

May 22, 2023

Rule of 90 – Pension Eligibility

RIFTHP President Frank Flynn testified in support of a RIFTHP priority to improve the pension plan for active teachers, state workers and municipal workers. The normal retirement age is now a person's social security age (age 67 for most employees). Since 2015, employees can retire if their age plus years of service equals 95, with a minimum age of 62. This is known as the Rule of 95. Legislation by Representative Deborah Fellela would change the Rule of 95 to a Rule of 90, where a person age 60 with at least thirty years of service can retire without penalty.

[H 5092](#) by Representative Fellela was heard in a lengthy hearing on Thursday, May 18. RIFTHP President Flynn thanked Representative Fellela for her effort to improve pension benefits. Flynn criticized the so-called Retirement Security Act of 2011 as legislation that degraded retirement security. He provided verbal testimony, a letter of support ([click here](#)) and a fact sheet on the legislation ([click here](#)). He cited significant shortages of people entering the teaching profession and public employment, in part because of the reduced pension benefits offered public employees. He cited recent cost estimates on how this pension improvement for active teachers, state workers and municipal workers is affordable.

Said President Flynn "The draconian 2011 Retirement Security Act dramatically reduced members potential retirement income while significantly increasing the number of years necessary to receive these earned benefits. Employees should have the option to retire earlier without the harsh penalties imposed by this punitive legislation." The NEA/RI, AFSCME Council 94, and the AFL-CIO also provided testimony in support of the legislation.

The RIFTHP is organizing an opportunity for our members to let their Senator and Representative know that we want pension improvement for public employees this session.

Additional Retirement Legislation

RIFTHP President Frank Flynn provided a [letter](#) and testimony on 8 bills related to cost of living adjustments or other adjustments to public employee pensions that were heard in the House Finance Committee on May 18. Flynn testified that COLA restoration is necessary, and that it should be part of a comprehensive reform to amend pension legislation. He thanked all of the bill sponsors who put forth different versions of temporary or permanent relief to retiree income through legislation. He noted that many of the bills had limited their impact to only state workers, only teachers, or only those retired prior to 2012. He urged the Committee to help **all retirees** when addressing the issue of pension COLA.

RIFTHP lobbyist James Parisi provided [written](#) and verbal support to legislation by Representative Hagan McEntee that would increase the earning threshold of a public employee retiree working as an adjunct faculty member without forfeiture of retirement benefits. The current cap on earnings is \$18,000 and [H 5039](#) would increase the amount to \$25,000. The bill impacts adjunct faculty at RIC, URI and CCRI.

Roger Boudreau, RIAFT/Retired President, testified at the House Finance Committee as well. He testified in support of the fractional COLA bill introduced by Representative Hagan McEntee. [H 5240](#) would grant ¼ of the current COLA every year instead of the current COLA being awarded once every four years. Boudreau also spoke in support of the retiree stipend bills heard in Committee that evening.

The RIFTHP signed up to support (without testimony) two other bills. [H 5093](#) by Representative Fellela would award the former spouse who had divorced the teacher survivor benefit available upon the death of the teacher. [H 5195](#) by Representative McEntee would allow someone who had been a correctional officer and became a teacher to combine the service of both jobs when calculating pension benefits.

Adjunct Medical Insurance

On Thursday, May 18, the House Finance Committee heard [H 5043](#) by Representative Hull to provide medical insurance to adjunct faculty employed by Rhode Island's three public higher education institutions. Senator Miller has championed the Senate version of this bill, which was heard on May 11.

RIFTHP Lobbyist James Parisi testified in support of the bill. The RIFTHP joined with the NEA/RI and AFSCME Council 94 and submitted written testimony ([click here](#)) in support of the legislation. Parisi noted that adjunct faculty earn poor wages, and that without their work the colleges and university could not function. He testified that adjunct faculty are about the only segment of the state workforce that did not afford the opportunity to get medical insurance through the State plan. He commented that the RIFTHP would support any necessary allocation of funding to the higher education institutions to ensure the provisions do not have a negative impact on the Institutions.

Universal School Breakfast and Lunch

On Tuesday, May 16, the Senate passed two bills related to school meals. [S 68](#) by Senator Cano would provide universal free school lunch for all Rhode Island school children and [S 71](#) by Senator Acosta would provide both universal free breakfast and lunch to students. The vote was 32 to 3 on S 68 and the vote was 31-4 on S 71. Senator Paolino supported universal school lunch but voted no on the bill to provide both free breakfast and free lunch. To view the vote recorded for each bill, please [click here](#) for **S 68** and [click here](#) for **S 71**.

State Worker Longevity

In addition to pension legislation, the House Finance Committee hearing, on Thursday, May 18 included testimony on legislation to reinstate longevity pay for state workers. [H 5194](#) by Representative Corvese would restore some longevity benefits and permit state employee unions to negotiate longevity payment. RIFTHP lobbyist James Parisi provided a [letter](#) and testified in support of the bill. Parisi spoke about the

challenges in state worker hiring in part due to the inadequate pay of state workers. When the Assembly eliminated longevity pay increases in 2011, the result was a permanent 20% reduction in state worker compensation. Parisi testified that the Assembly created the problem and the Assembly should fix the problem by enacting H 5194.

Private School Subsidies

On Tuesday, May 16, the RIFTHP provided written testimony in opposition to a trio of bills that would create a school voucher program in Rhode Island. [S 261](#) by Senator Morgan and [S 263](#) and [S 525](#) by Senator de la Cruz were heard in the Senate Finance Committee. In a [letter](#), RIFTHP lobbyist James Parisi outlined several reasons that the RIFTHP opposed the bills. He cited the Union's opposition to using public dollars to support private school education, the overwhelming cost of the proposals, and the benefit of spending available dollars in our public education system as reasons to oppose the bills. Other than Senator de la Cruz introducing her bills, there was no testimony in support of the legislation. The Senate Finance Committee voted to hold the bills for further study.

Data Breach Protection

On Wednesday, May 17, the RIFTHP submitted [written testimony](#) in support of legislation by Senator DiPalma related to data breaches. [S 425](#) would expedite the required notifications to public employees when public employer data is stolen. There was a widely-publicized breach of data by RIPTA impacting all state workers and their families in 2021. The bill would require that union representatives get notified of stolen data and would extend the amount of time the employer is obligated to provide remediation assistance.

The RIFTHP supported enhanced employee protections as stolen private information is of major concern to our members. RIFTHP believes that expedited notification permits employees and their unions to avoid negative impact of data breaches when they occur. The Senate Labor Committee voted to hold the bill for further study.

Mandatory Teacher Training - Diabetes

On Wednesday, May 17, the RIFTHP provided brief testimony on [S 13](#), legislation by Senator Kallman related to the administration of Glucagon in schools. Senator Kallman explained her intent to put in legislation requiring that schools maintain a supply of Glucagon to be used in case of emergency. The bill contains other requirements.

In his testimony, RIFTHP lobbyist James Parisi opposed a provision of the bill that would require all teachers to be trained in diabetes care. Parisi testified that the RIFTHP opposes any additional state requirements to train teachers since schools have not yet complied with previously adopted requirements such as the Right to Read Act. Parisi also opposed the portion of the bill that would permit non-trained education personnel to perform medical procedures. Parisi said the issue of Glucagon supply is not of concern to the

Union. The RI Association of School Committees also opposed the training requirement provision of the bill. The Senate Education Committee voted to hold the bill for further study.

Support the Hope Scholarship at Rhode Island College

A legislative priority of the RIFTHP is to create a two-year scholarship for students at Rhode Island College. The program is similar to the RI Promise Scholarship Program at CCRI. The RIC AFT Faculty Union is organizing an email campaign to support the legislation and funding for a pilot program at RIC.

To get more information on the program, click [here](#)

To support the legislation, email your Senator and Representative by using the following link: <https://actionnetwork.org/letters/ric-supporter-hope-scholarship-campaign?source=direct> link&

Bill Introductions

CCRI Faculty Senate Authority

([H 6138](#), Cotter, House Education)

This bill would provide that degrees, certificates, and diplomas from the Community College of Rhode Island would be awarded by the Board of Education, with the approval of the President and the faculty senate of the Community College of Rhode Island. This bill would also clarify that the faculty senate of the Community College of Rhode Island would have authority to formulate policy on teaching and research.

SRO Funding

([H 6149](#), O'Brien, House Finance)

This bill would extend the reimbursement to a school district or municipality for the employment of newly hired school resource officers only.

Public Employee 3% COLA - Investment Return

([H 6207](#), O'Brien, House Finance)

This bill would award all members of the pension system a three percent (3%) annual benefit adjustment (COLA) applied to the first fifty thousand dollars (\$50,000) of a member's retirement allowance on and after January 1, 2024, provided the prior year investment return yields a gain of ten percent (10%) or more until the pension system funding ratio exceeds eighty percent (80%).

Compulsory Attendance - Mental Health

([H 6234](#), House Education)

This bill would allow students to utilize four (4) mental health days for mental or behavioral health concerns as an excused absence from school.

Discrimination in Schools - Hairstyles

([H 6235](#), Henries, House Education)

([S 1013](#), Mack, Senate Judiciary)

These bills would prohibit discrimination on the basis of race by expanding the definition of race to include traits historically associated with race, including, but not limited to, hair texture and protective hairstyles.

Volunteer School Security force

([H 6284](#), Shanley, House Education)

This bill would provide for the creation of a volunteer school security force.

Teacher and State Worker Retiree - 3% Stipend

([H 6295](#), Serpa, House Finance)

This bill would provide all retired teachers and all retired state employees a one-time stipend in the amount of three percent (3%) of the lesser of either the member's retirement allowance or the thirty thousand dollars (\$30,000) of the member's retirement allowance.

Providence School Closure Reversal

([H 6307](#), Sanchez, House Education)

This bill would direct the reversal of the decision to close Alan Shawn Feinstein Elementary School, Carl G. Lauro Elementary School, and the Gilbert Stuart Middle School in Providence. This bill would also provide that for the duration of the turnaround plan, no public school in the Providence School District would be closed permanently without the commissioner and the Department of Elementary and Secondary Education providing notice of the impending notice of closure of the school at least one year in advance of the anticipated date of closure.

Identification Of State Pension Funds With Military Contractors

([H 6312](#), Stewart, House Finance)

This bill would require the state investment commission to identify pension fund investments in military weapon manufacturers whether held directly or indirectly.

Obscene Materials - School Libraries

([H 6324](#), Azzinaro, House Judiciary)

This bill would add cartoons, drawings, comic books, prints, depictions or animations to the list of media that would be prohibited from being sold or available to those persons under the age of eighteen (18) years.

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