

Your pension could vanish in a Constitutional Convention

Your pension is among the many protections and benefits at stake if New York state voters approve a constitutional convention in 2017.

The New York State Constitution mandates that every 20 years, voters must vote whether to hold a constitutional convention. In 1997, voters rejected a convention thanks largely to the efforts of CSEA and other groups. (See 'Grassroots campaign led defeat of 1997 convention proposal')

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The question will be presented again in November 2017. While that date may seem in the distant future, the time to prepare for this ballot proposal is now. In recent years, some voters and interest groups have expressed support for a constitutional convention because of frustration with recent political scandals and misguided state policies.

A recent Siena College poll reported that 69 percent of respondents support a constitutional convention, with supporters coming from a wide range of demographics, including political parties, religions, ethnicities and age groups.

While convention supporters note that this is a good chance for the public to have a real voice in the state's future direction, the reality is that constitutional conventions are often costly, run by

political insiders and could jeopardize many of the protections and benefits essential to so many New Yorkers, including their pension and civil service rights.

Corporate interests have repeatedly attacked the rights of retirees and workers in recent years, and a constitutional convention could further erode the rights that working people and retirees have fought to achieve. Many business

interests want to change the state's pension system to a defined-contribution, or market earnings-based, system. The state's current defined benefit system, in place for 95 years, guarantees retirees the pension payment they have earned.

The last New York constitutional convention was held in 1967, one of only two in the past century. The 1967 convention was widely criticized for its high cost to taxpayers, a high number of delegates who were already state politicians and the voters' subsequent rejection of proposals passed by the convention, including a proposed repeal of the "Blaine Amendment," which forbids public money from being used to fund religious schools.

Simply put, New Yorkers can't afford this convention.

How a convention works

If voters approve a constitutional convention, delegates to the convention would be elected the following year; three from each of the state's Senate districts, plus 15 at-large delegates.

These delegates would then meet in Albany to discuss potential changes to the constitution.

Any constitutional changes that are approved by more than 50 percent of the delegates are then put before voters for approval. If voters approve any changes, they become part of the state constitution.

What can we do to fight it?

CSEA and other organizations that are opposed to a constitutional convention will educate voters about why a convention is a bad idea for New York. CSEA retirees are urged to discuss this issue with their families, friends and community members; a convention is costly and could harm all New Yorkers for many years to come. Retirees are also urged to reach out to their state legislators and tell them that there are other ways to fix New York than a costly, wasteful constitutional convention.

Why a convention should concern you

If a constitutional convention is held, all aspects of the state's constitution are open for review and change. The state constitution protects many of the rights and benefits that are important to all of New York's citizens. Any change to the constitution could jeopardize rights and benefits that are now protected, including:

- Pension benefits
- The right to organize into unions

- Collective bargaining rights
- Contractual rights
- Wages
- Workers' compensation and workplace safety and health protections
- Civil rights and social welfare
- Civil service appointments and promotions (now based on "merit and fitness")
- Public education rights
- Environmental protections

Any other way to change the constitution?

The state constitution can also be amended, or changed, by passing bills through the state Assembly and Senate to propose as questions on general election ballots. Voters would approve the amendments, which would become part of the state constitution. The state has amended its constitution in this manner at least 200 times since 1894, most recently in 2013, when voters decided on several ballot questions, including casino expansion in New York.