



# The Billy & **Spanner**



## **PRESIDENT'S NOTES**

By Ray Storms

We have regrettably had to cancel the Folsom BBQ. Hopefully, we can reschedule this year. We will need to look at available dates once the Shelter in Place orders are lifted or modified.

While we've had to cancel our monthly membership meetings, the Board has continued to meet via video conferencing.

At the May meeting, one of the areas we focused on was the updated website. Work is underway. The site will have a modernized look and is being designed to work seamlessly with your mobile or tablet device. Please be patient as we move forward on this project and other communication initiatives.

### **FIREFIGHTING FOAM AND CANCER**

There have been lots of published articles about the link between Aqueous Film Forming Foam (AFFF) and cancer in firefighters. One California law firm, Pritzker Levine LLP, represents firefighters who may have contracted cancer due to their exposure to AFFF. The firm is working with UCSF to test and analyze blood samples from firefighters who have or once had cancer for elevated levels of PFAS or PFOS—chemicals in AFFF linked to cancer. Any active or retired firefighter diagnosed with cancer who wants to learn more about their potential claims against the companies that make AFFF should contact retired SJFD Battalion Chief Richard Seal, Esq., who is Of Counsel to Pritzker Levine, at 408-623-3519, or firm partner, Elizabeth Pritzker, at 415-805-8532.

In regards to Anthem, if you have issues:

### **If you need your Member ID, but your card has not arrived yet:**

Medicare Retirees Call: 1-833-848-8730

Non-Medicare Call: 1-888-831-2238

If you are not satisfied with Anthem's answers, call the Office of Retirement Services: 408-794-1000

As always, stay safe and enjoy your retirement. You earned it!

## **VIRTUAL ASSOCIATION MEETING SCHEDULED**

**Thursday, June 11, 2020**

11 AM via ZOOM Webinar

If you wish to participate in the meeting, including being able to ask questions, please login via ZOOM conferencing:

You can use [this link](#)

(PDF readers)

Password: 710810

Or you can go to

<https://zoom.us/join> and enter Meeting ID: 849 7335 4784 and enter 710810 as the password.

If you want to just listen in on the meeting, you can call in at:

(669) 900-9128

Webinar ID:

849 7335 4784

Password:

710810.com/su/9Z5Zl54/retirees

visit our website at [www.retiredsjpoff.org](http://www.retiredsjpoff.org)

## **CALIFORNIA SUPREME COURT HEARS ARGUMENTS ON PENSION CASE THAT MAY IMPACT THE “CALIFORNIA RULE”**

The California Supreme Court heard oral arguments on what is considered to be one of the most important pension-related lawsuits in the country earlier this month. The Alameda County Deputy Sheriff's Association v. Alameda County Employees' Retirement Association case focuses on whether Alameda County Deputy Sheriffs had a vested right in their ability to continue the practice of adding non-base salary items such as cashing out accrued leaves, "on-call pay," among other categories in their last years of employment, affecting the calculation of their final average salary. While the case has a specific monetary value of the affected Alameda deputy sheriffs, the case has immense importance for every public employee who is promised a defined benefit pension in California, and potentially in the United States.

The key issue is the "California Rule," a long-standing legal doctrine that requires any reductions in retirement benefits to be offset with new benefits of equal value. According to legal analysts, last year, the California Supreme Court ducked the issue of deciding on the California rule in a similar case by tailoring their decision to just the legality of the financial practice at issue in the suit. Some legal experts anticipate that the Court may weigh in on the California rule in the current case because there are multiple other cases with similar issues headed the Court's way.

A decision is expected within 60 days of the hearings. While the issue-at-hand does not impact our current pension benefits, any changes to vested rights could change how active employees negotiate their current contracts, which can have an impact on current retirees, particularly in regards to retiree medical benefits and available medical plans.

## **CITY ELIMINATES “RE-MARRIAGE PENALTY” FOR FIREFIGHTER SURVIVORS**

This month the City Council approved an ordinance that eliminates the so called “re-marriage penalty for survivors of active fire fighters who die in the line of duty. Previously, if an active firefighter died in the line of duty, their spouse or domestic partner would lose any death benefits or pension payments upon the re-marriage or creation of a new domestic partnership.

In May, the City Council passed an ordinance to eliminate the re-marriage penalty. The new policy brings firefighter survivors to parity with police survivors, who already had the re-marriage penalty eliminated. The Police & Fire Retirement Board approved the ordinance as well. The Retirement Board's actuary provided a letter to the City stating that this new policy would have zero impact on pension costs. This is because the actuary assumes that all survivors would never remarry. This is a rare occasion where the City had the ability to do the right thing and the cost was zero.

### **CONGRATULATIONS ON YOUR RETIREMENT**

**MATTHEW J. ARCHER**, Police Sergeant, 26.18 years of service.  
**ROBERT MAGDALENO**, Police Officer, 21.18\* years of service.  
**HOWARD R. MORTON**, Fire Captain, 21.32\* years of service.

**RAFAEL NIEVES**, Police Sergeant, 25.76\* years of service.  
**HECTOR M. VASQUEZ**, Police Officer, 32.84\* years of service.

### **Make sure we have your E-mail Address!**

The quickest and most efficient way for us to keep you informed is by e-mail. Make sure we have your updated information by emailing Dale Foster at [secretary@retiredsjpoff.org](mailto:secretary@retiredsjpoff.org).

# THE IMPORTANCE OF PERSPECTIVE

Submitted By Walter Bugna, VP of Fire | By Barry Evans, Columnist for Villages-News.com

If you are at higher risk for serious illness from COVID-19 because of your age or serious long-term health problems, it is extra important for you to take actions to reduce your risk of getting sick with the disease:

Having perspective is good, but using it is better. I received what is written below from a friend. I do not know who wrote it, but I think it makes an excellent point relative to what is occurring now.

We probably all think that it's a mess out there now. Hard to discern between what's a real threat and what is just simple panic and hysteria. For a small amount of perspective at this moment, imagine you were born in 1900. Many would think that that was a pretty simple time of life. Then on your 14th birthday, World War I starts, and ends on your 18th birthday. 22 million people perish in that war, including many of your friends who volunteered to defend freedom in Europe.

Later in the year, a Spanish Flu epidemic hits the planet and runs until your 20th birthday. 50 million people die from it in those two years. Yes, 50 million. On your 29th birthday, the Great Depression begins. Unemployment hits 25%, the World GDP drops 27%. That runs until you are 38. The country nearly collapses along with the world economy. If you were lucky, you had a job that paid \$300 a year, a dollar a day.

When you turn 39, World War II starts. You aren't even over the hill yet, but don't try to catch your breath. If you lived in London, England or most of continental Europe, bombing of your neighborhood, or invasion of your country by foreign soldiers along with their tank and artillery was a daily event. Thousands of Canadian young men joined the army to defend liberty with their lives. Between your 39th and 45th birthday, 75 million people perish in the war.

At 50, the Korean War starts. 5 million perish. At 55 the Vietnam War begins and doesn't end for 20 years. 4 million people perish in that conflict. On your 62nd birthday there is the Cuban Missile Crisis, a tipping point in the Cold War. Life on our planet, as we know it, could have ended. Sensible leaders prevented that from happening.

In 2020, we have the COVID-19 pandemic. Thousands have died; it feels pretty dangerous; and it is. Now think of everyone on the planet born in 1900. How do you think they survived all of the above? When you were a kid in 1965, you didn't think your 65-year-old grandparents understood how hard school was, and how mean that kid in your class was. Yet they survived through everything listed above. Perspective is an amazing art. Refined as time goes on, and very enlightening. So, let's try and keep things in perspective. Let's be smart, we are all in this together. Let's help each other out, and we will get through all of this.

AMEN!



## I'M DEAD. NOW WHAT?

The Association is giving away 100 copies of this book on a first come, first serve basis. A useful and helpful planner to give you peace of mind. It has important information about your belongings, business affairs, and wishes. It helps organize vital details about contacts, health and financial issues, etc. Contact Walter Bugna at [believe42218@earthlink.net](mailto:believe42218@earthlink.net) if you want a copy. Please include your name, current phone and current mailing address in your e-mail.



Association of Retired San Jose

Police Officers & Firefighters

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[www.retiredsjpoff.org](http://www.retiredsjpoff.org)

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## CALLING ALL RETIRED FIREFIGHTERS: STUDY INVESTIGATING LONG-TERM FIRE EXPOSURE

### ELIGIBILITY

- You are a retired firefighter
- You experienced smoke exposure during your career
- You want to help determine the health effects of long-term smoke exposure and associated disease (e.g. asthma, cardiovascular system, cancer, and other diseases)

### COMPENSATION

- \$25 gift card for 30 min participation (questionnaire and biosamples)

### LOCATIONS

- Group testing across Bay area
- Stanford's Lucile Packard Children's Hospital, Rm 183

### TO FIND OUT MORE OR TO SCHEDULE

- Visit <https://studypages.com/s/wildfires-and-health-406033/>
- Or call 310-339-3894 or email [esmith53@stanford.edu](mailto:esmith53@stanford.edu) and [prunicki@stanford.edu](mailto:prunicki@stanford.edu)
- For participant's rights questions, contact 1-866-680-2906

## CONDOLENCES

George J. Springer, Police Officer, retired July 11, 2009, died March 7, 2020.

## ASSOCIATION OFFICERS

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## POLICE BENEVOLENT ASSOCIATION OFFICERS

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