



PUBLIC PENSION DEFENSE TOOLKIT



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Introduction

Unparalleled economic output, low overhead and a formidable retention tool, public pensions remain one of the most efficient forms of fiscal policy for state and local governments. Yet decades of corporate greed and misguided policy decisions have left public pensions vulnerable to attack, diminishing retirement security for the very people who serve our communities.

The following is a collaboration between the National Conference on Public Employee Retirement Systems (www.NCPERS.org) and the National Public Pension Coalition (www.protectpensions.org). The purpose of this document is to equip local trustees and coalitions with the tools needed to build retirement security for public employees. This document is for internal use by supporters of public pensions.

The original content was the result of several brainstorming sessions conducted by NCPERS in partnership with other public pension stakeholder groups during the summer of 2010. In the fall of 2018, NCPERS and NPPC developed this updated version with the lessons learned over the past 8 years of pension policy changes. While NCPERS and NPPC attempted to make this toolkit as exhaustive as possible, this is not a "one size fits all" policy issue. The following pages are intended to help serve as a guide for your local campaign around retirement security.

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How do public pensions work?



Apublic pension is a defined benefit (DB) plan that at retirement provides employees with a specific, defined income—typically a monthly benefit payment. Public employees are usually required to join this type of plan when hired, but they become eligible to receive benefits after they have been with the employer for a specific period of time, have reached a certain age, or have met some other criteria. This concept is known as being vested.

These benefits are usually paid in substantially equal periodic payments for as long as the plan participant lives. The payments continue for the lifetime of his or her survivor or beneficiary if the plan participant so chooses. Plans may also provide for cost-of-living adjustments (COLAs), early retirement, death, and disability benefits.

The retirement plan calculates an employee's benefits using a formula, typically based on three factors:



Employee's Age



Employee's Length of Service



Employee's Average Final Salary

The DB plan typically pays for benefits through a combination of employee contributions, employer contributions, and the income from the investment of these monies, known as investment returns. The plan trustees, not the plan participants, decide how best to invest these plan assets. Although contributions and earnings may fluctuate over time, in the end, the retirement benefit paid out does not. And the DB retiree can never outlive this benefit.

Many people think of public pensions as only being in the retirement business. However, these plans serve a variety of purposes. For example, plans are designed in part to help public entities attract and retain qualified workers. Because governments generally are unable to match the wages paid by the private sector, they try to remain competitive by offering attractive retirement plans.

Also, when public workers retire, the positive cash flow generated by the payment of their retiree benefits is pumped back into the economy. These funds play a vital role in fueling our economic engine, both locally and nationally. With the impending retirement of the baby boomers, this economic boost provided by public pension plans will become even more important.

Ensuring adequate retirement income for their employees is also one key way in which state and local governments help control demand

for public services in the future. If public workers have enough to live on after they retire, then they will be less likely to need public assistance programs such as food stamps and Medicaid that present an ever-growing drain on increasingly limited public resources. Finally, providing employees with adequate retirement, death, disability, and survivor pension benefits is an invaluable way to reward the contributions of hard working and dedicated civil servants. It is simply good public policy.

A defined contribution (DC) plan is a type of retirement program in which the employer, the employee, or perhaps both contribute an amount of funds into an account established for each employee. A typical example of this type of retirement savings is an individual 401(k) account. In a DC scheme, the employer contributes a specific or defined amount of money to this account. The amount of the contribution is usually a percentage of the employee's pay.

Perhaps the most important difference between DC and DB plans is that the DC plan does not specify the benefit that the employee is to receive in retirement. Instead, the DC plan simply spells out the amount that the employer is to contribute to the individual's account, based on a specified percentage of the employee's gross salary. Sometimes, employees may also be eligible to contribute additional funds of their own (possibly as a match to the employer's contribution), but this is not always the case.

Case Study

Three States That Abandoned Their Pensions – And Suffered The Consequences

What happens when a state abandons its defined benefit pension for a riskier, 401(K)-style plan?

- **Taxpayers lose** According to the <u>National Institute on Retirement Security</u>, "for a given level of retirement income, a typical 401(k) plan costs 91% more than a typical pension plan."
- Unfunded liabilities increase closing a pension system exacerbates funding challenges
- Workers lose few can retire with dignity in a 401(k)-style system

Some states have made the switch and suffered the consequences:

WEST VIRGINIA

In 1991, the West Virginia Teachers
Retirement System (TRS) was
closed after decades of
underfunding by the state.
While teachers contributed 6
percent of every paycheck to
the system, the state failed to
live up to its end of the bargain.
Instead of paying its share, West
Virginia shuttered the system and

moved new hires to a 401(k)-style plan. Fourteen years later, with fewer than 18,000 active teachers paying into a fund that supported nearly 27,000 retirees, the funding level sank to 25%. The 401(k) plan also left thousands of teachers grossly unprepared for retirement.

After a thorough evaluation revealed that the pension plan was nearly half the cost of the 401(k) plan, the state reopened the TRS in 2006. When given the option to move back to a pension, 78.6% of teachers made the switch. The plan's funding level bounced back and today West Virginia's teachers enjoy an average annual retirement benefit of \$18,964.

MICHIGAN

In 1997, the Michigan State Employees' Retirement System (MSERS) pension plan was closed and new hires were placed in a 401(k)-style plan. At the time of the plan's closure, the funded status was 109 percent. With no new employees paying into the pension fund and an aging

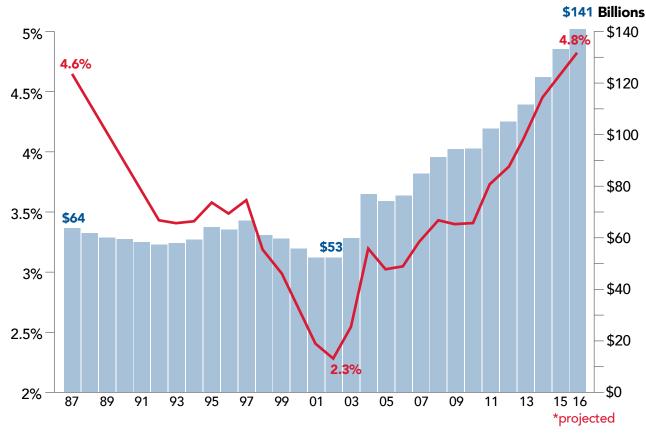
demographic, plan costs soared and the funding level dropped; by 2012, the plan was severely underfunded at 60.3 percent. After 20 years under the 401(k) plan, the state's Office of Retirement Services found that the median balance in these accounts is just \$37,260.

ALASKA

An error made by an actuarial firm resulted in a \$2.5 billion unfunded liability for Alaska's pension systems. The state sued the firm and foolishly used the settlement money to close the pension and

switch to a 401(k)-style plan. With the plans closed and no money coming in from new employees, plan costs skyrocketed. The state's consistent refusal to make the annual required contributions to the pension systems, coupled with an aging demographic, caused unfunded liabilities to double in less than a decade.

Graphic of the percentage of state budgets for public employee pensions



Compiled by NASRA based on U.S. Census Bureau data

Legislative Action Checklists



The following are guides to help prepare for a variety of work in state capitals and other government bodies.

Successful lobby meeting checklist - Lobby visits are a great way to meet one-on-one with legislators so they can hear the importance of retirement security for their district. Here is a checklist to help organize an impactful meeting:

- Scheduling the meeting -
 - Reach out to the administrative staff to set up a meeting.
 - If you have relationships with other members of that legislator's staff, feel free to use those relationships to get your meeting scheduled.
 - Be persistent legislative sessions are hectic, so be prepared for a schedule change.
 - Cast a wide net whether it is a key member of a committee, an ally, an opponent or a complete unknown, it's important to meet with as many members as possible. You never know who might support your issue if you don't ask.
- Set an agenda and stick to it decide ahead of time who is speaking and what you are asking for from the member. It is easy to get sidelined in a meeting, so setting an agenda ahead of time will keep the meeting on track.

- Prepare materials bring enough copies of supporting materials to leave behind. Also make sure that everyone has plenty of their own business cards to distribute to electeds and their staff.
- Follow up send a thank you note to the elected official and staff. Be sure to include any follow-up materials requested during the meeting.

Preparing impactful testimony for a hearing - Testifying before a committee may seem like an overwhelming endeavor but really it is a great platform to get your message to a wide audience. A few key

steps will ensure a successful and painless process.

- Prepare your remarks even the greatest orators prepare ahead of time. You should cover the following in your remarks
 - Name
 - Title
 - Organization
 - Organization's jurisdiction
 - Your ask
 - Supporting arguments for your ask
 - Repeat your ask
 - Thank the committee for their time

Written Testimony before the New Mexico State Legislature Investments and Pensions Oversight Committee

by Hank Kim, Esq. Executive Director and Counsel National Conference on Public Employee Retirement Systems (NCPERS)

August 29, 2016

Introduction

Good morning. My name is Hank Kim and I am the Executive Director and Counsel of the National Conference on Public Employee Retirement Systems (NCPERS). I want to thank Chairman George Munoz, Vice Chair Monica Youngblood, and the members of the Investments and Pensions Oversight Committee for this opportunity to testify on such an important issue.

NCPERS is the largest trade association for public sector pension funds representing 500 funds, including NM PERA, throughout the United States and Canada. It is a unique non-profit network of public trustees, administrators, public officials, and investment, actuarial and legal professionals who collectively manage more than \$3.7 trillion in pension assets. Founded in 1941, NCPERS is the principal trade association working to promote and protect pensions by focusing on advocacy, research and education for the benefit of public sector pension stakeholders. Further, NCPERS promotes retirement security for all workers through access to defined benefit pension plans.

In addition to serving as Executive Director and Counsel for NCPERS, I currently serve as Vice-Chair of the Fairfax County Uniform Retirement System, a \$1.5 billion public employee retirement system providing pension coverage for the Fire & Rescue Department, Sheriff's Department, and certain other sworn employees of Fairfax, Virginia. Additionally, I serve as Treasurer of the National Institute on Retirement Security, a Washington, D.C. based think tank focusing on retirement security.

I am also an Editorial Advisory Panel member of the Benefits Law Journal, a quarterly law journal that for over 20 years has featured the most respected and accomplished employee benefits professionals who have shared their expertise. Each quarterly issue offers in-depth analysis of new legislation, regulations, case law, and current trends governing employee benefits: pension plans, welfare benefits, executive compensation, and tax and ERISA issues.

You can view the full testimony here

- Keep it concise most hearings only give two to three minutes for prepared testimony.
- Print multiple copies rain or spilled coffee can happen, so having multiple copies is always a good safeguard.
 Also, you may be asked to give a hard copy of your testimony to the clerk afterwards.

Working a roll call - this serves as a tool to determine how much support your piece of legislation has as well as identifying potential votes. Work with the coalition to determine an initial vote count. Divide up the soft support and unknown votes among the coalition by those who have relationships with those specific offices. Also make sure to firm up your "yes" votes.

Tracking legislation - become familiar with the state legislature's website. Here you will find-

- Legislation searches most states have the capability to search by bill number, keywords, bill sponsor and legislative session. Once you locate your correct bill number, there will be a record of action
- Daily calendars most chambers post electronic calendars which disclose what bills are being heard in that committee. Check your local disclosure laws - most have a 24 hour rule meaning they must post agendas 24 hours prior to the meeting.
- Word of mouth developing relationships with staff and legislators is helpful in tracking legislation.
 They might be able to give you a heads up your bill is coming to the floor.

Successful town hall - sometimes you need to bring our issue to a legislator's backyard. By organizing local town halls, you are able to lift up a pension hero or highlight a legislator's opposition to the issue. A few things to focus on when organizing a town hall:

- Set a date and time work with the coalition to determine a day and time that works best for turnout.
- Reserve a location work with local allies to see if they have a meeting room for you to use. Be sure to confirm the location closer to the date of the event. Be sure to resolve any parking issues ahead of time.
- Invite speakers be sure to invite local electeds, regardless of their support of pensions. Determine ahead of time if it is permissible for an elected to send a delegate in his/her place.
- Crowd build- work with the coalition to get town hall attendees. Use email and social media to spread the word to the public.
- Work with press send out a media advisory ahead of time so the event can receive coverage. Reach out directly to reporters who focus on your issue to send a personal invite. Send out a press statement afterwards recapping your event.

State Case History - New Hampshire

SITUATION:

- The New Hampshire Retirement Security Coalition was created in 2008 to protect the retirement security of New Hampshire public workers who receive pension and health care benefits from the New Hampshire Retirement System (NHRS).
- In 2008, the Coalition worked collectively to oppose the House version of HB 1645 and to modify the Senate version of the bill. The final bill provided a modified COLA for retirees, supplemental payments for retirees, changes to the medical subsidy for retirees, capped annual pensions at \$120,000 for new hires and created two retirement commissions to study long-term solutions for funding retiree health and cost-ofliving-adjustments.

SOLUTION:

During the legislative session the coalition employed a communications coordinator and undertook an information campaign designed to sway legislative and public opinion against both defined contribution accounts and a two-tiered retirement system. The coalition met with editorial boards, authored op-eds, coordinated letters to the editor, mobilized members for hearings and lobbying of individual legislators, held press conferences and lobbied successfully to modify HB 1645 in the Senate. Much of the coalitions work centered on working with Senate leaders to ensure that public employees, retirees, and beneficiaries were included in a series of four hearings held prior to the introduction of the Senate bill. These testimonies were used to highlight the negative impact of lowered COLAs, lack of retiree medical benefits, defined contribution accounts and failure on the part of employees to make contributions to the retirement fund in the past. Feature stories on witnesses were developed.

- Following the legislative session, the Coalition was successful in getting coalition members appointed to the study commissions in leadership roles and successfully fought off additional changes to the retirement system in 2010.
- Member unions of the coalition sought legal relief from many of the changes enacted in HB 1645 in 2009 and 2010. The NH Supreme Court upheld the Superior Court's decision that COLAs are not a contractual obligation. They reversed the Superior Court's decision that changes made to the definition of earnable compensation for "vested" members was in violation of the contract clause, therefore allowing the legislative changes to the definition to remain in place.
- The coalition also received unanimous support in 2010 from both houses of the legislature for union efforts to provide a retiree medical trust. The retiree medical trust will allow current workers to save for retiree health expenses in tax-preferred accounts and will allow individual unions to negotiate with employers to contribute to these trusts on behalf of public employees. Local governments had long opposed efforts by the state to force them to make contributions to retiree health. The medical trust will now take these discussions to the local bargaining table. Without this effort a growing numbers of retirees would receive no retiree health benefit and groups of retirees that formerly had no access will now have access to retiree health benefits.
- NPPC continues to provide support to the efforts of NHRSC and to individual member unions. New Hampshire member unions and their internationals have supported the NHRSC's efforts financially. While this is an older example, NHRSC's strategy in achieving a COLA is a model for other coalitions' efforts.

Case Study - Minnesota

For much of the past decade, public pensions have been criticized by anti-pension ideologues and opportunistic politicians have sought to undermine them. At the end of its legislative session this year, Minnesota showed how bipartisan cooperation and compromise can yield positive results. It also showed that when you bring everyone to the table and act in good faith, you can achieve a fair outcome for everyone.

Minnesota's public pension plans face billions of dollars of <u>unfunded liabilities</u>. Having an unfunded liability does not mean that the sky is falling. The long lasting effects of the financial crisis continue to bedevil many public pension plans. Minnesota also has a good problem: <u>its people are living longer</u>. Men in Minnesota live longer than those in any other state. Minnesota women rank fourth. This is a good thing, but it does mean the state has to pay more in pension benefits as people live longer and collect more benefits.

For several years, politicians in Minnesota have been considering how to address the unfunded liabilities in the state's pension plans. On the last day of the 2018 legislative session, the Minnesota House and Senate both *unanimously* passed <u>SF 2620</u>. Governor Mark Dayton signed the bill just days later- the last bill he will sign as governor.

The pension legislation will eliminate \$3.4 billion in unfunded liabilities. The state will contribute \$141 million to the pension plans over the next three years. Current employees will increase their contributions to their pensions and retirees will see some changes to their cost of living adjustments (COLAs). The legislation also lowers the assumed rate of return for all of the pension plans to 7.5 percent, which is in line with the current national average.

The Minnesota pension legislation represents the triumph of collaboration, compromise, and shared sacrifice. In many states, public employees are often excluded from the debate over public pensions in favor of wealthy special interests. Minnesota shows that when public employees are included in the process, they will work with lawmakers to preserve their pensions and their retirement security.

Upon signing the legislation, <u>Gov. Dayton said</u>: "Hard working Minnesotans who have dedicated their lives and careers to serving our state deserve the security of retirement benefits they have rightly earned. This bipartisan legislation stabilizes pension benefits for 511,000 workers, retirees, and their families."

Case Study - Kentucky

For months in 2017, Gov. Bevin pledged to call a special session of the legislature to deal with both tax reform and public pensions. Eventually, he dropped tax reform and said the special session would just be about public pensions. Bevin introduced <u>radical antipension legislation</u> in October 2017, but he still didn't call a special session, mostly due to a lack of support. Finally, 2018 arrived and with it, a new regular session of the Kentucky legislature. Still, pension legislation was not introduced and considered.

In February 2018, Republican state senators finally introduced pension legislation. State Senator Bowen introduced Senate Bill 1, which was heard in the State and Local Government Committee. SB 1 passed out of the committee, despite overwhelming opposition from the public during its committee hearing. The bill was expected to receive a vote on the Senate floor on Friday, March 9th, but due to the strong opposition, the bill was referred back to committee and the Senate adjourned for the weekend.

That seemed to be the end of anti-pension legislation in Kentucky during the regular legislative session. Until Thursday, March 29th, that is. In the span of eight hours, Republican lawmakers substituted anti-pension language in a bill dealing with "the local provision of wastewater services" and then passed this bill through both chambers of the legislature. Senate Bill 151 is 291 pages. The language of the bill was not even publicly available until the day after it passed the legislature, was introduced without a chance for review, and passed without an actuarial analysis. Doors were locked to keep citizens away from their legislators while they debated the bill. Gov. Bevin signed SB 151 a week later.

As soon as Gov. Bevin signed the legislation, Kentucky Attorney General Andy Beshear, along with the Kentucky Education Association and the Kentucky Fraternal Order of Police sued to stop the legislation from taking effect. Kentucky law requires that legislation receive at least three hearings in each chamber of the legislature. SB 151 did not, thus making the process by which it was passed unconstitutional. This formed the basis of the ruling by

Franklin Circuit Court Judge
Phillip Shepherd on June 20. SB
151 also failed to receive a majority
of votes in the State House. It passed
49-46, but it should have received 51
votes to pass.

In late June 2018, a circuit court judge in Kentucky ruled that Senate Bill 151, the stinking, pension-gutting law, was unconstitutional. The extremely rushed process by which the state legislature passed the bill clearly violated state law and rendered the entire bill unconstitutional. Governor Bevin appealed the ruling to the Kentucky Supreme Court in August and the case was heard in September.

On December 13th, the Kentucky Supreme Court ruled 7-0 that SB 151 was unconstitutional because of the rushed process through which legislators forced the bill. This ruling was a great victory for working families in the Bluegrass State. At 3:45 pm on Monday, December 17th, Governor Bevin announced that he would call a five day special session of the legislature starting at 8 pm that evening with the stated purpose to address pensions. Despite Governor Bevin's insistence, many legislators seemed reluctant to have a hastily-called special session the week before Christmas and three weeks before the 2019 regular session is set to begin. Public employees, retirees, and their allies mobilized and began making thousands of phone calls, sending emails, and visiting the state capitol to urge legislators to adjourn the special session and protect retirement security. On Tuesday, December 18th, less than 24 hours after the special session began, House Speaker David Osborne adjourned the special session, putting an end to any more threats to pensions in Kentucky in 2018.

Working with the systems

One of the best sources for factual information about your public pension is from the pension itself. Most politicians know and recognize that staff of public pensions are practitioners with unique skill sets who provide accurate information. Given that in many instances the public pension maybe an agency of the state and therefore cannot lobby with you, the pension will be an important source to arm yourself with credible facts, figures, and data for your meeting with policymakers. If you currently do not have a relationship with your public plan, we recommend the following to initiate a dialogue with your pension plan. The sooner the relationship is built - especially before a legislative threat or crisis - all the better.

See if one or more of the unions, employee groups, retiree groups, or other state coalition members have a trustee(s) that serves on the pension governing board (Board of Trustees). If so connect with that individual or individuals to see if s/he would introduce the coalition to the pension plan's executive director or some other senior staff person.

- If the coalition doesn't have any relationship with trustees, then go on the public pension's website and locate the executive director's name and contact information. Once that's completed reach out to the executive director.
- When you meet with the executive director or the plan's senior staff introduce yourselves and the coalition. Explain that the coalition seeks to protect the employees, retirees, and the public pension from unwarranted and unnecessary "reforms". To effectively do that, you would like to partner/work with/get assistance from the plan on facts, figures, data, and insights that they can share.
- During the campaign (and after) continue to keep the relationship ongoing by providing updates and sharing intelligence.

State Case History - Nebraska

Nebraska has offered both DB and DC plans to different groups of public employees and is a textbook case for the advantages of traditional pension plans. The state began the DC plan for state and county employees in 1964. Teachers, state patrol workers and judges retained their DB plans.

In 2003 the DC plan was closed to new employees. New employees went into a cash balance plan. Current employees could choose to stay in the DC plan or move to the new cash balance plan.

By 1999 both Anna Sullivan, Executive Director of Nebraska PERS and AFSCME had many examples of employees making very poor choices:

- Majority left their funds in the default fund, which was very conservative.
- Many who invested in equities played the market, traded often and continually lost.
- Many who retired or quit took a lump sum.
- Anna Sullivan declared that the money the taxpayers were contributing were wasted tax dollars compared to tax dollars contributed to the DB plans.

A study was proposed to the legislature. The legislature agreed. Buck Consultants was retained to do a study on pension adequacy in 2000. The study compared returns for the DB and DC plans and found that between 1983 and 1999, the DB plans yielded an average of 11 percent a year, compared to 6 percent for those participating in the DC plans.

The Buck study found:

- The DB plans offered their participants income replacement averaging 60 to 70 percent.
- State and county workers in the DC plans, however, got a benefit of only about 25 to 30 percent income replacement.
- Over the years, half of all money in workers' DC accounts ended up in the default investments. And though the state offered 11 fund choices to make it easy for workers to diversify their accounts, 90% of the money went into only three funds.
- Additionally, the state required all employees to contribute money from of their monthly paychecks to invest in their retirement accounts (Factoring in state matching contributions, this amounted to 10% to 11% of their income).
- NPERS also tried to help workers learn about the stock market. They could take time off from work to attend day-long educational investment seminars.

Anna Sullivan and the PERB Board decided to propose legislation to move all new employees into a cash balance plan and to allow current employees to switch to the cash balance plan. The Nebraska cash balance plan used elements of a defined contribution and defined benefit to create their retirement product. The employee and employer contributions earn an agreed upon rate of interest, the defined benefit. This creates a pot of money for the employee's future retirement, the defined contribution. The Nebraska plan took the employee's retirement savings and annuitized to provide a lifetime stream of income.

The bill passed with little opposition in 2002. (Republican majority and a Republican Governor)

Factors for Success:

- The factual basis for change was a study done by a respected firm (Buck).
- At the time, the DB plans were well funded.
- Anna Sullivan statements that the money the taxpayers were contributing was wasted tax dollars played well.
- It did not require the state or county governments greater contributions. No additional taxes.

Key Players:

- Anna Sullivan: Well liked by the Legislature and very supportive of change.
- The Buck consultant: Said what needed to be said.
- Legislative Retirement Committee had members who were quite knowledgeable about retirement issues (the NSEA cultivates the members of this committee): They can kill a bill outright or they can vote it onto the floor of the Legislature.
- Support of the other unions.

Identifying Spokespeople

OVERVIEW

Spokespeople are the face and voice of your organization. Picking the right one, or several, can be the deciding factor of whether your message breaks through or not. When choosing a spokesperson, or hiring one, you want to be sure they have a certain qualities. A spokesperson needs to be able to build a good rapport with the press and be willing to practice your organization's messaging on a daily basis. Most of all, they should be able to handle themselves in challenging situations.

QUALITIES TO LOOK FOR

- **Expert knowledge of your state's public pension systems.** The press can be tough. They can ask really difficult, "in the weeds" style questions that can stump even the most knowledgeable among us. Your spokesperson should also be able to educate members of the press. Although some of the press corps have been writing about pensions for years, some may be new to the beat, so proper education is important, as well as a relationship builder.
- Clear and articulate communicator. Finding someone who can clearly articulate your message is very important. Oftentimes spokespeople will get too in-depth when talking about public pensions, while confusing the press. You need to find someone who is able to stay above the fray, keep on your message, and never go on tangents.
- A public employee already in the pension system. Not only do you want someone who is an expert on your public pension system, but you want someone who is directly affected by changes to the system itself. Having a firefighter, police officer, or teacher as the face of your organization can go a lot further with the press than say a political appointee. Their personal story and how changes will affect their family and family finances allow the press and the general public to sympathize and understand your message better.
- Good relationships in the organization or coalition. If you have a large coalition or organization it is better to have a spokesperson who has good relationships with your group already. When

- crafting a message to the press, the individual has to be able to articulate why that's the best message to your group. Having someone that can make those personal phone calls and already has those professional relationships is important. There's also a trust factor involved as well. If your group already trusts the individual, they'll trust that they're having good conversations and interviews with the press.
- Leadership qualities. As a spokesperson, individuals will need to take the lead on communications. Often they may find themselves faced with a question they may not have discussed with your group. Having someone that's able to lead messaging while knowing what they're saying is correct is crucial.
- level headed. We've all seen press conferences go off the rails. It can happen to your organization or coalition as well. It may not be on national television, but even a heated exchange with a local journalist can have lasting negative outcomes for your group. You'll need to pick someone that can handle tough situations with poise and grace. Reporters will ask tough questions, and in some situations even push your spokesperson to say something they don't want to. You'll need to choose someone who can handle themselves in those situations as well as someone who's willing to walk away and offer no comment.
- Previous relationship with the press or able to build relationships. It is definitely prefered to have a spokesperson who has done the job before, but if they haven't, be sure they're able to put the work in to build relationships. See more on building relationships with the press below.
- Not a political figure who may be seen as biased. It is tough to ask a long-standing leader or political figure to step aside for a fresh face, but they must do so. Although long standing leaders may have a rapport with the press, it can oftentimes be negative and the press may write with a bias. Having a current public employee or hiring a new spokesperson can lead to new ideas and better relationships in the long run.

Op-eds and LTE Tips

OVERVIEW

Writing op-eds and letters to the editor are one of the most effective ways of getting your message out to the public. Both are widely read in newspapers across the country and can influence constituencies, business leaders, and government officials in their decisions. This guide provides advice and examples of how to write both LTE's and op-eds.

LETTER TO THE EDITOR

LTE's are short responses to articles written by newspapers or current events. In the LTE section of the newspaper you'll sometimes find rants about crops being too close to the road or too many bicycles on walkways, but this is also the space where you'll see important responses to negative articles.

Use these three steps to make sure publications print your LTE:

- Pay attention to word limits. Oftentimes publications have somewhere between a 150-250 word limit. If you go over that limit, the publication will reject your letter, often without telling you. Be sure to look up the word limit before submitting.
- Identify the article. If you're responding to an article or opinion piece, you'll want to identify the name of the article in the first sentence of your letter.
- Make it personal. Don't be afraid to say who you are. Identifying where you work and how long you've been there makes your LTE personal and people will relate to you.

Example

LTE: 401(k)s are not the answer

The article that was written on February 5th called "Michigan leads effort to shift workers away from pensions" mentions how the state wants to put our teachers into a 401(k)-style plan. This is just plain wrong.

I've worked at X for the last X years. It's funny to me how so many people easily forget the 2008 market crash. 401(k)s were wiped out. I had friends and neighbors lose their homes because they lost all of their investments in their retirement - pushing them to have to sell their homes to make up the losses.

Teachers work their entire lives educating Michigan's children and they deserve to retire with dignity. 401(k)s are not the answer. Funding the pension system and reducing the unfunded liability should be Michigan's number one priority. Our state's fiscal health depends on it.

Op-Eds

Opinion pieces are one of the best ways to get a more comprehensive and often personal or data-driven message in your local paper. Contrary to popular belief, you don't need to be an expert to submit a full opinion piece and as a coalition, we've seen op-eds written by firefighters, librarians, correctional officers, and many more. Here are some pointers when writing your op-eds:

- Make it personal. As with LTE's, when writing op-eds, you'll want to make it personal and watch your word limits. Word limits for op-eds can be anywhere from 600-850 words. Some larger publications like the Wall Street Journal accept op-eds up to 1200 words.
- Make your argument clear. With opinion pieces, you'll want to lay out your argument thoroughly in the first or second paragraph. Then, list them point by point throughout the op-ed followed by a strong concluding paragraph with an ask or a point.
- Don't ramble. Publications like clear and concise arguments and will reject op-eds that are seen as rambling or even worse, rants.

EXAMPLE

Without Pensions, Kentucky Will Lose Teachers

Modest means – that's where I come from. For years, I've heard stories about my great grandparents. My great-grandfather was a farmer and my great-grandmother was a teacher. When my great-grandfather was unable to work the farm any longer, he retired as most farmers did then: broke. If it wasn't for my great-grandmother's pension from being a teacher, they wouldn't have been able to put food on the table or put clothes on their backs.

Four generations later, as their great-granddaughter, I am proud to say that I am a teacher as well. For four generations, my family has been teachers, but at this point in Kentucky, it's tough. As the sponsor for a future educators' club, I feel terribly conflicted about mentoring students to enter into the education profession in this political atmosphere.

Teachers don't teach because of the money, we teach because we care about the work we do. I am currently a high school English language arts teacher in Henry County. Every morning when I wake up and head to school, I know that I am making a difference in my students' lives.

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Most teachers don't want to be active in politics, but we really don't have a choice. Teaching is a political act. We teach citizenship and give students the tools to function within a democracy. Every decision about how public schools will function, what resources they will have, and what teachers are expected to teach is made by an elected official. Without my union, the Kentucky Education Association, we would not have a voice at the table to speak up for public education and our students.

The last legislative session had me feeling levels of anxiety for the future of my career that I have never felt before. The truth is, I didn't know if I was going to be able to remain in the teaching profession. Without the promise of an adequate pension, I can't afford to stay in the classroom. We already make less than our counterparts with the same degrees in the private sector, so you can only take so much. It is because of the promise of a dignified pension that most of us stay in the profession.

Teaching is my calling, and it is in my blood, but I simply cannot put my daughter in a position where she would have to support me financially when I am too old or sick to teach. Losing my pension would threaten her economic security and that of any children she may choose to have. Asking someone to play the stock market with no Social Security safety net is irresponsible and that's exactly what our elected leaders want to do.

How can one advocate for others to join a profession when there's a prospect that they might not have a retirement? This is Kentucky—we don't walk out of our classrooms to make a point, but we did. We did it because enough is enough – we deserve our pensions, and we shouldn't lose them or have a cut in our benefits because a bunch of politicians didn't pay their fair share each year when we paid ours.

Right now, the Supreme Court has to decide on SB 151 – the wastewater treatment bill that lawmakers tacked pension-gutting measures onto. Hopefully they make the right decision and throw the bill out as unconstitutional. One thing is for sure though – teachers will be turning out at the ballot box in November. We'll always remember these attacks and the lawmakers who supported them.

Building Relationships with The Press

OVERVIEW

Whether you're а communications director, spokesperson, coordinator, or even Executive Director of your organization or coalition, building relationships with the press can be fun. You'll first want to take a step back and look at the bigger picture before you begin. What do you want to achieve with your communications? What kind of impact are you looking to make? These are questions you need to ask yourself before putting together a media outreach campaign. This list looks to guide you and your organization or coalition through creating initial relationships with the press and advancing your goals in the long-term.

BIG PICTURE

Before you reach out to any reporters you have to ask, "why?" What are you trying to accomplish? Are you trying to win a legislative fight? Educate membership through mass communication? All of these types of campaigns requires a different type of approach. The most common is to not only get your organization's or coalition's message out, but to also expand your group's role in the press space - possibly bringing more legitimacy. Develop these goals and look towards your group's endzone. Then develop how you plan on getting there. The below steps will help you achieve just that.

- News Clips. Before you reach out to a single reporter you need to figure out who you need to talk to. Set up Google alerts for "pensions" in your state and watch the articles roll in. Build your list from those reporters writing articles. Look back over the last year and find some more. Build out their email addresses and phone numbers and continue this for a couple of weeks. You then have your list.
- Utilizing your press list for outreach. Okay so you have your press list, now let's put it to use. The first step should always be a personal introductory email. Make it simple - introduce yourself as the spokesperson or communications director. Also,

make it clear that you're looking forward to a good working relationship on the issue of public pensions. Oftentimes, if you add someone to an email list that you've never communicated with, they'll get upset, or even worse, just ignore your emails when you need them to pay attention. Once your introduction is done, here are a few ways you can communicate with your list:

- In case you missed its (ICYMI). One of the best and easiest ways to communicate with your list is through ICYMIs. They're simple. Whenever you see a great article about pensions, write a few sentence synopsis, maybe include a quote from your leadership or spokesperson and send it off. Most of the time a reporter won't respond, but you're getting your message out there. Always be pushing your message.
- Press Releases. One of the most common communications with the press. Need to make the press aware of something? Get your message out there? Do it through a press release. Make sure you make your intention known with the title and in the first sentence. If you're responding to a piece of legislation, being preemptive, or responding to an event, be sure to include at least two quotes and a way to contact you at the end.
- **Press Advisories.** Have an event coming up? Or maybe a hearing your organization is speaking at? Send out a press advisory that has all of the details included. Where you want the press to be, what time, etc.
- Individual Outreach. Contrary to popular belief, the press are people too. They might be overloaded with emails, but sending a note never hurts. If you see an article you think is good, send them an email to start a discussion. Never be afraid to reach out to start building a relationship. Just make sure your emails are concise and are always pushing your message.

- Blast vs. Individual Outreach. Some reporters HATE blast emails and would much rather prefer individual emails. Be sure to be cognisant about that before you hit the send button. Let's look at the differences between the two.
 - Blast emails. Major event happen in your state? A committee passes a bill rapidly and you need to respond? Send a blast email to your entire list using the bcc feature to get your response out there quickly. Make sure to note those folks who don't like to be sent information in blast emails before you send. If they are important reporters, send them a private email with the information.
 - Individual outreach. Reaching out to reporters one-by-one can be an effective way to report your news. It adds a personal touch when you send individual emails with your press release, ICYMI, or press advisory.
- Setting up in-person meetings. When you have some free time, sometimes it makes sense to do a swing of in-person meetings with reporters. Sitting down with reporters not only allows you to build a good personal and professional relationship with reporters, but it allows you to also do an in-person pitch. Pitching over the phone can be difficult sometimes, so it makes sense to do it in-person. Being face-to-face with a reporter can show your passion for pensions or issues you may be there to speak about. For time's sake, it might make sense to schedule a few of them in one-day. Not only does it make sense for your schedule, but it also allows you to stay on the same message in a short period of time.

- Editorial Boards. Editorial boards can be difficult. Some papers may be hostile towards public pensions, others more friendly. You should call around to allies beforehand who have a better understanding of how they may react to your message. The most important part of these types of meetings is to be overly prepared, because these boards will ask much tougher questions than your standard reporter will. Also, these visits will most likely lead to articles in favorable positions in print as well as online, so make sure you're at the top of your game.
- Availability. Have a relevant news story breaking? If you or a senior member of your organization is available to make comments, send out a message to your press list letting them know that your organization is available to comment. That way, you're getting your message out there, while building a relationship with the press.
- Pushing your message no matter what. Never, ever turn down an opportunity to talk with the press. The only instance you should turn down an opportunity is if what they're researching has nothing to do with your organization. If so, try to be a resource and give them some other folks to speak with. Oftentimes, organizations won't speak to the press if they're fearful of a bad story. With a prepared message and a good game plan, your words will be printed and your side will be there for the masses, even if it is a bad article.

Tip Sheets for Talking with The Press

OVERVIEW

Talking to the press can be overwhelming at times, but if you're prepared, you'll be all set. This guide looks to give you some good tips before your next conversation with a reporter.

- There is nothing worse than going into a meeting with a reporter and being poorly prepared. You'll end up rambling, saying falsities, and worst of all, veering drastically off of your message. Before any call or meeting with a reporter, prep is necessary. Even if it is a simple call or a reporter you have had a relationship with for years, always put in the time beforehand.
- Taking calls from the press. When you receive a call from a reporter, hear them out as to why they are calling, and then make an excuse to get off the phone. Yes, you heard that right. Say that you need to double check on an answer and ask if you can call back in ten minutes. This allows you to take the time you need to prepare a well formulated answer that sticks with your messaging strategy. Take the time you need, but don't be late with calling them back. They may skip over you.
- Different ways to talk to the press. When speaking with a reporter, whether it's over the phone or in-person, there are three ways you can take the conversation: On background, on-therecord, and off-the-record. Most importantly, you MUST establish how you would like to communicate with a reporter BEFORE you start speaking. Then, make sure they acknowledge and accept how you want to speak with them. Need an example? See Anthony Scaramucci. Here is when you should use each of them:
 - On background. This is one of the most common ways to speak with a reporter. The reporter won't quote you directly, but will use your words a guidepost for their article. In most cases, they won't name you directly. Be sure to clarify whether or not you'd like to be listed as a source or not.

- **On-the-record.** Anything and everything you say can be quoted or used in a reporter's article. Anytime you start a conversation with a reporter, it's assumed that you are on-the-record. If you don't want to be quoted, you must ask the reporter and wait until they accept before moving forward.
- Off-the-record. If you don't want any of the information you share used at all, go off-the-record. Off-the-record means that not only will the reporter not attribute you with a quote, but they can't use the information you provide. That being said, if in a more important situation, a reporter may ask if they can attribute you as a source, but not name you directly. Be careful with this, but in the pension world, it doesn't happen often.
- Before giving them a call, make sure that you're not only prepared, but make sure you have a good pitch. Think about pitching as telling a story. If you're a good storyteller, this will come as second nature to you. If not, list your pitch out in acts. Act one being the introduction and background, act two being the actual meat (who, what, when, where, why), and act three being the conclusion. You're trying to sell them something. Make sure it's a Cadillac, not a 1992 Ford Windstar.
- Peing clear and concise. Along with being prepared, you want to make sure that your message is clear and concise. Going back to previous points, you need to make sure your message is easily understood by reporters and the general public. If you think it's too complicated, ask someone to check it out.
- Follow up with information. Lastly, allows follow up. After your conversation or meeting with a reporter, follow up with them. If you promised to send a graph or a study, send it away, but always thank them for their time. It's all relationship building.

Social Media



Social Media is an excellent tool to build your coalition's presence and increase your coalition's visibility, through building relationships and communicating with potential advocates. Facebook is the largest social network in the world with 2.27 billion active monthly users. Facebook is an important tool to begin engaging with your potential advocates, especially in the beginning process of your coalition. With 336 million active monthly users, Twitter is also an important tool worth your time.

How to set up a Facebook Page

- Go to facebook.com/business and click Create a Page in the top right hand corner. Choose Cause or Community. Fill out the additional details. When you are finished, click Get Started.
- Upload profile and cover images for your Facebook Page.
- Add a Short Description, describing your coalition's goals.
- Create a Username for Your Page to set up your vanity URL. For example, Facebook.com/NCPERS or Facebook.com/ProtectPensions.
- Fill in the details of your About section, located in the left-hand menu of your Facebook Page.

Now you're ready to create your first post and begin engaging with your advocates (and sometimes opponents)!

DOS AND DON'TS

Building social media followings is important but is not without its pitfalls. At its best, social media is the go-to place for reporters, coalition members, and interested members of the public when seeking information about pension battles in your state. At its worst, a Twitter account with 13 followers or a Facebook page that hasn't been updated in 6 months signals a lack of professionalism, or even worse, a lack of legitimacy. Give your coalition the best public face possible with these dos and don'ts.

DO

- Share NPPC/NCPERS's content. We share content on Facebook and Twitter almost every day, along with curating and distributing a monthly social media content email. Feel free to share/retweet our content or take it and post it yourself.
- Share relevant articles/op-eds.



Share press releases and news

Live-tweet and livestream events/hearings



Askforhelp. Maggie Rogers (<u>mrogers@protectpensions.org</u>) is at your service for help with content, Facebook Ads, promotions, or whatever else you may need.

DON'T

- Engage negative comments. On Twitter, ignore trolls. Facebook comments are a bit trickier, but don't be afraid to "hide" (not delete!) disrespectful or vulgar comments.
- Post personal information, yours or anyone else's.
- Try to be edgy. Your coalition's account is not the right place for off-color jokes or commenting on current events.



How to build an audience

- Follow key influencers and leaders in your state and nationally.
- Tag relevant news outlets/reporters when posting their content.
- Usehashtags:#ProtectPensions#APensionIsAPromise
- Boost Facebook posts and run ads to generate likes for your page. Twitter Ads are not worth the money, and building a Twitter audience is more difficult in general. Don't sweat it--building a Twitter following just takes time.

Workers' Story collection

Why is it important? Collecting stories from workers is the best way to put a face to exactly who and what hangs in the balance when we talk about retirement security. It's also a good way to emphasize the modest nature of most pensions, the local economic impact of public employee retirees, as well as the community impact.

When collecting stories, feel free to use the sample questions below or come up with your own. Some of the best workers' stories have started with the simple question, "Why is your pension important to you?"

How to collect stories:

- Draft sample questions, such as:
 - Can you tell me a little bit about yourself?
 - If currently working, ask where. If retired, ask from where and for how long did they work.
 - Where do you live in [state]?
 - Tell me a little bit about your job. What were/ are your daily responsibilities?
 - What do/did you like most about your job?
 - Did you ever have to take a second job to support your family?
 - How does your job affect the community?
 Would you say what you do helps people?
 - Do you volunteer in your community?
 - What made you want to get involved?
 - What does your pension mean to you?
 - Will you be able to retire securely?
 - Do you plan to stay in [state]?

- When collecting video stories, using your smartphone is probably the easiest option. A few simple tools can make the process easier and help produce more professional content:
 - Microphone

\$13.99 https://amzn.to/2QMVt3n

- Tripod Style #1 \$13.95 https://amzn.to/2B5dTqk
- Tripod Style #2 \$23.99 https://amzn.to/2OLJBfU
- Make sure to have a background that isn't too busy or colorful.
- Focus on the participant's face.
- Ensure you have good lighting, making sure the participant is not standing in front of a window or any other light source that would cast them into shadow.
- Make sure the camera is level. Many phones have a "Measure" or "Level" app that will help ensure the phone is straight.
- Do a quick mic check before starting the interview to make sure there isn't too much background noise and ensure the mic is properly attached. Record a short video of the participant speaking (have them say their name or recite the alphabet). Listen back and make adjustments as needed.
- When recording the interview, listen to the answers to make sure they are compelling.
- Basic tips:
 - Record with your phone horizontal.
 - Make sure the noise level is low.
 - Make sure there is good light.
 - Ask the interviewee to repeat the answer back as part of the question.
 - Send video to mrogers@protectpensions.org
 - Once the video is posted on the coalition's social media, all organizations should share on their pages.

We recommend having members sign a release before filming. **NPPC uses the following standard form** when collecting video stories.

Photograph & Video Release Form

I hereby grant permission to the rights of my image, likeness and sound of my voice as recorded on audio or video tape without payment or any other consideration. I understand that my image may be edited, copied, exhibited, published or distributed and waive the right to inspect or approve the finished product wherein my likeness appears. Additionally, I waive any right to royalties or other compensation arising or related to the use of my image or recording. I also understand that this material may be used in diverse educational settings within an unrestricted geographic area.

Photographic, audio or video recordings may be used for the following purposes:

- Conference presentations
- Educational presentations or courses
- Informational presentations
- On-line educational courses
- Educational videos
- Distribution on social media

By signing this release I understand this permission signifies that photographic or video recordings of me may be electronically displayed via the Internet or in educational setting.

I will be consulted about the use of the photographs or video recording for any purpose other than those listed above.

There is no time limit on the validity of this release nor is there any geographic limitation on where these materials may be distributed.

This release applies to photographic, audio or video recordings collected as part of the sessions listed on this document only.

By signing this form I acknowledge that I have completely read and fully understand the above release and agree to be bound thereby. I hereby release any and all claims against any person or organization utilizing this material

Full Name		
Street Address/P.O. Box _		
City	 	
Zip Code		
Phone		
Email Address		

Pension Opponents



John Arnold

John Arnold is the chief funder of anti-pension activity across the nation. Arnold got his start at Enron, where he left with an \$8 million golden parachute as the company collapsed, wiping out billions in pension funds. With his Enron millions, Arnold became a Wall Street hedge fund manager and, eventually, a billionaire. John Arnold uses his billions to fund shady interest groups, flawed think tank research, and anti-pension ballot measures around the country.

In 2014, John Arnold almost <u>singlehandedly funded</u> an anti-pension ballot measure in Phoenix, AZ. He spent more than \$1 million of his own money, but his ballot measure was <u>soundly defeated</u> by the voters of Phoenix, who chose to support retirement security for their public workers.

Some of the groups Arnold funds are well-known, such as the Pew Research Center. Others are more secretive, such as the Retirement Security Initiative. What these groups have in common is that they take Arnold's money and then travel from state-to-state promoting his anti-pension cause. Sometimes they do this by offering misleading research based on biased or inaccurate data. Other times they hire high-priced lobbyists to woo legislators behind closed doors.

Pew's Public Sector Retirement Systems

The Pew Research Center is a respected institution studying many different aspects of American life. Legislators, civic leaders, and everyday Americans rely on Pew for objective, high-quality data and analysis on various issues. So why is one small division of Pew actively campaigning to eliminate defined benefit pensions for public employees? Because they have received millions of dollars in funding from antipension billionaire John Arnold.

Over the course of seven years, the Laura and John Arnold Foundation has given almost \$10 million to Pew's Public Sector Retirement Systems project. This project doesn't just produce questionable studies using flawed data. The leaders of this project are actively engaged in efforts across the country to get rid of defined benefit pensions for public employees and retirees.

The state where Pew has arguably had the biggest impact is Kentucky. Back in 2013, Pew staff and lobbyists made a concerted effort to push Kentucky legislators to adopt a cash balance plan for new public employees. This wasn't just a one-time thing, either. Pew had had lobbyists in the state for years pushing

for a cash balance plan. Kentucky did switch to a cash balance plan for certain new public employees in 2013, after hearing promises from Pew that such a plan would reduce unfunded liabilities for the state. Not only did the new cash balance plan fail to reduce the unfunded liabilities, but it gutted retirement security for public employees. It also laid the groundwork for SB 151, the pension-gutting bill passed in 2018 that will force new teachers into a cash balance plan as well. Fortunately, SB 151 was ruled unconstitutional by the Kentucky Supreme Court in December 2018. Following passage of the cash balance plan legislation in 2013, a group of Kentucky legislators wrote an open letter warning other state legislators not to trust Pew.

Kentucky is not the only state where Pew has been involved. From Alabama to Connecticut, Kansas to Pennsylvania, South Carolina to Virginia, Pew has been relentless in their work to end defined benefit pensions.

Reason Foundation

Despite its name, the Reason Foundation cannot be trusted to provide accurate information regarding public pensions. This so-called "think tank" promotes a radical anti-government agenda that is openly hostile to public employees and their retirement security. They have also accepted millions of dollars in <u>funding from John Arnold</u> to promote his anti-pension agenda. Public employees, taxpayers, and policymakers should be suspicious of any "analysis" of public pensions coming from the Reason Foundation.

Reason has become increasingly active in the campaign against public pensions waged by John Arnold and other anti-pension ideologues. They have been involved in Arizona, Colorado, and Michigan attempting to gut pensions for public employees.

In Kentucky, Governor Matt Bevin has long sought to make harsh cuts to public pensions. When he was actively promoting extreme anti-pension legislation in autumn 2017, his office relied on two Reason Foundation analyses to argue that there would be no transition costs associated with switching to a defined contribution system.

In South Carolina, Reason has testified before the state legislature in favor of forcing public employees into a 401(k)-style system. They have also hired a lobbyist to represent them in the state.

After having already received more than \$3.5 million in funding from John Arnold, Reason recently secured up to \$4 million in additional funding to continue their attacks on public pensions.

Reason is also connected to another Arnold-funded, anti-pension group, the Retirement Security Initiative. Pete Constant, the CEO of the Retirement Security Initiative, is a former Senior Fellow and Director of the "Pension Integrity Project" at the Reason Foundation.

Retirement Security Initiative

The so-called Retirement Security Initiative (RSI) might be the most insidious and most dangerous of the groups Arnold funds. RSI is composed of a hodgepodge of washed-up politicians, all of whom threatened public pensions during their political careers.

If you had any doubt about RSI's true intentions, their leader is none other than <u>Chuck Reed</u>, the former mayor of San Jose who led the attacks on pensions in that city. After leaving office and failing repeatedly to get a measure placed on the ballot to <u>gut public pensions</u> throughout California, Reed has set up shop at RSI where he now leads a nationwide crusade against public pensions.

To help them in their work, Arnold and Reed have assembled a rogue's gallery of anti-pension ideologues at RSI:

- Dan Liljenquist: a former Utah state senator, he used his one term in office to cut pension benefits for police officers, firefighters, and other public employees, leading to challenges recruiting new public employees
- Pete Constant: a former San Jose City Council member, Constant was also a fellow at the vehemently anti-pension Reason Foundation, another group funded by John Arnold

- Lois Scott: a veteran of the Rod Blagojevich and Rahm Emanuel administrations, she helped craft Mayor Emanuel's budget which cut pensions for city employees in Chicago
- Richard Ravitch: a former Lieutenant Governor of New York, he has long been a critic of public pensions

Chuck Reed and RSI are not stopping their attacks on pensions. Last year, Reed <u>spoke at the ALEC</u> <u>convention</u> as a representative of RSI. He has also testified about public pensions in <u>Lincoln</u>, <u>NE</u>, and continued to author <u>anti-pension op-eds</u> in California.

Koch Brothers

The Koch brothers fund a number of legitimatesounding organizations in states across the country that release biased anti-pension reports.

The Koch brothers are two of the most prominent funders of so-called "dark money" groups in American politics today. You may not immediately think of them when it comes to attacks on public pensions, but they are active behind the scenes funding groups that work to undermine retirement security for working families. In particular, the Koch brothers are active supporters of the State Policy Network (SPN), a national

organization of right-wing state-based organizations. Many of these SPN groups regularly release biased anti-pension reports.

Prominent anti-pension groups within the State Policy Network include:

- The Yankee Institute for Public Policy in Connecticut
- The Georgia Public Policy Foundation
- The Illinois Policy Institute
- The Kansas Policy Institute
- The Bluegrass Institute in Kentucky
- The Mackinac Center for Public Policy in Michigan
- The Texas Public Policy Foundation

These groups promote closing defined benefit pensions for public employees and forcing them into 401(k)-style defined contribution plans. This would gut retirement security for working families. The Koch brothers and the SPN groups are hostile to the public sector generally and frequently support actions, such as gutting public pensions, that would undermine public employees.

Political Engagement

f your organization is legally allowed to engage in election activity, here is some sample questionnaire language to include on defined benefit plans:

Sample language:

Public employees count on a secure pension at the end of their career. For many families in non-Social Security states, a pension is their only source of retirement income. However, the recession has had a major impact on pension plan investments and caused the need for additional funding.

Some political candidates believe there have to be changes in benefits offered. For some, that means changing benefits offered within the defined benefit plans now in existence, creating a two-tiered system. For others, it means increasing contributions required from employers, employees, or both. For other candidates, it means elimination of a defined benefit plan and replacing it with a defined contribution plan, like the 401(k) plans more common among private sector employers. 401(k)s do not provide adequate retirement security for anyone.

The following questions could help determine which group this candidate falls into:

- Do you think changes are needed in the pension system for public employees? If so, please describe the specific changes you would support.
- By law, pension funds must be funded. Employees are contractually guaranteed these retirement funds and have sacrificed wages in return for the pensions. Not funding them is not acceptable. What are your ideas for how to sustain public pension plans while they recover from the recent investment loses?
- Are you or have you ever been a member of the American Legislative Exchange Council or any other organization that endorses the privatization of Social Security and conversion of defined benefit pension plans to defined contribution plans?

Depending on your tax status, state laws allow 501(c)4s to engage in issue advocacy during election season. Please check your local laws to make sure you are in compliance. Violating such laws can result in substantial fines, tax assessments and the loss of tax-exempt status. We suggest getting the advice of an attorney before participating in any issue advocacy campaigns.

Message Boxes

Unfunded Liabilities

THEM ON THEM
The structure of public pensions are unsustainable and cost states way too much to maintain.
The unfunded liability of public pension plans is actually much worse than published and many states are facing bankruptcy.
THEM ON US
Public employees benefits have increased too much over the last few decades, making their pension benefits unsustainable.
Public employees and their unions are unwilling to make sacrifices when their pensions bust budgets,
leaving taxpayers on the hook.

- Pensions are a small percentage of state budgets. On average, 88% of the ARC was received by the largest public funds in 2008. About 6 in 10 funds received payment for nearly the full amount of their ARC—but contributions to 4 in 10 plans were inadequate. For those states that have not made their ARC, that debt needs to be paid off.
 Use updated data from NASRA or NCPERS annual PRS Study 74% received full ADC.
- Find your state's % of budget that goes to public employee pensions; public pensions have been viable for 100 years

Retirement Security for All

US ON US THEM ON THEM We have a retirement crisis in this country: nearly Public employees have more security than private sector half of working-age families have nothing saved for employees. Because they are public servants, and retirement. Many others still have far too little for a employed by taxpayers, they need to sacrifice equally. dignified retirement, putting strains on their families 401(k)s provide employee choice in what they're and communities. investing in and provide an adequate retirement. Pensions provide public employees a safe, reliable retirement plan that does not put all the risk on the individual 401(k) plans are vulnerable to the whims of the markert. Recessions like in 2008 can erase years of retirement savings for workers. **US ON THEM** THEM ON US Opponents of public employee pensions don't The private sector has taken the lead in switching all understand the magnitude of the retirement workers to 401(k)s. In order to compete and divert security crisis and that 401(k)s are the direct cause. risk, public employers should do the same. Public employees often make less than they would in the private sector, so a pension is a way to make sure they are taken care of in retirement. 80 percent of Americans believe the disappearance of pensions has made it harder to achieve the "American Dream."

- A recent report finds that pension income plays a critical role in reducing the risk of poverty and hardship among older Americans, while also reducing public assistance expenditures.
- From "The Pension Factor: Assessing the Role of Defined Benefit Plans in Reducing Elder Hardships." National Institute on Retirement Security, July 2009. (see online resources slide)
- Pension Rights Center: There's a \$6.6 trillion underfunding of private sector 401ks.
- We're already seeing more older Americans facing unattractive choices: working indefinitely (if they can find a job and are physically able), living in poverty, or turning to outside assistance from family or government.
- Current NIRS Research- Ret. in America: Out of Reach for Most Americans. 57% of working age indiv. do not own any ret. acc't assets.

Stability of Revenues for Local and State Economies

US ON US	THEM ON THEM
Spending by retirees in their communities provides stability to local and state economies. It is also important to local economies that workers are able to retire securely. Public pensions help support jobs throughout local communities, since retirees are more likely to stay in their own communities when they retire. Public employees' pensions help families support one another when a worker retires, often allowing retirees' children the opportunity to save for their own futures.	States cannot afford to pay such benefits if they are looking to balance their budgets. Pension benefits are way too expensive and are unsustainable for the long-term. If public employees were to be moved to a 401(k)-style retirement plan, the same economic effects would occur, if not better.
US ON THEM	THEM ON US
Our opponents push the false narrative that 401(k)s and other hybrid-style retirement plans save states money. They do not and will cost more in the short-term and long-term. The economic benefits of pensions far outweigh those of 401(k)s. Unlike a 401(k), pension benefits are provided for life, while many retirees can deplete the money they saved in 401(k) accounts in a short period of time.	Public pensions are bankrupting our municipalities, counties and states. Public employees need to make a sacrifice to make sure our future generations aren't hurt. Public employees' pensions are too expensive for states, so they must cutback to keep up with the times. 401(k)s are the major retirement vehicle in the private sector, the same should be in the public sector. Public employees retirements' are inflated and they are personally bankrupting states. If states move employees to a 401(k)-style retirement system, they will save money - providing more funds for education, infrastructure, and social services. If states are facing a budget crisis, pensions are not to blame. States should look for ways to raise revenue to cover their costs.

- NIRS study on impact of retirees' pension on state economies shows public employee retirees pump \$358 billion into local economies, creating 2.5 million jobs. (Perhaps add local info on retirees who stay in home communities.)
- Every single dollar of taxpayer pension funding generates \$11.45 in economic output. Coffee Shop Analogy: Who's in the coffee shop or movie theater on weekdays spending money locally? Retirees. (Pensioneconomics 2016- DB plans stimulate \$1.2T in economic output.)

Responsible Policy

US ON US THEM ON THEM The vast majority of public employees understand States need to make responsible reform to make that it's important to make sure the very few aren't sure their budgets don't bust. This includes taking advantage of states' pension systems. exploring placing all newly hired employees into a hybrid or 401(k)-style retirement plan. Making sure that millionaire football coaches aren't getting big pension payouts is important and Public employees make too much in retirement and several states have made responsible changes to it's putting to much strain on our local communities. make sure this does not occur. Their benefits should be decreased through responsible reform. Public employees faithfully contribute to these plans. They care about the system's health and sustainability as much as policymakers. **US ON THEM** THEM ON US Our opponents like to throw 401(k) and hybrid-Unfunded liabilities are skyrocketing and budgets style retirements out there as "responsible reform." are busting. Public employee pension systems must Example after example have shown that making be reformed to save states from going bankrupt. these type of plan changes actually hurt states' Public employees don't understand that without economic outlook. reform the bill will come due. Reform must take place if they want to retire with full benefits. On average, public employees earn a pension benefit of \$26,000 a year. This is a modest amount of money that ensures public employees can support themselves in retirement. Our opponents like to talk about how the sky is falling with public employee pensions. If states continue to pay their bills, they will be just fine. Public employees paid theirs, states should too.

Support your argument:

 Since 2006 -- even before the current financial crisis -- 45 states in cooperation with public employees have enacted pension reforms

Public Pension Accounting/Expected Rate of Return/Fees

US ON US THEM ON THEM Since the Great Recession public employee pension Public pensions are on the path to disaster. If you look plans have been doing great. For the most part they at the last ten years as a guide, you'll see that their have rebounded and are moving into safe territory. overall outlook is bleak and will put states in a horrible economic crisis in coming years. Public sector pensions are relying on generally accepted accounting rules set by independent experts. Public pensions give large fees to Wall Street bankers taking money away from public employees, their Public pensions make fiscal sense - most funds communities, and taxpayers. make their money from investment returns, not from contributions from the government. Public employee pension systems expected rates of return are way too high. They should be closer to 5%, which is the average rate of return in the last 10 years. **US ON THEM** THEM ON US Our opponents are again screaming that the sky Public employees will do anything to protect their is falling when it's not. Organizations like Pew like golden retirement benefits even if it means ignoring public pension plans' downfall since the Great to only look at the average rate of return from the last ten years, which includes the Great Recession. Recession. After the recession is out of the picture will they Public pension plans have not recovered from the start looking back 15 years to push their narrative? It Great Recession and have been in a downward spiral doesn't make much sense. ever since. The more appropriate outlook of pension rates of return should be 30 years, where pension systems have returned well over 7% on average. A select few public pension systems invested in alternative investments after the Great Recession. Wall Street bankers hid their fees during this time and now pension boards across the country have made adjustments to make sure it doesn't happen again. Our opponents often push 401(k)s, which on average have much higher fees then pension plans, putting even more money into the pockets of wealthy Wall Street bankers.

- GASB has been revising accounting standards to reflect changing times. Public plans have been adhering to these new rules.
- Nationally, our pensions are pre-funded for another generation because they have been managed and accounted
 for properly; most pension dollars paid to public employees come from properly managed investment earnings,
 not from contributions by government or taxpayers.

Pension Plans are Affordable and Sustainable

US ON US	THEM ON THEM
Public pension plans are the most affordable retirement systems available. Even in economic downturns, public pension plans are durable, efficient, and have time to rebuild. Public pension plans are pooled investments that operate on an infinite time horizon. Unlike 401(k) plans, public pensions have time to recover from economic downturns.	Public pension plans are going to put states' into bankruptcy. They are unaffordable and offer a huge risk to taxpayers. The last ten years have shown that public pension plans are unsustainable and plans need to be reformed. Pension plans cost taxpayers too much money.
US ON THEM	THEM ON US
States cannot go into bankruptcy. Public pension plans are cheaper than other style retirement systems, including 401(k)s. As many examples show, switching defined benefit pension plans to defined contribution plans actually cost states more money. Public pension benefits not only give public employees a secure and stable retirement, they also boost economic activity in retirees' local communities and support millions of jobs across the nation. Our opponents like to say that pension plans are not affordable. Every single paycheck, public employees have contributed to their pensions while governments have not.	Public employees pension plans are not affordable and the employees need to have their pensions switched to 401(k)s to save taxpayers money. 401(k) plans are less risky for states. Public employees could have a large pot of money when they retire, which can boost local economies.

- Defined benefit (DB) pensions are still the most efficient way to fund retirement benefits. DB costs are 46 percent less than DC costs to achieve a target benefit.
- Standard & Poor's June 2009 report: "No Immediate Pension Hardship for State & Local Governments."

Pension Envy

US ON US	THEM ON THEM
Public pensioners receive a modest retirement after a lifetime of public service. Public pensioners aren't sailing away on their yacht after they retire. On average public employees earn a benefit of \$26,000. That's money that goes to supporting their families and communities in retirement.	Public employees' retirement is inflated. Many public employees are walking away with hundreds of thousands of dollars each year. Why should public employees receive a pension when many in the private sector no longer do?
US ON THEM	THEM ON US
Opponents of public pensions like to create pension envy by throwing around big numbers of the select few. Almost all pensioners receive a modest benefit every month that allows them to have a dignified retirement. On average, public employees make less than they would in the private sector. When teachers, police officers, and firefighters join public service, it's a part of their contract that they'll receive a pension for all of their years of public service. 360 of Fortune 500 companies offer a defined benefit pension to their employees.	Every time you look, a pensioner is making over \$100,000 in taxpayer money. Benefits need to be cut. Much like the private sector, pensions are outdated and should be switched to 401(k)s for all employees.

- Average public sector pension benefit in the US is in the mid \$20,000/year.
- 360 companies offer DB pensions to their employees.
- Per Pension Benefit Guaranty Corp., 44 million private sector employees have DB plans. Roughly 22 million public sector employees do.
- Public sector employees contribute to plans, which are subject to strict vesting requirements.
- Find local examples and put faces on them.
- While abandoning DB plans for its workers, corporate America still values DB plans for its top executives (WSJ, Nov 3, 2009 slide)
- Reference to NCPERS Economic Loss Study- when we dismantle public pensions, everyone suffers, not just those with pub. pens. Opponents' focus on envy is misguided.

COLAs

US ON US	THEM ON THEM		
Many states have not offered cost-of-living adjustments (COLAs) for public employee retirees' in over a decade. While the cost of bread, milk, and gas has increased, many retirees' are finding it harder to live with dignity in retirement. Public employee retirees' deserve to live in dignity. Without a COLA, retirees will increasingly have to rely on family members and their communities for financial support.	COLAs are too expensive. With state budgets already bursting at the seams, states can't afford to give public employee retirees' any more money. Public employees are making out like bandits with their pensions. Taxpayers shouldn't give them even more money than they already have.		
US ON THEM			
	THEM ON US		
COLA's are not budget busters. Public employees need to live in dignity in retirement - without a COLA many older retirees could slip towards poverty.	Public employee retirees knew what they were signing up for when they took the job many years ago. COLAs are too expensive and they need to live with what they have.		

- The average annual public-sector pension benefit in the United States is in the mid-\$20,000s.
- The National Institute on Retirement Security (NIRS) studied the impact of retirees' pensions on state economies, showing that public employee retirees pump \$358 billion into local economies a year, creating 2.5 million jobs. It's critical that pensions keep up with the rate of inflation.
- Perhaps add local information on retirees who stay in their home communities.
- Every single dollar of taxpayer pension funding generates \$9.19 in economic output.
- Use the coffee shop argument: Who's in the coffee shop or movie theater on weekdays spending money locally? Retirees.
- Find local examples and put faces on them

Online Resources

STUDIES ABOUT PENSIONS

National Conference on Public Employee Retirement Systems (NCPERS): 2018 NCPERS Public Retirement Systems Study -

www.ncpers.org/files/NCPERS%20Public%20Retirement%20Systems%20Study%20Report%20-%20Final.pdf

Center for State and Local Government Excellence (SLGE) and the Boston College Center for Retirement Research (CRR): Stability in Overall Pension Plan Funding Masks A Growing Divide www.slge.org/assets/uploads/2018/10/2018-10-fundingbrief.pdf

National Association of State Retirement Administrators (NASRA): Public Fund Survey - www.nasra.org/publicfundsurvey

NCPERS: The Evolution of Public Sector Pension Plans - www.ncpers.org/files/Evolution%20of%20Public%20Pensions 2d.pdf

NCPERS: State Constitutional Protections for Public Sector Retirement Benefits - www.ncpers.org/files/STATE%20PROTECTIONS%20FOR%20PUBLIC%20SECTOR%20RETIREMENT%20BENEFITS.pdf

SLGE and AARP: Understanding Public Pensions – A Guide for Elected Officials https://slge.org/assets/uploads/2018/02/2017-Understanding-Public-Pensions.pdf

SLGE, CRR and NASRA: Public Plans Database http://publicplansdata.org/public-plans-database/

PENSION COSTS AND INVESTMENTS

NCPERS: Unintended Consequences: How Scaling Back Public Pensions Puts Government Revenues at Risk - www.ncpers.org/files/NCPERS%20Unintended%20Consequences%20Report 2018 Aug v1.pdf

NASRA Issue Brief: State and Local Government Spending on Public Employee Retirement Systems - www.nasra.org/files/Issue%20Briefs/NASRACostsBrief.pdf

NASRA Issue Brief: Public Pension Plan Investment Return Assumptions - www.nasra.org/files/Issue%20Briefs/NASRAInvReturnAssumptBrief.pdf

NASRA Issue Brief: State and Local Government Contributions to Statewide Pension Plans: FY 16 - www.nasra.org/files/Issue%20Briefs/NASRAADCBrief.pdf

NASRA Issue Brief: Employee Contributions to Public Pension Plans - www.nasra.org/files/Issue%20Briefs/NASRAContribBrief.pdf

CRR: "Investment Returns: Defined Benefit vs Defined Contribution Plans" - http://crr.bc.edu/wp-content/uploads/2015/12/IB 15-211.pdf

Governmental Accounting Standards Board: Why Governmental Accounting and Financial Reporting Is -- And Should Be -- Different - www.gasb.org/cs/ContentServer?c=Document_C&cid=1176169371273&d=&pagename=GASB%2FDocument_C%2FDocumentPage

DEFINED BENEFIT VERSUS DEFINED CONTRIBUTION PLANS

UC Berkeley Labor Center: Most Kentucky Teachers Are Significantly Better off with Pensions than 401(k)s - http://laborcenter.berkeley.edu/kentucky-teachers-pensions-vs-401ks/

National Institute on Retirement Security (NIRS): Retirement Reform Lessons: the Experience of Palm Beach Public Safety Pensions - https://www.nirsonline.org/wp-content/uploads/2018/02/Final-Palm-Beach-Feb-2018.pdf

NIRS: "Case Studies of State Pension Plans that Switched to Defined Contribution Plans" - www.nirsonline.org/wp-content/uploads/2017/11/public pension resource guide - case studies of state pension plans that switched to defined contribution plans.pdf

NIRS: Decisions, Decisions: An Update on Retirement Plan Choices for Public Employees and Employers - www.nirsonline.org/wp-content/uploads/2017/11/final_decisions_2017_report.pdf

NCPERS: Public Pensions Are a Good Deal for Taxpayers - www.ncpers.org/files/NCPERS%20Research%20Series 2017%20Public%20Pensions%20Are%20A%20Good%20Deal%20for%20Taxpayers Web.pdf

NIRS: Still a Better Bang for the Buck - <u>www.nirsonline.org/reports/still-a-better-bang-for-the-buck-an-update-on-the-economic-efficiencies-of-defined-benefit-pensions/</u>

UC Berkeley Labor Center: Are California Teachers Better off with a Pension or a 401(k)? - http://laborcenter.berkeley.edu/pdf/2016/California Teachers Pension 401k.pdf

NCPERS: How Did the Shift from Defined Benefit Pensions to Defined Contribution Plans in the Private Sector Impact Retirement Savings? -

www.ncpers.org/files/NCPERS%20Research%20Series 2016 Boston%20College v4.pdf

NCPERS: What is the Cost of Transitioning from a DB Plan to a DC Plan? - www.ncpers.org/files/NCPERS%20Research%20Series 2015 Transition%20Costs.pdf

NCPERS: The Top Ten Advantages of Maintaining Defined Benefit Plans - www.ncpers.org/files/2011 ncpers research series top ten(1).pdf

NCPERS and Morningstar: The Relative Performance Record and Asset Allocation of Public Defined Benefit Plans -<u>www.ncpers.org/files/MorningstarReport_122007(1).pdf</u>

SLGE The Evolving Role of Defined Contribution Plans in the Public Sector https://slge.org/assets/uploads/2012/10/The-Evolving-Role-of-Defined-Contribution-Plans.pdf

ECONOMIC BENEFITS OF PENSIONS

NCPERS: Unintended Consequences: How Scaling Back Public Pensions Puts Government Revenues at Risk-www.ncpers.org/files/NCPERS%20Unintended%20Consequences%20Report 2018 Aug v1.pdf

NCPERS: Economic Loss: The Hidden Cost of Prevailing Pension Reforms - www.ncpers.org/files/NCPERS 2017%20Economic%20Loss.pdf

NIRS: Pensionomics 2018 - www.nirsonline.org/wp-content/uploads/2019/01/Pensionomics2018 final.pdf

NCPERS: Economic Volatility: The Hidden Societal Cost of Prevailing Approaches to Pension Reform - www.ncpers.org/files/Economic%20Volatility%20May%202016.pdf

NIRS: Out of Balance? Comparing Public and Private Sector Compensation over 20 Years - www.nirsonline.org/reports/out-of-balance-comparing-public-and-private-sector-compensation-over-20-years/

NCPERS: Income Inequality: Hidden Economic Cost of Prevailing Approaches to Pension Reforms - www.ncpers.org/files/NCPERS%20Income%20Inequality%20Paper_Web(1).pdf

NIRS: The Pension Factor 2012: The Role of Defined Benefit Pensions in Reducing Elder Economic Hardships - www.nirsonline.org/reports/the-pension-factor-2012-the-role-of-defined-benefit-pensions-in-reducing-elder-economic-hardships/

OTHER STUDIES

NASRA Issue Brief: Cost-of-Living Adjustments - www.nasra.org/files/Issue%20Briefs/NASRACOLA%20Brief.pdf

National Public Pension Coalition (NPPC): A School's Choice: Retirement Security for Charter School Teachers - https://protectpensions.org/wp-content/uploads/2017/10/Charter-School-Report-10.24-Final.pdf

NPPC: Why Pensions Matter -

https://protectpensions.org/wp-content/uploads/2017/03/NPPC-Why-Pensions-Matter-FINAL.pdf

NCPERS: Are State and Local Pension Funds Taking More Risk Now Than Before? - www.ncpers.org/files/NCPERS%20Research%20Series 2016 Risk%20Calculations.pdf

SLGE and CRR: How Have Pension Cuts Affected Public Sector Competitiveness? https://slge.org/assets/uploads/2018/04/PensionCutsAndCompetitiveness.pdf

RETIREMENT SECURITY

NIRS: Retirement in America | Out of Reach for Most Americans? - www.nirsonline.org/wp-content/uploads/2018/09/SavingsCrisis Final.pdf

NIRS: Millennials and Retirement: Already Falling Short - www.nirsonline.org/wp-content/uploads/2018/02/Millennials-Report-1.pdf

NCPERS: Secure Choice 2.0 -

www.ncpers.org/files/2017 SecureChoice2%200 final(1).pdf

CRR: "Pension Participation, Wealth, and Income: 1992 - 2010" http://crr.bc.edu/wp-content/uploads/2016/07/wp 2016-3.pdf

GAO: "Retirement Security: Low Defined Contribution Savings May Pose Challenges" - www.gao.gov/assets/680/676942.pdf

NCPERS: Secure Choice Pensions

www.ncpers.org/files/2011 scp white paper final.pdf

ATTACKS ON PENSIONS

Economic Policy Institute: Why is wealthy Westport trying to gut police pensions? - www.epi.org/blog/why-is-wealthy-westport-trying-to-gut-police-pensions/

Rolling Stone: "Looting the Pension Funds" by Matt Taibbi - www.rollingstone.com/politics/news/looting-the-pension-funds-20130926

Institute for America's Future: "The Plot Against Pensions" by David Sirota - https://ourfuture.org/plotagainstpensions

NPPC: The "Pension Crisis" is a Myth blog series - https://protectpensions.org/tag/pension-myths/

NPPC Websites and Content:

- NPPC's John Arnold funding tracking website: <u>www.truthaboutjohnarnold.com/</u>
- NPPC's website: www.protectpensions.org
- NPPC's blog: Defined Benefit: https://protectpensions.org/blog/
- NPPC on Facebook: https://www.facebook.com/ProtectPensions
- NPPC on Twitter: https://twitter.com/ProtectPensions



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