



# PUBLIC EMPLOYEE Advocate

THE NATIONAL PUBLICATION OF AFT PUBLIC EMPLOYEES

## Growth and Prosperity through collective bargaining



AS STATE AND LOCAL elected officials grapple with balancing their budgets, too many are overlooking one of their best resources for solutions to the challenges they face, says AFT president Randi Weingarten. That resource is public employees—the folks on the frontlines.

Collective bargaining, she says, is “how we give the people who do the work a voice in the way that work gets done.”

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## Only shared responsibility can strengthen our institutions

RANDI WEINGARTEN, AFT President

EVERYONE IS FACING tough times. We are still recovering from the worst recession since the Great Depression. And while the recklessness of Wall Street and the housing marketeers were the main culprits, most Americans are living with its effects: high rates of foreclosure, a weakened job market, the loss of revenues and cuts to essential public services.

Shared responsibility and shared sacrifice are the clarion calls. Most Americans understand that, and many of us are willing to step up to the plate and help find solutions to our challenges.

In state after state, public employees are facing an unprecedented attack on their collective bargaining rights, salaries and benefits. But as I travel around the country, I see our members embracing shared responsibility in ways that both save money and strengthen the institutions in which we work.

Time and again, we are demonstrating that the right way to cut costs and improve quality is to engage workers through their unions. We are showing that collective bargaining is a problem-solving mechanism that incorporates the wisdom of the frontlines. And our members make it clear that those who work most closely with the public are best equipped to help solve today's challenges.

When I think of shared responsibility, I think of Robert Davis, a member of Colorado WINS. I met Robert during a visit last year to the Colorado State Veterans Nursing Home at Fitzsimons Army Medical Center in Aurora. Robert, a registered nurse, is one of nearly 250 state employees who have helped make

the nursing home an exemplary facility that serves the needs of veterans, their spouses and Gold Star parents who have lost a child in military service.

"I have to be in tune with the residents," Robert said. "I have to be an advocate for the residents. I have to anticipate their needs."

When they attack our collective bargaining rights, they are really attacking our ability to help find solutions to the challenges we all face. That's not only bad for workers. It's also bad for the clients we serve and the institutions in which we work.

To better meet clients needs, Robert and other employees helped form a new labor-management committee. They want to show that collaboration and teamwork can solve workplace issues, improve services for clients and save money. Most important, such committees also give a crucial voice to the frontline experts like Robert who best know the needs of our clients. In that way, collective bargaining is problem solving that incorporates the wisdom of the frontlines.

A report issued in March by the Employment Policy Research Network put it well: "Collective bargaining and workplace inno-

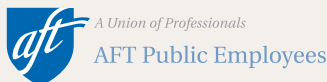
ventions based on a mutual interest, joint problem-solving approach can produce positive outcomes for employers, employees, customers, and citizens, especially during fiscal crisis."

Our nation should be turning to public employees instead of turning against them. Unfortunately, some governors are trying to silence our voices. They have decided to play politics as usual rather than rolling up their sleeves and working with us to find real solutions.

When they attack our collective bargaining rights, they are really attacking our ability to help find solutions to the challenges we all face. That's not only bad for workers. It's also bad for the clients we serve and the institutions in which we work.

Their attacks are not driven by what's best for the common good of the nation, but by folks who want to turn back the clock on the middle class. In Michigan, Ohio, Wisconsin and other states, we're seeing governors cut vital services like Medicaid, programs for seniors and funding for public services vital to the future of our communities. At the same time, they are restoring or creating tax breaks for corporations, millionaires and billionaires. That's not shared sacrifice, and that's not shared responsibility.

We know better than anyone that our fiscal challenges are real, and when they are real, we stand ready and willing to help. As President Obama has observed, we do not have to sacrifice the America we believe in. But only through shared responsibility can we transform the American dream into a reality for all citizens.



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## Victory for family medical leave

### North Dakota measure gives employees greater access to care for family members

IN LATE APRIL, North Dakota Gov. Jack Dallymple signed S.B. 2213, a bill to increase the amount of accrued sick leave state employees can use to care for an ill family member—from 40 hours annually to 80 hours annually.

The bill not only passed both legislative chambers with overwhelming support; it was amended to allow employees to take up to an additional 10 percent of their accrued sick leave in any 12-month period to care for a child, spouse or parent with a serious health condition.

“We never know when things will change in our lives,” Gary Feist told members of the North Dakota House Government and Veterans Affairs Committee on March 17. The North Dakota Public Employees Association president was testifying in support of S.B. 2213. He was joined by Troy Thinnes whose youngest daughter, Mia, was diagnosed with a cancerous brain tumor in July 2010.

“Mia will be in need of medical care for the next five years before she can be considered cancer-free,” Thinnes, a corporate auditor with the Office of the State Tax Commissioner in Bismarck, testified. “She will require numerous MRIs as they monitor the area at the base of her brain where the tumor once was. She also needs to do six more chemotherapy treatments, which conclude in September 2011.”



PHOTOS BY AMY TABORSKY  
 “It is very difficult to ask anybody to donate their vacation time, even in the situation that I found myself last summer,” says Troy Thinnes, pictured with daughter Mia, who was diagnosed with a cancerous brain tumor in July 2010.

Thinnes told lawmakers it was frustrating that he could not access more of the sick leave he had accrued during his 18-year career with the state.

In 2010, he exhausted the 40 hours of sick leave that was available for family medical leave, as well as all of his vacation time. This left Thinnes in the position of taking unpaid time off under the federal Family Medical Leave Act, or requesting annual leave donations from fellow state employees under the state’s leave donation program.

“It is very difficult to ask anybody to donate their vacation time, even in the situation that I found myself last summer,” Thinnes said.

The NDPEA’s Delegate Assembly had passed a resolution in October 2010 establishing this policy change as a priority issue for the 2011 legislative session.

State employees in North Dakota don’t have collective bargaining, so legislative advocacy is central to the union’s representation. In addition to members testifying in person, other members submitted written testimony for the record.

In an earlier hearing in January before the Senate Government and Veterans Affairs Committee, Feist dutifully represented the interests of NDPEA members. But by the March 17 House hearing, things had changed in Feist’s life.

“On March 1, while I was out of state on business, my 3½-year-old daughter became very ill with Guillain-Barre syndrome, which is a disorder in which the body’s immune system attacks part of the peripheral nervous system,” Feist told lawmakers. “I returned to Bismarck to see my daughter on a vent and paralyzed from her chest down to her toes. Shortly after arriving at the hospital, I was told she needed to be airlifted to Minneapolis where she could receive the treatment she needed.

“I spent the next 13 days at her bedside in Minneapolis, seeing my little girl become completely paralyzed from the top of her head down to her toes. There were many scary moments of high heart rates, high blood pressure and incredibly high fevers,



but I am very happy that it appears that she is on her way to recovery.

“She will need extensive therapy to learn to swallow again, feed herself, regain her reflexes, and to be able to walk. I have been told that it may take weeks, months, or even up to a year until she has regained her strength and is herself again.”

By the mid-March hearing, Feist, who is a corporate auditor for the state tax commissioner, had exhausted his 40-hour family sick leave limit for 2011 and was using annual leave to care for his daughter.

“I find it disheartening to know that while I have earned and saved more than 1,400 hours of sick leave, I cannot use it to take care of my family when they need me,” he told lawmakers. “This bill will not provide enough leave for those employees who have a family member diagnosed with a very serious illness, but it would allow employees to use some additional sick leave they have earned to be with their loved ones in their time of need.”

This bill is “a good thing for all of us,” says Thinnes, who used up his 40-hour limit for 2011 in early April.

Feist says the new policy is a step in the right direction. The state “needs to be a family-friendly employer” because it can’t compete with salaries in North Dakota’s private sector.

“There were many scary moments,” says Gary Feist, pictured with daughter Brianna, who was diagnosed with Guillain-Barre syndrome earlier this year.



# Growth and Prosperity through collective bargaining

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“If you want effective—and cost-effective—solutions, the people who are closest to the challenges we’re facing should have a say in shaping those solutions,” Weingarten said in a late-March speech sponsored by the Commonwealth Club, a civic engagement organization in California. The purpose of the forum was to talk about innovative approaches to the nation’s fiscal challenges, and collective bargaining took center stage.

“Collective bargaining is poorly understood,” said Weingarten, noting that many people think it’s about bargaining for more—higher salaries and better benefits. In reality, she said, “collective bargaining is problem solving that incorporates the wisdom of the frontlines. And in times like this, it can be a means to find creative ways to mitigate the damage to vital public services caused by budget shortfalls.”

Among Weingarten’s examples illustrating the wisdom of frontline public employees was a recommendation by AFT-represented tax auditors to capture much-needed revenues by closing the tax gap and enforcing existing tax laws. Every dollar spent on collection yields \$9 in revenue, she said, noting that nationally, if just 2 percent

New York members march through midtown Manhattan to a rally to protest budget cuts.

“Collective bargaining is problem solving that incorporates the **wisdom** of the frontlines. And in times like this, it can be a means to find **creative ways** to mitigate the damage to **vital public services** caused by budget shortfalls.”

—RANDI WEINGARTEN,  
AFT president

of the tax gap was closed by collecting revenue from people who should be paying and are not, “we’d avoid \$14 billion in cuts.”

Weingarten acknowledged that the “enormous budget gaps are too large to make up without pain and sacrifice,” but the “scorched earth” approach by some elected officials, including Wisconsin Gov. Scott Walker, is “reckless.” Even though Wisconsin’s public employees agreed to massive pay cuts and every proposed concession, Weingarten said, Walker “refused to take yes for an answer.”

In contrast, Weingarten said, California Gov. Jerry Brown’s approach to dealing with huge deficits is one of “shared responsibility.”

“It’s relatively easy to balance budgets if you’re willing to unbalance everything else—public services, jobs, investments in the future, and the middle class,” said Weingarten. “What’s hard is balancing budgets in a way that preserves essential services and ensures that the cuts we make today don’t haunt us for years, or generations, to come.”

We need to ask: “Are we going to do it in a way that protects vital services and maintains our country’s strength? Will we bring the power of collective bargaining to bear in ensuring that good ideas from the frontlines are heard and implemented? And will we ask everyone—especially those who can afford it—to share responsibility?”

## This is what democracy looks like

Unfortunately, some governors have answered those questions: No, no and no. But that’s not deterring AFT members and their allies, who support government programs and services because they know they stabilize communities and local economies.

Americans are backing labor in its fight against attempts to restrict bargaining rights and silence the voice of workers. In addition to record-breaking crowds at rallies across the country that have been held to protest legislative attacks on workers’ rights, tens of



MILLER PHOTOGRAPHY

To see the entire Weingarten speech, visit <http://go.aft.org/commonwealth>.



ALYSA BURTON

thousands of people from a cross section of backgrounds gathered at “We Are One” events in April to support the broader themes of justice, democracy and workers’ rights.

And the anti-tax fervor that once dominated airwaves has been usurped by increasing public support for what Weingarten called “strategic approaches that share responsibility,” such as corporate tax reform and income tax increases on the wealthiest households.

### Anti-union bill busts middle class

Gov. John Kasich in Ohio made good on his promise to sign a controversial bill into law that guts public employees’ collective bargaining rights statewide—and threatens government workers’ financial security. Now, opponents of the measure are making good on their promise to repeal the measure.

Across the state, union members, faith leaders and other concerned citizens are mobilizing around the “We Are Ohio” campaign for a ballot initiative that would give Ohio voters the opportunity to repeal the law on Election Day this November.

The growing groundswell of opposition from the general public has been massive and impressive, says Ohio Federation of Teachers president Sue Taylor. “Voters understand this is an all-out attack on workers’ rights that will harm families and cause our communities to crumble.”

Social worker Kathy Bruner, executive vice president of the Federation of Franklin County Children Services Employees in Columbus, says some of the local’s members may qualify for public assistance, or face foreclosure or bankruptcy, as a result of the new law, also

Ohioans turned out en masse for the “We Are Ohio” campaign kickoff in Columbus.

known as S.B. 5, because it effectively reduces their pay by 8.5 percent. Bruner, a member of the AFT Public Employees program and policy council, explains that, among other things, S.B. 5 makes it illegal for the employer to pick up any part of the employee’s pension contribution. In Franklin County, before S.B. 5, 10 percent of a government employee’s income was paid into the pension fund—1.5 percent by the employee and 8.5 percent by the employer. With S.B. 5 on the books, employees will have to pay the 8.5 percent, too.

Meanwhile, Gov. Kasich gave his top staffers huge raises—one as much as \$47,000—because he wanted to bring their salaries in line with the private sector, Bruner says, noting the hypocrisy.

Several Ohio mayors have been openly critical of the legislation, citing the effect it will have on public employees and the state’s middle-class families. “The impact it will have on employees’ quality of life and standard of living will be significant,” Cleveland Mayor Frank Jackson told the *Plain Dealer*. “Even though it saves me money, I’m not looking to be happy off their backs.”

### When you can’t change the vote, change the people

Wisconsin’s battlefield over workers’ rights and quality public services has moved from the Statehouse in Madison to local communities. Now, AFT-Wisconsin and the Wisconsin Federation of Nurses and Health Professionals have a new priority: elections.

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## AFT reacts to Obama’s federal budget plan

Weingarten says president’s proposal is ‘serious and responsible’

PRESIDENT OBAMA’S PLAN to reduce the federal deficit by \$4 trillion over the next 12 years “has brought a welcome dose of reality to the debate on the budget,” says AFT president Randi Weingarten.

“He has made clear that an honest approach to deficit reduction must include both cost savings and additional revenues,” she says. “He put forth an important proposal that steers the debate away from an assault on the middle class and the poor, and toward shared responsibility for all Americans.”

President Obama outlined his framework for shared prosperity and shared fiscal responsibility during a mid-April speech at George Washington University in Washington, D.C. The \$4 trillion deficit reduction would be achieved through \$2 trillion in spending cuts and \$1 trillion saved by tax reform. The spending cuts combined with additional revenue would lower the national debt, producing a \$1 trillion savings on interest payments.

Obama’s approach to tax reform includes limiting itemized deductions, which are tax expenditures, for the wealthiest 2 percent of Americans, and reform of the individual tax code. Tax reform, he said, should “build on the fiscal commission’s model of reducing tax expenditures so that there’s enough savings to both lower rates and lower the deficit.”

Currently, about two-thirds of the federal budget is spent on Medicare, Medicaid, Social Security and national security, Obama explained. Programs like unemployment insurance, student loans, tax credits for working families, and veterans’ benefits, he said, account for 20 percent. And about 12 percent is spent on everything else, including food safety, medical research, education, transportation, clean air and clean water.

“The debate over budgets and deficits is about more than just numbers on a page; it’s about more than just cutting and spending,” Obama said. “It’s about the kind of future that we want. It’s about the kind of country that we believe in.”

Weingarten says that while the AFT disagrees with aspects of Obama’s budget proposal, the proposal is “serious and responsible.”

“His proposal makes critical investments to strengthen our nation, asks that corporations and upper-income Americans pay their fair share, and eases the burden of debt for future generations.”

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*Continued from page 5*

"What do you do when you can't change the vote?" AFT vice president Candice Owley, WFNHP president, asked attendees at this spring's joint conference of AFT Public Employees and AFT Healthcare (see related story on page 7). "You change the people."

AFT-Wisconsin and WFNHP members have been central to the recall election effort, volunteering to gather signatures. Six of the eight recall campaigns that were launched against Republican state senators were successful. A petition to recall Gov. Scott Walker has not yet been filed because Wisconsin law requires an elected official to have been in office for at least one year to be eligible for recall, which will be January 2012.

With the recall elections tentatively scheduled for July, opponents of Gov. Walker's agenda are promoting the election of candidates to replace the Republican lawmakers. If just three of the six Republicans are unseated by Democrats, the state Senate's majority will be Democratic.

In related news, the legislation gutting the collective bargaining rights of 200,000 Wisconsin public employees remains in limbo as it wends through the courts on a challenge that the Legislature violated the state's open meetings law.

### **A determined fight for a better budget, more revenue**

AFT affiliates in New York say the 2011-12 state budget, which was passed March 31, will result in devastating program cuts to public services at all levels of government.

Choices had to be made in this budget, "and the choice was to protect millionaires," says New York State United Teachers executive vice president Andrew Pallotta, who also is an AFT vice president, referring to Gov. Andrew Cuomo's refusal to capture needed revenue by continuing the income tax surcharge on the wealthiest New Yorkers beyond the surcharge's scheduled Dec. 31, 2011, expiration.

The state budget eliminates a \$10 billion deficit through cuts, including: a \$1.3 billion reduction in K-12 school aid; a \$100 million reduction in the State University of New York's operating budget; a \$95 million reduction for the City University of New York senior colleges; and a \$12 million reduction in base aid to CUNY community colleges.

"The fundamental injustice of this budget is staggering: Albany has delivered a Bush-era tax cut to the richest people in the state, and paid for it by hurting children, students, the elderly, the working class and the middle class," says Barbara Bowen, president of the Professional Staff Congress at CUNY and an AFT vice president.

The affiliates have vowed to continue fighting for budget restorations—and for extension of the "millionaires' tax."

Meanwhile, contract negotiations between the New York State Public Employees Federation and the governor are ongoing. Gov. Cuomo has taken the position that if state employee unions, including PEF, do not agree to \$450 million in contract concessions, upward of 10,000 state employees will be laid off.

In early May, PEF released new research showing that the state could save \$300 million annually if it took reasonable steps to reduce its excessive use of consultants.

"The potential benefits of reducing the state's reliance on consultants and contractors must be a part of the savings strategy," says PEF president Ken Brynien, who also is an AFT vice president.

### **Anti-government, anti-union movements one and the same**

What's happening in New York, Ohio and Wisconsin is just a snapshot of what is happening across the country. The National Conference of State Legislatures reports that more than 700 bills have been introduced to limit workers' rights. And then there are the budget battles that would further siphon resources away from public services to fund tax cuts for the wealthy—both individuals and corporations.

"General Electric made \$5.1 billion in profits in the United States last year, but it paid no federal taxes on those profits and, in fact, claimed a tax benefit of \$3.2 billion," Weingarten said in her Commonwealth Club speech. "And each year, dozens of Fortune 500 companies report profits to shareholders but pay no state taxes."

"Yet, in the aftermath of Gov. Walker's actions, a custodian who works at the University of Wisconsin and earns \$24,622 will pay 16.1 percent more of his salary toward his health and retirement benefits. That's not shared responsibility."



To get state-by-state updates, visit the AFT's We Are One website [www.aft.org/weareone](http://www.aft.org/weareone).

# MAKING A **difference** EVERY DAY

## Turning this moment into a movement

THE INSIDIOUS ATTACKS on the affordability of government programs and services, combined with the assault on public employees' collective bargaining rights and compensation, dominated the agenda at the joint conference of AFT Public Employees and AFT Healthcare.

A chorus of speakers at the March 31-April 2 gathering in Las Vegas shared a universal message: The attacks against public employees in Indiana, Michigan, New Hampshire, New Jersey, Ohio and Wisconsin, to name a few, are fundamentally an attack on all working families—unionized and nonunionized.

The attacks, they said, aren't driven by what's best for the common good of the nation but by what's best for corporations and the very wealthy.

Special guest John Nichols, associate editor of the *Capital Times* in Madison, Wis., and Washington correspondent for *The Nation*, said unions "dare to defend the quality of public service and public education," and that is what terrified Scott Walker and the Republicans.

What's happening in Wisconsin and elsewhere is "not about collective bargain-

ing, union rights or even democracy," Nichols said. "It is about whether we are going to be a civil society."

The lesson all union members should learn from Wisconsin, he said, is: Keep coming—even if the politicians and media tell you that you are losing.

"Working people's aspirations for a middle-class lifestyle are what is at stake," AFT president Randi Weingarten said in a video message aired during the opening session. "Our challenge is to take this moment and turn it into a movement."

AFT executive vice president Lorretta Johnson asked the 400 participants what they were going to do in response to the attacks against the labor movement and working families.

Each union member makes a difference. "It is absolutely essential that we reconnect with our communities," she said, because some people think they don't need a union—they think their bosses are going to give them a 40-hour workweek and health insurance.

The theme of the conference, "Making a Difference Every Day," spoke both to the work of public employees and healthcare workers as well as to what union members need to do to counter the attacks on working families.

"This is the fight of our lives," said Bruce Ludwig, chair of the AFT Public Employees program and policy council and business manager of the Alaska Public Employees Association. "Failure is not an option."

In the closing session, union organizer and labor lawyer Mark Richard asked why the labor movement, which represents only about 14 percent of the population, is under attack.

It's because "we have people, power and resources, and we tend to be one of the few groups that will fight for justice," said Richard, president of United Faculty of Miami Dade College. "Move us out of the way, and they are running to the goal line."

**More than 30 workshops were held during the conference, where members discussed common concerns and solutions.**



PHOTOS BY MICHAEL CAMPBELL

### When it comes to talking about government, semantics matter

ANTI-GOVERNMENT, anti-tax discourse has reached an unprecedented level. So what are public employees to do? Understanding people's perceptions of government, including how those images are formed and how language reinforces them, is a good place to start, said Patrick Bresette of Public Works: The Demos Center for the Public Sector, during a workshop at the joint conference of AFT Public Employees and AFT Healthcare in Las Vegas.

When a Gallup Poll asked people to choose a single word to describe government, negative terminology like "too big," "wasteful," "corrupt," "broken" and "complicated" dominated responses, said Bresette. "But, people still like what government does. Forty-nine percent prefer more services and higher taxes, according to a Washington Post/Kaiser poll."

Most people, Bresette said, have a blurry sense of government, and when they do think of government, they think of politics. "If politics is the dominant image," Bresette said, it is essential that we help people "remember the mission of government—it is the place where we are supposed to protect the public interests." Remind them, he said, that government has a mission and purpose, roles and values. Government's roles include protector, manager and planner, and steward. Government's values include the common good, community well-being and public purpose.



**The struggle is not about collective bargaining, union rights or democracy. It is about whether we are going to be a civil society.**

— JOHN NICHOLS,  
Associate Editor, *Capital Times*, and  
Washington Correspondent, *The Nation*

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### YOUR MONEY

## Of straw men and pension plans

BY DON KUEHN

LIKE YOU, I watched the events in Madison, Wis., with a combination of disgust and amazement. I was inspired by the outpouring of support for workers and their unions, encouraged by the state Senate Democrats in exile, and offended by the tactics and misinformation spread by the governor.

We should expect more from a governor than setting up “straw men” and fomenting culture wars. Casting public workers as greedy individuals with wages and benefits greater than those of ordinary Wisconsinites was a sickening manipulation of facts. When Gov. Scott Walker claimed collective bargaining was the source of the “problem,” he exposed his real anti-union agenda.

Public employee pension systems were in place long before there was collective bargaining. Even today, states that don't have bargaining laws do have state retirement programs.

Over the past two decades, corporate America has dropped defined-benefit pen-

sion plans (like the ones most public employees have through their state retirement systems) in favor of 401(k) or similar types of plans—also called defined-contribution plans—that shift the onus of saving and investing from the boss to the worker.

Although I think 401(k) plans—and 403(b) plans for public sector workers—have the potential to provide a good retirement nest egg for a few very active and very astute investors, I have come to believe they will usher in a period when most investors will underperform the markets and won't be able to retire in comfort. Social Security, along with modest saving and investment, will not create the cushion needed to make it through 30 or more years of retirement. And I'm afraid very few people are willing to live far enough below their means to turbocharge their investing and make up the difference.

A 2010 study by the Center for Retirement Research at Boston College showed a \$6.6 trillion shortfall between what Americans need

to retire and what they will actually have.

The Employee Benefit Research Institute's 2011 Retirement Confidence Survey showed that two-thirds of U.S. workers were saving for retirement. But nearly one-third of them had saved less than \$1,000; and about half said they had saved less than \$25,000. They're kidding themselves.

As lukewarm as I am about 401(k) and 403(b) plans, if you have access to one, you must fund it to the best of your ability. Your challenge then will be to become an astute and aggressive investor. You have to understand and capitalize on what the markets can do for you, and know how you can grow your investments to a point that will allow you to retire on your own terms and enjoy the life you have earned. It's *your money*.

*Don Kuehn is a retired AFT senior national representative. For specific advice relative to your personal situation, consult competent legal, tax or financial counsel. Comments and questions can be sent to [dkuehn60@yahoo.com](mailto:dkuehn60@yahoo.com).*