



TEXAS STATE EMPLOYEES UNION UPDATE



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COMMUNICATIONS WORKERS OF AMERICA, LOCAL 6186 / AFL-CIO

JULY 2019

A LOOK INSIDE THE

86TH TEXAS LEGISLATURE

Pay raise and pension push continue - see how YOU can get involved

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THE 86TH TEXAS LEGISLATURE Victories AND ongoing fights

Progress made on key fronts but push for pay and pension funding continues

During this session, the Big 3 - Governor Greg Abbott, Lt. Governor Dan Patrick and House Speaker Dennis Bonnen - attempted to set a more harmonious tone than past sessions. This change in tactic was a direct result of 14 anti-state worker legislators losing their seats in elections last year with the help of TSEU members across the state. Anti-state worker priorities, such as stripping state employees of our right to pay union dues out of our paychecks, were hardly a whisper the entire session.

The Legislature began this session with good news from the State Comptroller: an additional \$9 billion would be available compared to the last biennium. This led many to hope that lawmakers would finally address critical needs of the state, such as higher education, state services, and state employee pay and pensions, that have long been ignored. However, the major focus for lawmakers quickly became school finance reform and property tax cuts. In the end, lawmakers failed to address the crisis levels of turnover facing state services, the stagnant salary and benefit levels in state universities and agencies, and the underfunding of our ERS pensions. Instead, legislators chose to not dip into the state's Rainy Day Fund and gave away \$5 billion in property tax cuts which, besides starving the state of needed revenue, will mostly benefit the very wealthy and large corporations.

PAY RAISES: TSEU members across Texas mobilized to pressure legislators to provide an across the board \$6,000/year pay raise to all state agency and university employees. Thousands of postcards and phone calls were delivered to every member of the Legislature on top of hundreds of office visits throughout the session.



After early signs that a pay raise was in the works, lawmakers cut the funding for most state employee pay raises out of the budget in the very final days of the session. The first versions of the House and Senate budgets differed considerably when it came to state employee pay. Both contained various targeted raises, with the house version containing at least a 2.8% raise for most employees. On the final day of the session, however, lawmakers passed a budget with no across-the-board raise and much less for the targeted raises than had been in the initial proposals. Targeted raises remained for Adult Protective Services, DFPS Statewide intake, Parole Officers, TJJD JCO's/Youth Development Coaches and Case Managers, and direct care staff at the School for the Blind (TSBVI) and the School for the Deaf (TSD).

The fact that lawmakers had just received a \$4,300/year pay raise themselves in January shows just how hypocritical they were in stripping out state employee raises. We cannot wait another two years for our pay raises! TSEU is continuing the fight for an emergency pay raise for all state workers who are not receiving a targeted pay raise already! See the back page of this Update for details.

PENSIONS: Again, TSEU successfully defeated attempts to convert our defined benefit pension plans to defined contribution, 401k-style plans. Senator Paul Bettencourt filed SB 2428 which would have authorized ERS and TRS to establish defined contribution or hybrid plans. With pressure from TSEU and allies, this bill did not even receive a hearing. **VICTORY!**

Several proposals, supported by TSEU, were floated by Comptroller Glenn Hegar and others to divert revenue from the state's Rainy Day Fund to critical funding needs like the ERS and TRS pensions. Although these proposals received strong support in the House, they were rejected in the Senate and did not pass.



ERS: In response to long-running pressure from TSEU, the House proposed a plan to increase the state contribution to ERS by \$150 million and increase the agency contribution by .5%. This would have removed the current depletion date of 2096 and put it on the road to be fully funded by 2060. In order to provide ERS retirees with a cost of living increase, the pension must be within 31 years of being 100% funded. This means we would have been very close to finally winning a much-needed COLA for ERS retirees. Similar to the pay raises, the funding for ERS was stripped from the final version of the budget a day before it was voted on and the session ended. TSEU is continuing the fight for more funding for ERS. See the back page of this UPDATE for details.

WE WERE THERE!

TSEU members were there, practically every day of the legislative session, to bring the focus back on state employee and retiree issues, higher education, and the funding and staffing crisis that state services are facing. Throughout the session, TSEU members lobbied our legislators both in the capitol and in their district offices. We made hundreds of phone calls, sent thousands of postcards, and over 500 of us took buses to the capitol in April to march and rally on our issues. Members also showed up to testify in committee hearings and to meet with lawmakers at our caucus mini-Lobby Days throughout the session. By organizing and mobilizing, we made our presence felt, won some major victories, and built our momentum for the fights ahead!

TRS: With pressure from union members, lawmakers voted to gradually increase the state's contribution to 8.25%, the employee contribution to 8.25% and the employer contribution to 2%. This puts the fund on a path to actuarial soundness and most importantly providing a 13th check to current TRS retirees. The downside is the increase to the employee contribution to the pension. TSEU will continue the fight in state universities for an across-the-board raise to more than offset the increased pension cost. (partial) **VICTORY!**

HEALTH CARE BENEFITS: ERS health care benefits were fully funded this session, with no planned benefit changes. There will also be no increases to employee contribution rates for individual or dependent health care coverage. **VICTORY!**

University of Texas and Texas A&M system health benefits were fully funded. **VICTORY!**

PAROLE: The findings of a recent TSEU survey showed many parole officers' caseloads were exceeding the statutory maximums that TSEU pushed through the Legislature in 2007. The TSEU survey directly resulted in HB4754 being filed by Rep. Ray Lopez, and was cited in both the House and Senate as the reason for the bill. This bill directs TDCJ to study caseloads and determine if the agency is requesting enough funds to meet the caseload maximums. HB4754 passed both bodies of the Legislature late in the



session and has been signed into law by the Governor. This will give the agency caseload information vital in requesting additional funding and more Parole Officer positions for lower caseloads next session. **VICTORY!**

SSLC CLOSURES: State Supported Living Centers were under attack yet again this session. Rep. Stephanie Klick filed HB 3080 which would have created a plan for immediate closure of Austin SSLC and begin studying additional closures. Working with parent groups and other allies, TSEU was able to stop the bill from being heard in committee. **VICTORY!**

HB4400 was filed by Rep. Julie Johnson, which would have stripped \$10 million in funding from SSLC's to create a pilot program for expanding community based group homes. TSEU and allied groups met with Rep. Johnson to discuss alternatives that did not include the removal of funding from SSLC's. This bill did not get out of committee. **VICTORY!**



STATE AGENCY BILLS:

- HB 1233 by Rep. Ryan Guillen and SB 111 by Sen. Jose Menendez to establish a salary career ladder for all state employees. Didn't get a hearing in State Affairs Committees. **- TSEU SUPPORTED**
- HB 74 by Rep. Gina Hinojosa, SB 446 by Sen. Royce West to notify state employees of the Public Service Loan Forgiveness program. Passed the House but failed in Senate State Affairs Committee. This bill was written as a result of TSEU's Student Debt Clinics. **- TSEU SUPPORTED**

HEALTHCARE AND PENSION BILLS:

- HB 425 and 426 by Rep. Alma Allen to provide COLA's for ERS and TRS retirees. Didn't get House, Senate Comm. hearings. **- TSEU SUPPORTED**
- HB 2414 by Rep. Philip Cortez to change the Texas saver 401k program from an opt-out to an opt-in for new state employees. Passed out of the House Pensions Committee but didn't make it out of the full House. **- TSEU SUPPORTED**
- HB 596 by Rep. Ana Hernandez to allow a retiree to serve on the ERS Board of Trustees. Passed out of the full House unanimously but died in the Senate State Affairs Committee. **- TSEU SUPPORTED**
- HB 3662 by Rep. Armando Walle to restore a higher education seat on the TRS Board. Received a hearing in the House Pensions Committee but not voted out. **- TSEU SUPPORTED**
- HB 4101 by Rep. Terry Meza would remove the waiting period for new state employees to receive healthcare benefits. Did not get a hearing in the House Pensions Committee. **- TSEU SUPPORTED**
- HB 183 by Rep. Phil Stephenson to study the use of life insurance policies on plan members to supplement the funding of the TRS pension fund. Passed House, but no action in Senate. **- TSEU OPPOSED**

DFPS BILLS:

- HB 988 by Rep. Armando Walle to establish caseload standards for DFPS. A hearing was held in the House Human Services Committee but it was not voted out. **- TSEU SUPPORTED**
- HB 1362 by Rep. Gene Wu to study and determine appropriate caseloads for DFPS. Passed the full House with strong support, passed out of Senate Human Services Committee but was not voted on in full Senate. **- TSEU SUPPORTED**
- HB 2592 by Rep. Philip Cortez to restore the grievance procedure in DFPS and HHSC. Did not get a hearing in the House Human Services Committee. **- TSEU SUPPORTED**

UNIVERSITY BILLS:

- HB 3240 by Rep. Terry Meza to study long term effects of regulating tuition. Passed out of House Higher Education Committee but did not get a vote in the full House. **- TSEU SUPPORTED**
- HB 132 by Rep. Mary Gonzalez to re-regulate tuition. Had a hearing in the House Higher Ed. Committee but not voted on. **- TSEU SUPPORTED**

ST HOSPITAL/SSLC BILLS:

- HB 3596 by Rep. Toni Rose to increase compensation for high injury risk positions in SSLC's and State Hospitals. No hearing held in House Human Services Committee. **- TSEU SUPPORTED**

TJJD BILLS:

- HB 2743 by Rep. Roland Gutierrez and SB 2057 by Sen. Jose Menendez to include TJJD Officers in the LECOSRF supplemental retirement plan. No Hearing in House Pensions or Senate State Affairs Committee. **- TSEU SUPPORTED**

Turnover crisis leads HHSC to reinstate mandatory overtime

Union calls for emergency pay raises to address high workloads and to reduce agency turnover



The Health and Human Services Commission is struggling to keep up with the workload demands of a growing population in need of SNAP (Food Stamps), TANF, and Medicaid benefits. According to Deputy Commissioner Wayne Salter, “the agency found itself unable to keep up with the workload,” which led HHSC to force workers to complete a minimum 20 hours mandatory overtime in the month of June. This is on top of a “temporary” restructuring of TWA III’s job duties to increase frontline staff and make up for unprecedented turnover. Recent reports from Human Services indicate that 48% of the eligibility workforce is in training and not capable of meeting current Human Services work demands.

With a growing state population increased work expectations are being placed on all Texas public servants. These new demands are straining an already reduced Health and Human Services workforce and adding to turnover. The new Commissioner Dr. Courtney Phillips attempted to address this situation by reinstating mandatory overtime, because voluntary overtime was not enough to meet workload demands.

In an effort to explain the need for forced overtime, HHSC gave the following explanations:

- Timeliness standards for SNAP and Texas Works Medicaid redeterminations were not being met.
- Lead days, or the amount of time clients have to wait for services after submitting an application, for Texas Works applications went from 8 days in April to 29 days currently.
- MEPD application lead time went from 15 days to 31 days.
- Human Services also went from approximately 100,000 hours of overtime worked in March of this year to only 26,000 hours worked in April.

Forced overtime and low pay are not the solution!

Human Services will forever struggle to meet growing demands if pay and staffing is stagnant. A State Auditor’s Office report released in December found that agency turnover was at 19.3 percent in the 2018 budget year. The top reasons employees said they left were retirement, low pay, and poor working conditions. By not increasing eligibility workers’ salaries, and instead demanding staff to produce more, Human Services Administration is throwing gasoline on an already blazing turnover fire. They said so themselves when reporting to the House Sunset Commission:

While staffing issues are ever-present across all agencies, inability to maintain or increase experienced personnel at levels to match caseload growth inhibits HHSC’s ability to deliver benefits. Compounding this challenge, staff retention, high turnover rates, and a less tenured eligibility workforce make it difficult to effectively respond to caseload increases and maintain performance.

The current reality of Human Services Eligibility offices is thousands of hard-working men and women struggling to make ends meet, while trying to keep up with unrealistic work expectations. Workers in eligibility offices deserve a cost of living pay raise. Texas Health and Human Services Commission was made aware of this fact in the state comptroller’s report: “*Eligibility workforce making less than \$40,000, regularly leave the state at a higher rate than their peers earning more*”.

Human Service’s agency leadership knew about this report and yet made no attempts to ask for increased funding for an eligibility worker pay raise. Their current plan for flat salaries for the next two years would mean most HHSC employees will go seven years with absolutely no raises. This is NOT the way to retain quality workers.

PRIVATE SECTOR ORGANIZING

Union wins back pay settlement for Right Step nurses



After a year-long fight with Elements Behavioral Health, union nurses at the Right Step facility in Wimberley forced the company to pay \$35,000 in back pay to two union members who were wrongfully fired from their job for organizing. The back pay victory was part of a settlement reached between the union and Elements, a private company that operated addiction treatment centers across the country. The fight began after a group of nurses at the Elements facility in Wimberley voted to form a union and joined CWA Local 6186 as a private sector bargaining unit.

Shortly after ratifying their first contract, which included a 6% pay raise over 3 years and other improvements for employees, the company began targeting union members by radically changing their schedules. With the support of TSEU members and other allies across Texas, the union nurses in Wimberley fought the company for a year, organizing rallies across the state, involving the media, and filing a charge with the National Labor Relations Board. In the end, the company offered to settle by paying the affected employees back pay. **SOLIDARITY WINS!**



Organizing and mobilizing lead to victories in TDCJ-Parole, TJJD

Fight for support staff raises will continue!

Now that lawmakers in Austin stripped funding for an across-the-board pay raise out of the budget, union members in Parole and TJJD are fighting back to win raises for clerical and support staff. As a part of that push, TSEU has sent official letters to TDCJ Executive Director Bryan Collier and TJJD Executive Director Camille Cain urging them to include support staff in both agencies in any pay raises. TSEU members are also calling state legislators to ask them to support an emergency pay raise for all state workers through the Legislative Budget Board. See the article on the back page of this

UPDATE for information on how to call your legislators for a pay raise and pension funding for all state workers.

The additional funding that union members were able to win for pay raises in TJJD and Parole was designated by lawmakers to go specifically to Parole Officers, Juvenile Correctional Officers (now Youth Development Coaches), and Case Managers over the next two years but should be close to a 5% salary increase. Parole and TJJD leaders have discretion in how that pay raise will be implemented. TSEU is calling on Parole and TJJD to provide the full 5% raise to ALL Parole Division and TJJD staff this September 1st.



TJJD activist Cora Bennett signs up new member.



Building off the organizing momentum and hard numbers that TSEU built with our 2018 Parole Caseload survey, we won passage of our Parole Caseload bill - HB 4754 by Rep. Ray Lopez. This bill requires the Legislature to study how TDCJ tracks, reports, and budgets for Parole Officer caseloads. The idea going forward will be to use the information gathered in the study to win funding for more Parole Officer positions to reduce caseloads. This is a major step forward in the union's push for safe and reasonable caseload standards.



In TJJD, union members mobilized to defeat a proposed budget amendment that would have shut down the Gainesville State School. TSEU members also quickly pushed back on a proposal by Sen. John Whitmire to shut down all 5 TJJD facilities and move youth to a vacant TDCJ facility outside of Austin. In the end, no TJJD facility closures were authorized by the Legislature. Problems of high turnover and injuries on the job persist in TJJD, but the solution is not closures but increasing pay, staffing levels, and making sure that TJJD staff have the tools to hold youth accountable for their behaviors.

Where do things stand in the fight against privatization at DFPS?

Throughout the 2019 Legislative Session, union members in DFPS were a continual presence in the capitol, speaking out about the dangers of privatization in our agency. This put us at odds with the message from DFPS leadership. Despite their best efforts to rapidly expand the privatization of CPS under the Community Based Care (CBC) model, the final version of the state's budget passed by lawmakers does not fund expansion of CBC to any areas that are not already either under contract with a private agency or in the procurement process. However, funding for moving to Stage 2 of the contract, which involves private contractors taking on all case management responsibilities, was approved for Regions 3B, 2, and Bexar County.

If private agencies roll out Stage 2, they will be receiving over \$22.7 million in funding to lower caseloads for their staff to around 14-1, while the targeted caseload level for non-privatized areas is around 24-1. The \$22.7 million is in addition to the "resource transfer" that private agencies would receive from the state employee positions eliminated in CPS.

The expansion of the Family Based Safety Services privatization pilot has also slowed down. The agency's bid for contracts in Nueces County was canceled on May 1st. Unless another Request for Proposals is put forward, Region 10- El Paso would remain the only part of the state to be under this privatization pilot. Concerns about the ability of that contractor, Pathways operating as Home-Safe, to meet the needs of clients remain. TSEU is continuing to work with elected officials to end this unsuccessful pilot.



WHAT ABOUT PAY RAISES? TSEU has always fought for ALL state workers to receive raises. This session, only targeted raises in APS and Statewide Intake were approved by legislators. In APS, \$9,000/year raises for case-workers and supervisors were approved. In SWI, \$6,000 raises were approved for "frontline staff." Support staff are excluded from these raises. The lack of an across the board raise means pay will not increase for any other positions unless TSEU's efforts to win emergency funding for a raise are successful.

ORGANIZING & MOBILIZING

Statewide organizing blitz and ERS Board elections keep members active and involved this Spring! We've only just begun to fight - GET INVOLVED!

SPRING ORGANIZING BLITZ: APRIL 29 - MAY 15

With a major focus on winning a pay raise and an increase in state funding for pensions during the past session, TSEU's statewide Spring Organizing Blitz brought 319 new members into our union. The blitz involved well over 100 TSEU activists, generated about 1,500 pay raise/pension postcards and generated hundreds of calls to our elected leaders in the capitol. Plans are currently underway to build on this momentum so we can continue growing our union. Don't wait for the next blitz to get involved. Contact TSEU now for more details and information!



ERS BOARD ELECTION: MAY 10 - JUNE 14

This Spring, union members across Texas were taking a stand for our healthcare and pensions by getting out the vote for TSEU activist Cora Bennett in the ERS Board of Trustees election. Activity began after Cora was nominated by members to run during last year's General Assembly. Campaign mobilization started with securing nominating signatures to get Cora on the ballot. Cora, along with other members, visited dozens of state offices and met with hundreds of state workers during the campaign. Election results will be announced July 11.



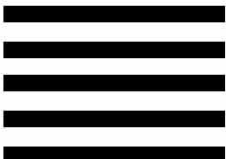
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SECTION A: AGENCY USE ONLY

AGENCY NAME	AGENCY#	UNIT#	FIRST ACTIVE DUTY DATE

SECTION B: EMPLOYEE INFORMATION

SOCIAL SECURITY #	NAME (LAST, FIRST, MI)		
EMPLOYEE ID #	E-MAIL ADDRESS (SUITABLE FOR RECEIVING TSEU CORRESPONDENCE)		
HOME STREET ADDRESS		CITY / STATE / ZIP	
HOME PHONE ()	WORK PHONE ()	CELL PHONE ()	
AGENCY / UNIV.	FACILITY / LOCATION		
PROG / DEPT / UNIT	JOB TITLE	WORK HOURS	



N UPG RR **ORG:** _____

SECTION C: MEMBERSHIP AND AUTHORIZATION

Membership dues and effective date of payroll deduction: the 1st day of _____, 20____
(MONTH)

- \$17.00 salary below \$20,000
 \$21.00 salary \$20,000-\$25,000
 \$25.00 salary \$25,000-\$30,000
 \$28.00 salary \$30,000-\$40,000
 \$30.00 salary \$40,000-\$50,000
 \$32.00 salary over \$50,000
 \$13.00 part time
 other - \$ _____

AUTHORIZATION: I authorize the monthly deduction from my salary or wages for membership dues to TSEU. I understand that I may revoke this authorization at any time by written notice.

EMPLOYEE SIGNATURE

DATE

I agree to comply with the rules adopted by the Comptroller concerning deductions for membership dues.

What's next for universities? **Fall pay raise pushes!** **UT Austin and Texas State launch their campaigns, other campuses across Texas soon to follow**

In 2003, the state Legislature passed off responsibility to university Boards of Regents for giving employees pay raises. As a result, many Texas university workers haven't seen an across-the-board pay raise in over 15 years. TSEU members, however, have been at the forefront of the fight for decent pay and to restore state funding. With the need for raises still as urgent as ever, and the Legislature once again shirking their responsibility to enact raises, union activists at UT Austin and Texas State University are building campaigns for an across-the-board raise on their campuses.



UT-Austin TSEU members hold information and sign-up table.

We know that the State of Texas, UT and Texas State University Boards of Regents, and all the other state university systems have the money to pay us our fair share. For example, UT Austin has a \$31 billion endowment, and both the UT and the Texas State systems acknowledge that average pay is well below market value. But we can't count on them to do what's in our best interest. As front-line state employees, we have to organize, educate, and mobilize! To win pay and compensation increases for all staff, faculty (tenure and non-tenure track), and graduate workers, union members are working on petitions to the Boards of Regents for substantial across-the-board pay raises. There's power in numbers, and this is one way to build that power and show the powers-that-be that university employees are united!

Union members at Texas State University and UT Austin are making plans now for a Fall pay raise push when the school year begins again. Petitions to administrators and Boards of Regents similar to the ones being circulated at UT and Texas State can be adapted to any campus for a local pay raise push. If you're a public university employee or student and can get involved, contact Sol Weiner at sweiner@cwa-tseu.org.

UTRGV: Custodians organize for staffing, training to address mumps outbreak



In recent years, administrators at the University of Texas Rio Grande Valley had been gradually reducing the number of custodial workers responsible for cleaning campus buildings. With every staffing cut, the workload just got bigger and bigger for remaining staff. Finally, custodial employees started organizing and joining TSEU to push back. The understaffing issues came to a head when several cases of the mumps were reported on campus. The mumps is a highly contagious disease that can be prevented from spreading

by the regular cleaning of infected surfaces. More custodial staff would result in better cleaning and better prevention. Union members organized a rally and generated media attention to pressure the administration. Within days of the action, campus officials responded by promising to hire 8 new custodians, provide infection control training, and offer free vaccinations to employees at the university health clinic. Although administrators have come through on the training and vaccinations, they have yet to fill the eight promised positions. UTRGV members are now working to make sure administrators follow through on the promised staffing.



TSEU EXECUTIVE BOARD

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- Gwen Logan (OAG, Rosenberg) Region 6
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- Anne Lewis (UT-Austin) Region 8

TSEU STAFF AND OFFICES

CENTRAL TEXAS 512.448-4225

**1700 South 1st St
 Austin, TX 78704**

- Seth Hutchinson, Organizing Coordinator
- Ron Day, Lead Organizer
- Alex Moir, Organizer
- Sol Weiner, Organizer
- Tyler Sheldon, Political Organizer
- Margaret Allen, Office Manager
- John Behr, IT
- Rachel Telles, Membership Office
- Chris Knapp, Publications

SOUTH TEXAS 210.354-2900

**1412 El Paso St
 San Antonio, TX 78207**

- Seth Hutchinson, Organizing Coordinator
- Elias Cantu, Organizer
- Sol Weiner, Organizer

SOUTHEAST TEXAS 713.661-9030

**9247 South Main
 Houston, TX 77025**

- Myko Gedutis, Lead Organizer
- Willie Mae Bolar, Organizer
- Steven Stokes, Organizer
- Gloria Jeffery, Organizer

NORTH TEXAS 214.942-4305

**737 S. RL Thornton Frwy, Ste B
 Dallas, TX 75203**

- Joe Montemayor, Asst. Organizing Coordinator
- Anitra Patterson, Organizer
- Keith Stenson, Organizer
- Michele Goodwin, Organizer

VALLEY 956.428-0251

**1713 E. Tyler Ave, # F
 Harlingen, TX 78550**

- Missy Benavidez, Research
- Elias Cantu, Organizer

WEST TEXAS 806.741-0044

**2002 Avenue J
 Lubbock, TX 79405**

- Seth Hutchinson, Organizing Coordinator
- Keith Stenson, Organizer
- Alex Moir, Organizer

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- Rep. Shawn Thierry
- Rep. Ana Hernandez
- Rep. Christina Morales

EAST TEXAS

- Rep. James White

DALLAS

- Rep. Terry Meza
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EL PASO

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- Rep. Art Fierro

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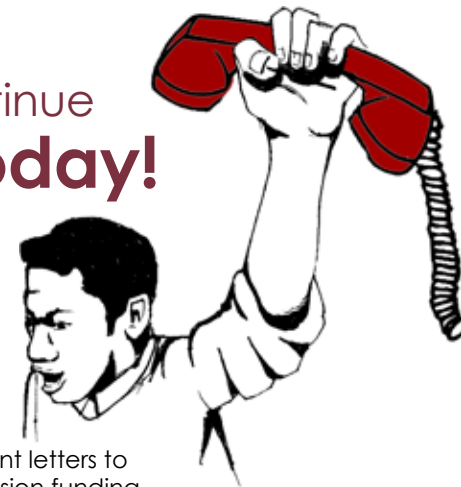
Find your state senator and representative by entering your home address at:

<https://wrm.capitol.texas.gov/home>.

Pay raise and pension push continue Call your legislator today!

Calls for an emergency pay raise and ERS pension funding grow louder because of TSEU member mobilization!

In response to grassroots union pressure, bipartisan support for an emergency pay raise for all state agency employees and additional funding for the ERS pension is growing every day. As of the printing of this Update, 23 lawmakers have sent letters to the Legislative Budget Board (LBB) calling for raises and pension funding. The goal is to ask every state senator and representative to publicly call for the LBB to approve the emergency raise and ERS funding.



Don't see your state senator or rep. listed at left? CALL THEM TODAY! HERE'S WHAT TO SAY:



Hello, my name is _____ and I live in Senator/Representative _____'s district. I also work for / retired from the State of Texas as a _____. I'm calling to ask Representative/Senator _____ to write a letter to the Legislative Budget Board to request emergency funding for an across-the-board pay raise for all state workers and increased funding for our ERS pension. Legislators neglected state employees and retirees this year while getting a \$4,300 per diem increase themselves. As a voting constituent, I expect better out of officials elected to represent me.

As a state employee, I knew I wasn't going to get rich doing this work, but I expected to be able to make ends meet. If we don't get an emergency raise, it will have been seven years since the last across the board raise. Elected officials don't wait this long to improve their own pay, and they've also increased their pensions three times since 2001. Retired state employees have been waiting 20 years for an increase.

Will Representative/Senator _____ contact the Legislative Budget Board to ask for emergency funding for an across the board raise and to shore up the ERS?