



*VISION: Celebrating Our History, Securing Our Future*

## **ACT NOW**

Dear UNM Retiree,

**Please let your voices be heard. Contact your current and future lawmakers and ask them the following questions:**

1. *How will you protect educators' pension benefits received in every New Mexico district?*
2. *How will you protect the COLA for current and future retirees?*  
<http://retiree.unm.edu/committees/legislative-committee/unm-retiree-cola-talking-points-2017.pdf>
3. *The criteria for the ERB COLA and pension benefits for educators and PERA COLA and pension benefits for state employees are different? Why?*  
<http://retiree.unm.edu/committees/legislative-committee/new-mexico-public-employees-retirement.pdf>

### **Contact information:**

- NM Legislators: [https://nmlegis.gov/Members/Find\\_My\\_Legislator](https://nmlegis.gov/Members/Find_My_Legislator)
- NM Legislature Investment and Pension Oversight Committee (IPOC) members: [https://nmlegis.gov/Committee/Interim\\_Committee?CommitteeCode=IPOC](https://nmlegis.gov/Committee/Interim_Committee?CommitteeCode=IPOC)
- NM Congressperson Michelle Lujan Grisham: <http://www.newmexicansformichelle.com/contact>
- NM Congressperson Steve Pearce: <https://pearce.house.gov/contact-me/email-me> .

You may be wondering what is happening with our pension fund. In the Albuquerque Journal, June 19, 2018, the article, "Moody's downgrades New Mexico's bond rating," reports the new rating of AA1 to AA2 affects our state's ability to borrow money for projects at a lower interest rate and contributes it partly to the two state pension retirement systems' unfunded liabilities. On June 23, you read about the Education Retirement Board (ERB) administrators' pay increases ranging from 9% to 49%, which were discussed by the board December 8, 2017, approved May 24 and rescinded July 10, 2018. On June 25, the Albuquerque Journal editorial, "NM Must Act Now to Keep Billions in Pension Promises," refers to the political action and will needed to protect

ERB and PERA Defined Pension Benefits. On June 26, another editorial, “Put the Pension-fix Cart before Execs’-raise Horse,” challenges the ERB Executive Director, Jan Goodwin, and other ERB administrators to first fix the pension fund without reducing benefits, before raises are discussed. This is a lot to digest, and even more articles and letters to the editor have followed. No doubt about it, we need political action now to ensure that promises made to our educators are promises kept.

We all want the ERB pension fund to be sustainable. It is in our best interest to have a sustainable defined benefit plan so new-hires, active employees and retirees, covered by the PreK-12 and higher education systems around the state, can continue to receive a pension with Cost of Living Adjustments (COLA). (ERB pension fund recipients receive an average of \$21,972 annually.) The question is, how do we do it? The ERB made changes to improve sustainability in 2010 for membership retirement eligibility and again in 2013, raised employee contribution rates for earnings over \$20,000 plus a COLA reduction rate, (SB 115). Will the proposed changes bring the desired results, or will we find ourselves back at the ERB and New Mexico Legislature table once again in 2021 or 2043?

ERB has established an aggressive timeline to address the pension’s sustainability that could affect new hires, active employees and the COLA for retirees. As reported by the ERB Executive Director, Jan Goodwin, to the New Mexico Investment Pension Oversight Committee (IPOC) at the July 11, 2018 meeting, “ERB is solvent and can pay benefits for all time horizons and is on the path to 100% funding.” Her statement requires all stakeholders to engage in rigorous debate before we make these changes, which will affect so many educators and retirees.

- New Mexico Educational Retirement Board, Special Meeting, May 24, 2018. Please read.  
[http://www.nmerb.org/pdfs/NMERB%20BOT%20Legislature%20Meeting\\_May%2024\\_2018-Partial%20signed%20minutes.pdf](http://www.nmerb.org/pdfs/NMERB%20BOT%20Legislature%20Meeting_May%2024_2018-Partial%20signed%20minutes.pdf)
  - Jan Goodwin summarizes possible elements to legislation:
    - Increase in employer contribution rate.
    - A 3-step tiered multiplier.
    - Return to work retired employees and PERA retirees working for ERB employers be required to pay contributions.
    - Look at an anti-spiking rule.
    - Consider a COLA pause for 1 year, 5 years or 10 years. The GRS Retirement Consulting firm for the ERB refers to this as a COLA holiday.
    - Consider pension obligation bonds.

**Future ERB presentations:**

- **Stakeholders Meeting – August 13 & September 6, 2018 at 10:00 A.M.**  
[www.nmerb.org](http://www.nmerb.org)
- **New Mexico (IPOC) Santa Fe meetings – August 10, October 16 and November 26-27, 2018**  
[https://nmlegis.gov/Committee/Interim\\_Committee?CommitteeCode=IPOC](https://nmlegis.gov/Committee/Interim_Committee?CommitteeCode=IPOC)

ERB is requesting stakeholders go back to their membership for input and then present their pension sustainability recommendations at the August and September meetings. UNM Retiree Association (UNM RA) will have representation at these meetings, but we need to hear from you. Please express your concerns to your legislatures too.

The ERB will propose changes to the ERB Board in early fall and develop a legislative proposal for IPOC's review of the bill and introduction for the 2019 legislation session, by November. **ACT NOW!**

Sincerely,

Steve Borbas, UNM RA, President

Dubra Karnes-Padilla, UNM RA, Legislative Committee Chair

[www.retiree.unm.edu](http://www.retiree.unm.edu)



**URGENT-PLEASE READ  
YOUR ERB BENEFITS ARE AT RISK!!!**

Your COLA (Cost of Living Adjustment) may be on the chopping block! The Educational Retirement Board's (ERB) Executive Director may propose cuts to ERB COLAs that may include up to a **TOTAL PAUSE** in your COLA. Source: ERB Improving Sustainability, NM Investment and Pension Oversight Committee, July 11, 2018

**Did you know that your COLA helps you to absorb increases in gasoline prices at the pump; increases in food costs; the 3% annual property tax increases if you own a home or rent; ever-increasing electric, gas and water utility costs; and increasing gross receipts taxes on goods and services? How will you handle these increases if you have a reduced or paused COLA?**

**With a reduced or paused COLA, how will you pay for increasing retiree medical insurance costs, prescription drug costs and/or potential increases in Medicare premiums?**

**Did you know that your COLA is a part of your ERB retirement benefits?** The ERB is a state pension program. Legislators and the Governor must periodically approve proposed ERB changes in your benefits.

**Did you know that while the ERB is a New Mexico state retirement plan, Social Security is a federal program?** Most people who work in New Mexico pay into both programs, although that is not always the case. Paying into both the ERB and Social Security makes you eligible for the benefits paid by both programs.

While both the ERB and Social Security have some similarities, like providing COLAs and adjustments, **THEY ARE NOT THE SAME!!** The ERB should **NEVER** rely on Social Security COLAs as an excuse to withhold or diminish ERB COLAs. Both the ERB and Social Security have obligations to provide COLAs that will help retirees to keep up with inflation and with rising consumer prices. It is incumbent that both the ERB and Social Security provide COLA increases to beneficiaries.

## **WHAT CAN YOU DO?**

GET INVOLVED!! GROUPS WHO ARE WORKING FOR YOU NEED HELP!

PAY CLOSE ATTENTION TO THE CONTENT OF ERB BOARD OF TRUSTEE MEETINGS!!

UNDERSTAND WHERE YOUR BENEFITS COME FROM, AND WHO DECIDES WHAT BENEFITS YOU GET, AND WHEN YOU GET THEM!!

LEARN WHY YOUR COLAs HAVE BEEN REDUCED AND WHEN YOU ARE LIKELY TO RECEIVE FULL COLAs AGAIN!!

THIS IS AN ELECTION YEAR—VOTE FOR CANDIDATES WHO WILL STAND BY ERB MEMBERS AND FIGHT FOR ERB MEMBERS!!

Flyer #2 UNM Retiree Association - <http://retiree.unm.edu>



## **URGENT-PLEASE READ-YOUR ERB BENEFITS ARE AT RISK!!**

### **Do you know how the Education Retirement Board (ERB) is structured?**

State law created the ERB in 1945 and established the board structure. Over the years, changes have occurred to the structure of the board, such as the additions of an elected member by the American Association of University Professors and two appointees by the governor.

Source: <http://www.nmerb.org/History.html>

“The board is made up of seven members. Two of the seven are ex-officio members: The State Treasurer and the Secretary of the Public Education Department. The Governor appoints two other members (currently one of those positions is vacant). Three groups each appoint a member: the New Mexico National Education Association, the American Association of University Professors and the New Mexico Association of Educational Retirees.” Source: ERB Board Fiduciary Description, July 16, 2018

### **Did you know that ERB Board Members can serve a four-year term limit repeatedly?**

One ERB Board member has been a Board Member since 1999, while a second ERB Board Member has been on the ERB Board since 2002? Source: NM State Statute 22-11-3, ERB website

### **Did you know ERB Board Members serve and represent our pension benefits as fiduciaries?**

“The duty of a fiduciary is one of the highest standards under our legal system. As a fiduciary, each board member's responsibility is to all ERB's members - past, present and future. When a board member takes the oath to serve as a fiduciary, the member must act in the best interest of all members, not just in the best interest of the group that appointed or elected the member. The Board is

also responsible for setting our actuarial assumptions which are used to determine our actuarial liabilities.” Source: ERB Board Fiduciary Description, July 16, 2018

### **Who assists the ERB Board with their pension fund decisions?**

- Executive Director, Jan Goodwin
- Deputy Director, Rick Scroggins
- Chief Investment Officer, Bob Jacksha
- Chief Financial Officer, Norma Henderson
- General Counsel, Roderick Ventura
- GRS Retirement Consulting, <https://www.grsconsulting.com/>  
Source: <http://www.nmerb.org/Management.html>

## **What Can You Do?**

**GET INVOLVED!! GROUPS WHO ARE WORKING FOR YOU NEED HELP!**

**PAY CLOSE ATTENTION TO THE CONTENT OF ERB BOARD OF TRUSTEE MEETINGS!!**

**UNDERSTAND WHERE YOUR BENEFITS COME FROM, AND WHO DECIDES WHAT BENEFITS YOU GET, AND WHEN YOU GET THEM!!**

**LEARN WHY YOUR COLAs WERE REDUCED in 2013 AND WHEN YOU ARE LIKELY TO RECEIVE FULL COLAs AGAIN!!**

**THIS IS AN ELECTION YEAR— BE SURE YOU ARE REGISTERED TO VOTE!!**

**GET INVOLVED—ASK EVERY CANDIDATE FOR OFFICE AND YOUR LEGISLATOR WHERE THEY STAND ON THE ERB!!**

**NEVER ASSUME SOMEONE ELSE WILL TAKE CARE OF IT!**

FLYER#3 - UNM RETIREE ASSOCIATION - [www.retiree@unm.edu](http://www.retiree@unm.edu)



## **URGENT-PLEASE READ-YOUR ERB BENEFITS ARE AT RISK!!!**

### **What is the New Mexico Educational Retirement Act?**

The state statute defines all aspects of membership, membership rules, pension eligibility, pension benefits and board governance.

Source: [http://nmerb.org/pdfs/NMSA\\_22-11.pdf](http://nmerb.org/pdfs/NMSA_22-11.pdf)

### **Do you know whom the Education Retirement Board (ERB) represents?**

Employees and employers covered by the Educational Retirement Act. There are 216 New Mexico educational employers. Membership with NMERB is a condition of employment in New Mexico. Source: nmerb.org

### **Active Members – Approximately 65,000 active members**

The New Mexico Educational Retirement Board (NMERB) manages the defined benefit retirement plan for all public New Mexico educational employees, Pre-K-12 and higher education. You are an active NMERB member when you work more than 25 percent of a Full Time Equivalent (.25 FTE) for any New Mexico public school (including charters), universities, junior colleges, technical vocational schools, and some state agencies which provide an educational program. Source: nmerb.org

### **Retired Members – Approximately 45,000 retiree members**

An eligible retired member is a person who elected to terminate employment and is receiving ERB retirement benefits.

Source: [http://nmerb.org/pdfs/NMSA\\_22-11.pdf](http://nmerb.org/pdfs/NMSA_22-11.pdf)



## **Inactive Members – Approximately 49,000 inactive members**

A vested or non-vested member who once worked for an ERB employer and elected to have their contributions remain in the fund. Source: nmerb.org

## **Alternative Retirement Plan (ARP) – Approximately 1,551 participants**

Any eligible employee of a variety of public higher education institutes may elect to participate in ARP within ninety days of that initial date of employment instead of becoming a regular ERB member. Any participant who has made contributions to the alternative retirement plan for a total of seven years or more shall have a one-time option of electing to become a regular ERB member. Most participants are from UNM and NMSU. Source: [http://nmerb.org/pdfs/NMSA\\_22-11.pdf](http://nmerb.org/pdfs/NMSA_22-11.pdf), ERB ARP Minutes, 1-13-17

## **How does the ERB contact active and retired members?**

Active members and retired members are responsible for providing the ERB notice of any change of their mailing address or e-mail address on forms made available for this purpose by the director at the ERB website. Source: NM State Statute 2.82.2.13 MEMBERSHIP ENROLLMENT; RECORDS

## **WHAT CAN YOU DO?**

**GET INVOLVED!! GROUPS WHO ARE WORKING FOR YOU NEED HELP!**

**PAY CLOSE ATTENTION TO THE CONTENT OF ERB BOARD OF TRUSTEE MEETINGS!!**

**UNDERSTAND WHERE YOUR BENEFITS COME FROM, AND WHO DECIDES WHAT BENEFITS YOU GET, AND WHEN YOU GET THEM!!**

**LEARN WHY YOUR COLAs HAVE BEEN REDUCED AND WHEN YOU ARE LIKELY TO RECEIVE FULL COLAs AGAIN!!**

**THIS IS AN ELECTION YEAR— GET INVOLVED—ASK EVERY CANDIDATE FOR OFFICE AND LEGISLATOR WHERE THEY STAND ON THE ERB!! VOTE!!**

**NEVER ASSUME SOMEONE ELSE WILL TAKE CARE OF IT!**

FLYER#4 - UNM RETIREE ASSOCIATION - [www.retiree@unm.edu](http://www.retiree@unm.edu)



## **URGENT-PLEASE READ-YOUR ERB BENEFITS ARE AT RISK!!!**

There is a substantial amount of publicity about the **solvency** and the **sustainability** of the ERB Pension Fund. These are complicated terms. Do you know what these terms mean?

**Solvency** refers to the ability of the ERB to pay promised benefits that are owed to current retirees. Another way to look at solvency is: when will the ERB run out of money to pay benefits to retirees? When an IPOC legislator asked this question of an ERB staff member, the response was that the fund is **solvent**. Is the ERB solvent? **YES**.

**Sustainability** may be defined as the unfunded actuarial accrued liability (UAAL) between promised future benefits and the amount of assets on hand **NOW** to pay for those future benefits and achieve its intended funded ratio by a determined funding period. The ERB does not have the money on hand **NOW** to pay all benefits to future retirees and is thus classified as not sustainable. The current UAAL for ERB is \$7.4 billion and the funded ratio is 62.9%, according to an LFC (Legislative Finance Committee) Hearing Brief dated, August 23, 2018.

In 2013, Senate Bill 115 was passed by the New Mexico Legislature to improve the **Sustainability** of the ERB. The law provided for increased employee contributions, created penalties for early retirement, delayed **COLA** eligibility, and reduced **COLA** maximums. The ERB, at that time, estimated that these changes would result in the ERB being funded at 101% by 2043. Now, just five years later, we are told that the unfunded liability of the ERB has increased to 61 years.

**The ERB is again proposing to decrease your COLA, to include the possibility of stopping your COLA for five or ten years, or entirely.** How much will this contemplated action decrease your purchasing power, your ability to pay your bills, including your Medicare premiums and associated health care costs? **If these fixes did not work before, why would anyone assume that they will work now?**

## WHAT CAN YOU DO?

### LET YOUR VOICE BE HEARD!!

THE TIME IS **NOW** – ALL RETIREES **MUST** CONTACT THEIR LEGISLATORS (AND THOSE RUNNING FOR A LEGISLATIVE SEAT). TELL THEM ABOUT THE IMPACT FURTHER REDUCING OR ELIMINATING THE **COLA** WILL HAVE ON YOU!! THE ERB ESTIMATES THAT A 5-YEAR SUSPENSION OF THE **COLA** WILL GENERATE \$824 MILLION...PAID FOR BY RETIREES!! (Source: LFC Hearing Brief, p. 6, Aug. 23, 2018)

CONTRARY TO POPULAR BELIEF, THE OVERWHELMING NUMBER OF RETIREES ARE NOT GETTING RICH ON THEIR ERB PENSION--REMEMBER THE AVERAGE ANNUAL ERB BENEFIT IS \$23,472. WITHOUT A **COLA**, INFLATION WILL REDUCE YOUR PURCHASING POWER!! (Source: LFC Hearing Brief, p.2, Aug. 23, 2018)

THE ERB EXECUTIVE DIRECTOR HAS REPEATEDLY SOUGHT TO ALIGN SOCIAL SECURITY INCREASES WITH THE ERB **COLA**. WHILE MOST ERB RETIREES HAVE PAID INTO BOTH THE ERB AND TO SOCIAL SECURITY, SOME HAVE NOT. **IF YOU PAID INTO BOTH THE ERB AND SOCIAL SECURITY, YOU ARE ELIGIBLE FOR THE BENEFITS OF BOTH SYSTEMS.** THESE ARE TWO DIFFERENT ENTITIES, WITH DIFFERENT POLICIES AND PROCEDURES. THE ERB IS A PENSION SYSTEM, ADMINISTERED BY THE STATE OF NEW MEXICO. SOCIAL SECURITY IS A MUCH BROADER SYSTEM, ADMINISTERED BY THE FEDERAL GOVERNMENT.

THE ERB EXECUTIVE DIRECTOR CONTINUES TO SUGGEST THAT SOCIAL SECURITY INCREASES WILL TAKE THE PLACE OF ERB COLAS. SUCH A TACTIC CAN PROVIDE LEGISLATORS WITH THE RATIONALE THAT STOPPING YOUR COLA WILL NOT BE HARMFUL TO RETIREES.

**THE NEXT ERB BOARD OF TRUSTEES MEETING IS SCHEDULED FOR OCTOBER 19, 2018. AN AGENDA IS NOT YET AVAILABLE-CHECK THE ERB WEBSITE FOR FURTHER INFORMATION.**



## **URGENT-PLEASE READ-YOUR ERB BENEFITS ARE AT RISK!!!**

### **Flyer #6**

#### **Do you know there are two defined pension benefit plans covering New Mexico state workers?**

The Educational Retirement Board (ERB) represents pre-K-12, charter schools, and higher education employees. The Public Employee Retirement Association (PERA) represents 31 retirement plans for state, municipal and county employees, including police, firefighters, judges, magistrates, legislators and volunteer firefighters. Retirement plans for other political subdivisions, such as special districts and housing authorities are also managed by PERA. Source: <http://www.nmerb.org> & <http://www.nmpera.org>

#### **Do you know both ERB and PERA are proposing benefit plan changes?**

ERB proposed changes - tiered pension multiplier; minimum retirement age provisions; contributions for PERA retirees to ERB; anti-spiking provision; return to work exceptions; increased employer contributions and Cost of Living Adjustment (COLA) pause. Source: **ERB Stakeholders Meeting, August 13, 2018**

#### **Do you know how ERB and PERA defined benefit plans differ?**

Both pensions calculate retirement benefit by the following:  
Final Average Salary X YEARS OF SERVICE X Pension Multiplier.

Although the pension benefit formula is the same for both plans, there are important differences in PERA benefits, contributions and COLA compared to ERB. For example, COLAs are paid in accordance to state statute. COLAs for ERB retirees begin either at ages 65 or 67 depending on your hiring date. The state law for ERB retirees allows the compounding COLA to be adjusted based on inflation. For PERA retirees, depending on

retirement date, the COLA is 3 years, 4 years or 7 years after retirement began. The state law for PERA retirees provides a compounding, annual 2 percent COLA. Below is a comparison chart of ERB and PERA benefits.

Source: <http://www.nmerb.org> & <http://www.nmpera.org>

<p><b>ERB</b>  <b>TIER 1</b> - HIRED BEFORE JULY 1, 2010)</p> <p><b>TIER 2</b> – EMPLOYEE HIRED ON OR AFTER JULY 1, 2010 AND BEFORE JULY 1, 2013</p> <p><b>TIER 3</b> – EMPLOYEE HIRED ON OR AFTER JULY 1, 2013</p> <p>Tiers 1, 2 and 3 vested after 5 years of service</p>	<p><b>PERA</b>  <b>TIER 1</b> - EMPLOYEE HIRED OR RETIRED BEFORE JUNE 30, 2013 – vested after 5 years of service</p> <p><b>TIER 2</b> – EMPLOYEE HIRED ON OR AFTER JULY 1, 2013 - vested after 8 years of service</p> <p><b>Note:</b> PERA manages 31 retirement plans.  <b>INFORMATION FOR AN EMPLOYEE IN Tier I STATE GENERAL MEMBER COVERAGE PLAN 3 IS USED FOR THIS ANALYSIS.</b></p>
<p><b>CONTRIBUTIONS</b>  (Annual salary greater than \$20,000)</p> <p><b>Example:</b> Employee monthly salary = \$3,500  10.70% Employee = \$374.50  13.90% Employer = \$486.50</p>	<p><b>CONTRIBUTIONS</b>  (Annual salary greater than \$20,000)</p> <p><b>Example:</b> Employee monthly salary = \$3,500  8.92% Employee = \$312.20  16.99% Employer = \$594.65</p>
<p><b>RETIREMENT QUALIFICATIONS</b>  <b>Tier I</b>  25 years of service; or  Age + service = 75, reduction if younger than age 60 at time of retirement; or  Age 65 + 5 years of service</p> <p><b>Note:</b> Tiers 2 and 3 have different retirement qualifications.  <b>Tier 2</b> – Rule of 75  <b>Tier 3</b> – Rule of 80</p>	<p><b>RETIREMENT QUALIFICATIONS</b>  <b>Tier I</b>  25 years of service credit at any age; or  Age 60 +20 or more years of service; or  Age 61 + 17 or more years of service; or  Age 62 + 14 or more years of service; or  Age 63 + 11 or more years of service credit; or  Age 64 + 8 or more years of service; or  Age 65 + 5 years of service credit.</p> <p><b>Tier II</b> – Rule of 85</p>
<p><b>PENSION FACTOR</b>  2.35% - Tiers 1, 2, or 3</p>	<p><b>PENSION FACTOR</b>  3.0% - Tier 1  2.5% – Tier 2</p>
<p><b>DEFINED BENEFIT PLAN CALCULATION</b>  Final Average Salary of 5 highest consecutive years of service x years of service x .0235</p> <p><b>Example:</b> Tier I Final Average Salary - \$42,000  25 years of service credit x .0235 = \$24,675 yearly benefit <b>\$2,056.25 monthly benefit – 59% of original salary</b></p>	<p><b>DEFINED BENEFIT PLAN CALCULATION</b>  Tier 1 - Final Average Salary of 3 highest consecutive years of service x years of service x .03  Tier 2 – Final Average Salary of 5 highest years x .025</p> <p><b>Example:</b> Tier I Final Average Salary – 42,000  25 years of service credit x .03% = \$31,500 yearly benefit = <b>\$2,625 monthly benefit – 75% of original salary</b></p>

<p><b>Note:</b> No maximum benefit. 79.9% benefit is reached after 34 years of service</p>	<p><b>Note:</b> Benefit maximizes at 90% with 26 years and 8 months of service. Prior to 2013 legislation, maximum benefit was 80% with 26 years and 8 months of service.</p>
<p><b>AVERAGE RETIREMENT BENEFIT</b> \$22,284</p>	<p><b>AVERAGE RETIREMENT BENEFIT</b> \$28,642</p>
<p><b>COST OF LIVING ADJUSTMENT (COLA)</b> <b>(Before July 2013 the amount was 2% - COLA is based on CPI and determined by the Legislature)</b></p> <p><b>The amounts below are based on long-term expectations for the average COLAs until the reduction goes away.</b></p> <p><b>CPI of 3% over a 10 – 30-year span:</b>  <b>1.8%</b> - retirees with 25 or more years of service credit and whose monthly benefit is less than or equal to the median retirement benefit.  <b>1.6%</b> - for all other eligible retirees.  <b>2.0%</b> - for eligible disability retirees.  <b>Note: The 1.6% reflects the expected average, not the actual yearly COLA amount you will receive. In the past, retirees have received yearly COLAs of .08%, 1.28%, etc.</b></p> <p>COLA begins at the later of July 1 of the year following retirement or age 65.</p> <p><b>Note:</b> For an employee hired on or after July 1, 2013 the new age is 67.</p>	<p><b>COST OF LIVING ADJUSTMENT (COLA)</b> <b>(Before July 2013 the amount was 3% - COLA is determined by the Legislature)</b></p> <p><b>2.5%</b> annual compounding COLA for those with a \$20,000 pension or less.  <b>2.0%</b> annual compounding COLA for all other eligible retirees.  <b>2.5%</b> annual compounding COLA for those with a disability with a \$20,000 pension or less.</p> <p><b>Note:</b> COLA begins <b>3 years</b> after retirement for those who retired before June 30, 2015. There is now a graduated COLA eligibility period for members who retire under normal retirement: Retirement dates of July 1, 2015 through June 1, 2016: <b>four</b> full-calendar year eligibility period to receive a COLA; and Retirement dates on or after July 1, 2016: <b>seven</b> full-calendar year eligibility period to receive a COLA.</p> <p>A full-calendar year is January 1 through December 31. Eligible COLA recipients receive a notification letter in July each year advising them of the increase in their pension payments.  If you retire due to a disability or if you are at least age 65 prior to your first COLA eligibility date, the COLA eligibility period is reduced to one full-calendar year. The COLA will be paid the following July.</p>

## WHAT CAN YOU DO?

**ATTEND THE NEW MEXICO LEGISLATIVE INVESTMENT PENSION OVERSIGHT COMMITTEE MEETINGS, OCTOBER 16, NOVEMBER 26 AND NOVEMBER 27!!** <https://nmlegis.gov>

**THIS IS AN ELECTION YEAR— GET INVOLVED—ASK EVERY CANDIDATE FOR OFFICE AND LEGISLATOR WHERE THEY STAND ON THE ERB AND PROTECTING YOUR COLA? VOTE!**

**JOIN THE UNM RETIREE ASSOCIATION AND HELP PROTECT YOUR BENEFITS!!** [www.retiree@unm.edu](http://www.retiree@unm.edu)



## **URGENT-PLEASE READ-YOUR ERB BENEFITS ARE AT RISK!!!**

**Do you know the role the political process plays in defining public pensions and ultimately your benefits??** The political process can be lengthy, confusing and is always challenging for those who seek access to influence the system.

The first segment in the political process is the seven-member ERB Board of Trustees. All ERB members are not allowed to vote for trustees, while members of New Mexico's other public pension system (PERA) do vote for trustees. The ERB Board of Trustees is responsible for the employment of the ERB Executive director. The Board of Trustees is also the first step in voting to change your benefits. **Two ERB Board members have been on the Board since 1999 and 2002. Is it time for a change??**

The second segment of the political process is the legislature. In New Mexico, there are two legislative houses, the Senate and the House. Members are elected by voters. Unlike a number of New Mexico's political offices, **legislators have no term limits!**

**Your ERB benefits, in most cases, are changed by statute.** The Senators and the House of Representatives sponsor proposed legislation (bills), which can include a change in your COLA or other regulations such as when you can retire. Ranking Senators and Representatives assign bills to committees that hold hearings on those bills. The entire Senate or House may hold floor debates and votes for a bill that has been passed out of committee. Most of the time, bills vary from the Senate to the House and may require a Conference Committee (composed of Senators and Representatives) to agree on the content of a proposed bill. Bills that pass both the Senate and the House go to the Governor.

The final segment of the political process is the Governor. If the Governor signs the bill, it becomes law. Generally, if the Governor does not sign the bill, the bill does not become law. This is a very cursory example of the complexity of changes that can affect your ERB benefits.

Every step of the political process affords opportunities for us to change outcomes that will affect the ERB benefits for both retirees and those still working. You need to actively engage your ERB Board of Trustees, Senator, Representative and candidates for those offices, as well as candidates for Governor.

**VOTE FOR THOSE WHO WILL SUPPORT YOU!!!** Those who will represent you need to hear from you. You worked hard for your retirement; and you retired based on the benefits you were promised. **IT IS UP TO ALL OF US, RETIREES AND THOSE STILL WORKING, TO PROTECT OUR BENEFITS!!!**

### **WHAT CAN YOU DO??**

If you know someone who is not registered to vote – help them register. **The deadline to register to vote is October 9, 2018.** Contact the Bernalillo County Clerk's Office via the web page at [www.bernco.gov/clerk/elections](http://www.bernco.gov/clerk/elections) . **Absentee voting begins on October 9. Early voting runs from October 20-November 2. Polls are open on November 6 (General Election Day) from 7 AM-7 PM.**

Contact your Senator, Representative, and candidates for the Senate and the House in your district. Ask where they stand on ERB benefits for retirees. **VOTE FOR THOSE WHO SUPPORT YOU!!!**

Those who run for political office count on your vote...**MAKE THEM EARN IT!!!**





## **URGENT – PLEASE READ-YOUR ERB BENEFITS ARE AT RISK!!!**

This is the final pre-election flyer. We hope that the series of flyers has given you insight into how your ERB Fund is managed.

**Did you know that your elected officials are ultimately responsible for your ERB fund? Did you know that those elected officials work for you?** You, your family, friends, neighbors, and colleagues elect candidates for Governor and for the New Mexico House and Senate.

**Did you know that the ERB wants to REDUCE YOUR COLA** (Cost of Living Adjustment) to only 1% until the ERB Fund is sustainable-that could be DECADES!! You paid into the ERB Fund for your retirement. You trusted the ERB to safeguard your future. Now the ERB wants you to pay into the Fund again. When will it stop??

**Did you know that you have the right – and the responsibility – to cast your vote for those candidates who will represent your views, philosophies, and things that you hold dear? VOTE, VOTE, VOTE**

## **ACTION ITEM – NOW IT IS YOUR DECISION!!!**

## **ELECTION DAY IS NOVEMBER 6 – MARK YOUR CALENDAR!!**

Call family and friends – Remind them to **VOTE!!**

Make sure that your voice is heard!

## **SUPPORT THOSE CANDIDATES WHO SUPPORT YOU!!**

**VOTE, VOTE, VOTE, VOTE, VOTE, VOTE, VOTE, VOTE, VOTE**