2007
2006	\$ 5,579,658,673	12.81%	2006	\$ 5,561,851,508	10.51%	2006
2005	\$ 4,945,880,803	4.15%	2005	\$ 5,032,700,930	6.67%	2005
2004	\$ 4,748,949,570	18.82%	2004	\$ 4,718,024,443	9.89%	2004
2003	\$ 3,996,661,385	-15.00%	2003	\$ 4,293,592,463	-2.79%	2003
2002	\$ 4,702,052,628		2002	\$ 4,416,737,961	-11.39%	2002
2001	Not Obtained		2001	\$ 4,984,416,058	-10.20%	2001
2000	Not Obtained		2000	\$ 5,550,458,000	8.54%	2000
1999	Not Obtained		1999	\$ 5,113,605,000		1999

Three Year Average
2010-2012
6.49%

Five year Average
2008-20112
-2.48%

Ten Year Average
2003-2012
1.87%

* Three Year Average
2010-2012
May 2012 numbers
June not available for
last 3 yrs June less
3.76%

Five year Average
2008-20112
-4.51%

Ten Year Average
2003-2012
1.71%