

Retired Peace Officers Association of California



Newsletter

April 2019

President's Message by Alex Bernard

The California Rule is in Place, for Now



In the CalFire Local 2881 case concerning "air time," the California Supreme Court ruled that air time wasn't protected by the Constitution and could be altered or eliminated by the Legislature. The Court said that since air time wasn't protected, the California Rule would not be ruled on by the Court. This decision will affect current and future employees. Retirees are unaffected by this ruling. There are other cases pending that might affect the California Rule.

The CalFire Local 2881 case concerns air time. Air time can be defined as buying additional service credit, up to five years, towards your retirement that you didn't work. Only a few agencies had this benefit. The Public Employees' Pension Reform Act of 2012 (PEPRA) banned this provision. CalFire Local 2881 challenged this

PEPRA provision and it ended up in the California Supreme Court. The Court found that air time was an optional benefit, so it could be altered or eliminated by the Legislature. Since it wasn't a contractual benefit, it wasn't protected by the California Rule. That led the Court not to make any decision on the California Rule.

This decision on air time will affect current and future employees. They will no longer be able to have this optional benefit because of PEPRA and the Supreme Court's decision. Retirees won't be affected by this decision. What they have earned in past belongs to them under the Constitution, namely the Contracts Clause.

There are other cases pending before the Supreme Court that might affect the California Rule. The next up is the Alameda County case. It in-

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How To Contact RPOAC

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- Visit www.rpoac.org for information on our insurances and other benefits available to our members.

RPOAC Board Meeting May 21st

Our bi-annual meeting of the RPOAC Board of Directors will be held on May 21, 2019 at the Peppermill Hotel and Casino in Reno, Nevada.

This meeting, unlike our annual meeting normally held in November, is just for the RPOAC Board not the general membership. It provides the Board with an opportunity to discuss the progress of our Association and make any necessary changes or amendments to the goals we have set for the year.



This meeting presents a great opportunity for you as members to contact your Director with any comments, suggestions or concerns you might have. The Director can then bring these matters before the Board for discussion.

The RPOAC leadership greatly appreciates the support they receive from the membership as they continue to fight to protect your rights and benefits.

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volves the anti-spiking provision of PEPR. The anti-spiking provision basically says that you can't use for example, one-time performance pay and bonuses, on-call and call-back pay, cashing out unused sick and vacation leave and terminal pay not earned to determine final compensation for a pension. Some retirement systems in the past allowed spiking for the final compensation determination. PEPR eliminated that provision. The Court consolidated the Contra Costa and Merced Counties cases into the Alameda County cases as they were about the anti-spiking provision. The Marin County case is also an anti-spiking case, but it wasn't combined with the Alameda County case. It is hard to say what the Court will decide in this case, but my gut feeling is that they will find that the anti-spiking provision is legal. I am not sure if the Court will touch on the California Rule in this decision.

Pension reformers have the California Rule in their crosshairs. They are determined to modify or eliminate the protections of the California Rule. If the courts don't do it, they may try the initiative process to get what they want. We will have to wait and see what happens. RPOAC will monitor the situation and let you know what is going on. As always, RPOAC is looking out for the interests of retirees.

Stay safe and enjoy your retirement.

The "California Rule," is a series of state court rulings believed to mean the pension offered at hire becomes a vested right, protected by constitutional contract law, that can only be cut if offset by a comparable new benefit, erasing any savings.

7 Safe Travel Tips for Seniors

1. Enjoy eased security restrictions.

Senior citizens are able to request assistance in the airport, from the time they arrive to the time they board. They can request assistance getting to the gate by asking at the check-in desk for a ride on a cart or assistance with a wheelchair. Seniors can also request assistance at security, where they may be able to go through a shorter line.

The TSA has made several changes to its security policies to make the process easier for seniors:

- Passengers 75 and older can leave on their shoes and light jackets when going through security
- Passengers in wheelchairs who are unable to stand will be accommodated with a variation on the screening process

Senior travelers with medical devices like pacemakers should request a pat-down at security rather than going through the scanner

2. Get appropriate vaccinations.

The all-important first step is making sure you are cleared for travel by your primary care doctor, especially if you're accommodating a health condition such as Alzheimer's.

Before travel, seniors should be up-to-date on routine vaccines, such as measles, mumps, rubella (MMR) and seasonal flu. Some of these may be considered "childhood" vaccines, but the diseases they protect against are often more common in other countries than in the United States. More than half of tetanus cases are in people over 65, so seniors should consider getting a tetanus booster before they travel, according to Centers for Disease Control (CDC).

Seniors should also receive other vaccines recommended for the countries they are visiting. These may include vaccines for hepatitis, polio, typhoid or yellow fever. It's important to visit a doctor before travels to assess and address any medical conditions that could hinder travel plans and determine whether vaccines are necessary.

3. Inquire about airfare discounts.

With age comes some benefits. Discounted airfare is occasionally available to senior travelers, so it's worth asking the airline whether there are available discounts. It's important to remember, though, to book with the airline directly as discounts may not be eligible through third parties or travel agents.

4. Request airplane boarding assistance.

Seniors requiring special assistance can board before other travelers through priority boarding. They can also request escort help from airport staff to help get them to their seat, with help stowing their bags, or simply enjoy the ease of boarding before other passengers.

5. Request assistance in the airport.

Senior citizens are able to request assistance in the airport, from the time they arrive to the time they board. They can request assistance getting to the gate by asking at the check-in desk for a ride on a cart or assistance with a wheelchair. Seniors can also request assistance at security, where they may be able to go through a shorter line.

6. Travel judiciously to prevent injury.

Injury is the most common cause of preventable death among travelers. Seniors can minimize their risk of serious injury by following these guidelines:

- Always wear a seatbelt

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7 Tips (continued from previous page)

- Avoid small, local planes
- Don't ride in cars after dark in developing countries
- Don't travel at night in questionable areas. Seniors should consider purchasing supplemental travel health insurance in case of injury or illness overseas as many health plans, including Medicare, will not pay for services received outside the U.S. Seniors who are planning travel to remote areas should consider purchasing evacuation insurance, which will pay for emergency transportation to a qualified hospital.

7. Travel with medications.

Ask your doctor for specific travel tips as well as any necessary medications. For example, it's important to keep up with your regular medication regime, in addition to medications recommended for ease of traveling, such as medi-

cations for altitude illness, malaria or traveler's diarrhea.

In addition to medicine prescribed specifically for travel, seniors are likely to take other medicines regularly, such as medicines for high blood pressure, diabetes or arthritis. It's important to watch out for possible drug interactions between the medications.

Pack enough medicine for the duration of the trip, plus a few days' extra in case of travel delays and only take medications brought from the U.S. as counterfeit drugs may be common overseas.

So seize the day and start creating great memories with your loved ones, even if you have to make frequent bathroom stops. Just remember to be safe and have fun!

Be sure to visit RPOAC.ORG often for the latest news and info!

RPOAC Welcomes Back Lloyd Hathaway



The RPOAC Board is pleased to have Lloyd Hathaway back as our interim Gold Country Chapter Director. Lloyd left his position as Director and Vice President in RPOAC in mid 2017 when he relocated to Arizona with his wife Adrienne.

The Arizona lifestyle didn't end up working out for them so after about 15 months in the Southwest desert they returned to California and took up residence within walking distance of their previous home.

RPOAC President Alex Bernard appointed Lloyd to the Gold Country Director position pending approval by the Board at our May meeting.

We all look forward to Lloyd's wisdom and experience returning to the Board of Directors.

Just for Laughs!

Thanks for the Memories

A couple in their nineties were both having problems remembering things. During a checkup, the doctor told them that they were physically okay, but might want to start writing things down to help them remember.



Later that night, while watching TV, the old man got up from his chair. 'Want anything while I'm in the kitchen?' he asked.

"Will you get me a bowl of ice cream?"

"Sure.."

"Don't you think you should write it down so you can remember it?" she asked.

"No, I can remember it.."

"Well, I'd like some strawberries on top, too. Maybe you should write it down, so as not to forget it?"

He said, "I can remember that. You want a bowl of ice cream with strawberries."

"I'd also like whipped cream. I'm certain you'll forget that - write it down?" she asked.

Irritated, he said, "I don't need to write it down, I can remember it! Ice cream with strawberries and whipped cream - I got it, for goodness sake!"



Then he toddled off into the kitchen. After about 20 minutes, the old man returned and handed his wife a plate of bacon and eggs. She stared at the plate for a moment.

"Where's my toast?"



Daily Quotes

"The surprising thing about young fools is how many survive to become old fools!"

"You know you are getting old when the little old gray-haired lady you helped across the street is your wife."

"You know you are getting old when it feels like the morning after and you haven't been anywhere."

"I have a photographic memory. Unfortunately, it no longer offers same day service."

"First, I was a good BOY, Then, I became a nice KID, I was then a great GUY, Later, I grew up to be a fine MAN, Now, I'm just an old FART!"



Your Benefits

Our benefits are managed through Pacific Financial Design, Inc. and Shane Cobb is our contact person.

For more details about any of our benefit offerings or if you have questions regarding the benefits, please contact Shane Cobb at (800) 733-4487 x305.

RPOAC is dedicated to providing its members with an outstanding selection of insurances and other benefits.

We welcome suggestions from members regarding any other benefits you would like to see offered.

Thank you for your continued support of RPOAC!



Benefits Corner by Shane Cobb

There's Still Time to Contribute to an IRA for 2018!

Even though tax filing season is well under way, there's still time to make a regular IRA contribution for 2018. You have until your tax return due date (not including extensions) to contribute up to \$5,500 for 2018 (\$6,500 if you were age 50 or older on December 31, 2018). For most taxpayers, the contribution deadline for 2018 is April 15, 2019 (April 17 for taxpayers who live in Maine or Massachusetts).

You can contribute to a traditional IRA, a Roth IRA, or both, as long as your total contributions don't exceed the annual limit (or, if less, 100% of your earned income). You may also be able to contribute to an IRA for your spouse for 2018, even if your spouse didn't have any 2018 income.

Traditional IRA

You can contribute to a traditional IRA for 2018 if you had taxable compensation and you were not age 70½ by December 31, 2018. However, if you or your spouse was covered by an employer-sponsored retirement plan in 2018, then your ability to deduct your contributions may be limited or eliminated, depending on your filing status and modified adjusted gross income (MAGI).

Even if you can't make a deductible contribution to a traditional IRA, you can always make a nondeductible (after-tax) contribution, regardless of your income level. However, if you're eligible to contribute to a Roth IRA, in most cases you'll be better off making nondeductible contributions to a Roth, rather than making them to a traditional IRA.

Roth IRA

You can contribute to a Roth IRA even

after reaching 70½ if your MAGI is within certain limits. For 2018, if you file your federal tax return as single or head of household, you can make a full Roth contribution if your income is \$120,000 or less. Your maximum contribution is phased out if your income is between \$120,000 and \$135,000, and you can't contribute at all if your income is \$135,000 or more. Similarly, if you're married and file a joint federal tax return, you can make a full Roth contribution if your income is \$189,000 or less. Your contribution is phased out if your income is between \$189,000 and \$199,000, and you can't contribute at all if your income is \$199,000 or more. And if you're married filing separately, your contribution phases out with any income over \$0, and you can't contribute at all if your income is \$10,000 or more.

Even if you can't make an annual contribution to a Roth IRA because of the income limits, there's an easy workaround. If you haven't yet reached age 70½, you can make a nondeductible contribution to a traditional IRA and then immediately convert that traditional IRA to a Roth IRA. Keep in mind, however, that you'll need to aggregate all traditional IRAs and SEP/SIMPLE IRAs you own — other than IRAs you've inherited — when you calculate the taxable portion of your conversion. (This is sometimes called a "back-door" Roth IRA.)

Finally, if you make a contribution — no matter how small — to a Roth IRA for 2018 by your tax return due date and it is your first Roth IRA contribution, your five-year holding period for identifying qualified distributions from all your Roth IRAs (other than inherited accounts) will start on January 1, 2018.

ARTICLE LINKS

As a service to our members, we provide these links to articles and legislative actions that might adversely affect retirement pensions and/or benefits, or are topics that may be of interest to RPOAC members.

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[Appeals court debates possible resolutions to San Diego pension case](#) - 3/12/19

[New pension-cut rulings begin with little change](#) - 3/11/19

[Everyone is saying they just won a big court case on pensions. What does that mean for you?](#) 3/5/19

[California's Supreme Court upholds pension rollback](#) - 3/4/19

[New police alliance emerges in opposition to CA use-of-force bill](#) - 3/4/19

[CalPERS can't get enough of its top-earning asset](#) - 3/4/19

[U.S. Supreme Court schedules Mar 18 decision in San Diego pension case](#) - 3/1/19

[Pensions Under Attack: Will We Still Call It The "California Rule" If It Is No Longer The Rule In California?](#) - 2/25/19

[CA bill seeks to update outdated 1872 law on when police can shoot](#) - 2/22/19

[Long alliance of Democrats and police union erodes](#) - 2/14/19

[CalPERS is Ahead of the Feds in Calculating Liabilities](#) - 2/13/19

[CalPERS sued to identify retirees with disability](#) - 2/11/19

[CalPERS and other big pension funds are getting more conservative](#) - 2/6/19

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[County prevails in lawsuit against its own pension system](#) - 1/21/19

[Newsom offers some relief for hard hit schools](#) - 1/11/19

[Brown cut retirement debt bigger than pensions](#) - 1/7/19

[Brown leaves again with pension reform pending](#) - 12/31/18

[Jerry Brown predicts 'fiscal oblivion' if pensions are off limits for government employers](#) - 12/21/18

[L.A. County Sheriff Villanueva tells hundreds of top staff to hand in résumés and temporarily remove rank insignia](#) - 12/8/18

[No large CalPERS exit fee for charter schools](#) - 10/29/18

[Will Brown get chance to defend pension reform?](#) - 10/22/18