



“Project 2025” Proposal

vs.

PEF’s Existing Policies and Legislative Actions

Elections have less to do with political party than they do with public policy. PEFs State and Federal legislative agendas are refined and approved annually by PEF delegates acting on behalf of their constituents at the PEF Convention. The following analysis compares the policy prescriptions outlined in the “Project 2025” agenda versus the policies PEF delegates have directed PEF to pursue on the state and federal level.

Additionally, policies adopted on the state or federal level usually find their way into corresponding policy proposals in other state legislatures.

The primary objective of PEF’s political endorsement process is to support candidates that maximize opportunities for positive policy prescriptions that benefit PEF members and their families and to defeat those candidates whose policies are harmful to PEF members and their families as outlined the union’s official state and federal legislative agendas, as adopted.

It is important to now, however, that many of the contributors to the Heritage Foundation’s “Project 2025” blueprint were high-ranking officials from Trump’s first administration, including former White House adviser Peter Navarro, former director of Trump’s Office of Management and Budget Russell Vought, and former Housing and Urban Development Secretary Ben Carson. These individuals remain close advisors to the former President and will likely be appointed to prominent positions should he win re-election.

Topic	Project 2025	Current PEF Policy and Legislative Department Action
<p>Civil Service Reforms and Due Process Rights</p>	<p>Fires Civil Service Workers and Replaces Them with Political Appointees</p> <p>The Project 2025 agenda calls for the immediate introduction of an executive order that would reclassify tens of thousands of federal employees with a new Schedule F category of civil service employees, which would exempt them from being protected by civil service rules. This could result in the firing of tens of thousands of federal employees, who would then be replaced with Administration appointees or no one at all.</p> <p>Eliminate BA Requirements for Federal Employees</p> <p>The Project 2025 agenda would prohibit the use of a BA requirement in job descriptions.</p>	<p>Current PEF Policy</p> <p>Employees have the right to expect that the Civil Service rules that affect hirings, promotions, layoffs, transfers and other aspects of holding state employment will be fair, supportive of the merit system, and open to public scrutiny.</p> <p>PEF will monitor and oppose the use of hiring practices designed to skirt civil service law and which are inherently subjective, such as the Selective Certification Hiring and Promotional process. So as to prevent these processes from negatively impacting the promotional potential of our members, PEF will engage the NYS Legislature in an attempt to correct the inequities as a result of lack of posting policy and make sure that promotions and appointments are first made from eligible competitive lists before appointing individuals to a similar noncompetitive class position or a transfer. PEF will seek avenues to reduce the state’s reliance on such subjective processes and encourage the state to create replacement processes that are more objective which include components that include criteria that can be measured and evaluated. They have a right to not lose their employment without just cause, and to be able to seek employment elsewhere without being restricted by the Ethics provision of the Public Officers Law. State employees also have the right to hold a second job during hours they are not working for the state, as long as no conflict of interest occurs.</p> <p>PEF will fight against the continuing erosion of the Civil Service System. PEF would support changes to the Civil Service rules that would make testing and scoring of exams fairer and freer from potential manipulation. Test results should be reported quickly, and the review process should be expanded. All hiring and promotions should be made from the appropriate Civil Service lists with priority over hiring of consultants 1099s and H-</p>

		<p>1Bs. The Department of Civil Service should have adequate funding and staffing to enforce the civil service law and administer the merit system promptly and efficiently.</p> <p>PEF has been and remains steadfast in protecting the merit and fitness provisions of the state civil service exam system in order to ensure a high quality, efficient and effective public sector workforce. PEF fully supports efforts by members serving as per diems, temporary or non-salaried employees to secure full-time positions in the classified service if qualified to do so. To that end, PEF has and will continue to advocate that state civil service exams reflect real world training and experience so that members' skills can be accurately measured against vacant titles.</p> <p style="text-align: center;">PEF Legislative Department Actions</p> <p>PEF has been involved in securing additional resources for the State Civil Service department, expanding testing centers, funding a pay grade study, expanding information about state job opportunities and facilitating entry into state service through amendments to the civil service law</p> <p>PEF has been working with the Department of Civil Service to expedite the hiring of individuals to serve in hard to fill job titles through the temporary HELPS program while also ensuring members are protected and promotional rights preserved</p>
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<p>Overtime Regulations</p>	<p>Lets States Gut National Overtime and Minimum Wage Laws—and Lets States Ban Labor Unions</p> <p>The Project 2025 agenda urges Congress to pass legislation that would let states and local governments seek waivers from federal labor laws like the Fair Labor Standards Act (FLSA), which establishes national minimum wage and overtime laws, and the National Labor Relations Act (NLRA), which protects the rights of private sector workers to join unions. This will result in a patchwork of labor standards while weakening national worker protections.</p> <p>Lets Employers Stop Paying Overtime</p> <p>The Project 2025 agenda wants to change the overtime rules in the FLSA to allow employers to compensate overtime with paid time off instead of overtime pay. Project 2025 also suggests that the current federal overtime rules allow too many low-income workers in the South to qualify for overtime, and also wants to change the way that overtime is calculated to allow employers to combine weeks in order to avoid paying overtime.</p>	<p style="text-align: center;">Current PEF Policy</p> <p>In 2014, the Department of Labor updated regulations defining which white collar workers are protected by the Fair Labor Standards Act’s (FLSA) minimum wage and overtime standards.</p> <p>PEF supports the benefits promised by the Fair Labor Standards Act. PEF opposes the diminution or rolling back of any benefits created through this act. When these benefits are denied, it should be permissible to seek legal redress in federal court.</p> <p style="text-align: center;">PEF Legislative and Legal Department Actions</p> <p>PEF has drafted legislation to ensure PEF members who work overtime in out of title roles receive overtime calculations based on their current salary or the salary in the title in which they are performing overtime, whichever is HIGHER.</p> <p>PEF’s legal team has been working to diligently to fix long overdue overtime payments to PEF members due from DOL.</p> <p>PEF supports strengthening overtime protections for overtime eligible members and has been holding agencies accountable where irregularities occur.</p>
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<p>Privatization of Public Sector Jobs</p>	<p>Privatizes Unemployment Insurance Programs</p> <p>The Project 2025 agenda would allow non-public worker organizations to administer state unemployment insurance programs. The privatization of unemployment benefits could cut workers' jobs and lead to obstacles for a critical social safety net program that workers rely on.</p> <p>“The existing unemployment insurance (UI) system is bureaucratic, ineffective, and unaccountable. The most promising avenue for innovation is to involve workers and private-sector organizations more directly, freed from unnecessary bureaucratic strictures. Americans take for granted that unemployment benefits must be administered by government agencies, but other Western market democracies feature effective and popular benefits administered by non-public worker organizations. The next conservative Administration should encourage UI innovation by capitalizing on a key feature of the system and principle of conservative policymaking: federalism. State governments already administer unemployment benefits and have broad discretion over their programs. Existing statutory language in the Social Security Act does not prohibit non-public organizations from administering the program, nor does it specifically authorize states to do so.</p> <ul style="list-style-type: none"> • Approve non-public worker organizations as UI administrators. DOL should approve, pursuant to § 303(a)(2) of the Social Security Act, nonpublic worker organizations as administrators. • Offer waivers for suitable alternatives. DOL should offer waivers from the standard requirements imposed on unemployment compensation by § 303(a) and § 303(d) of the Social Security Act to states that propose suitable alternatives. (pp.604) 	<p>Current PEF Policy</p> <p>PEF opposes the transfer of funding from state agencies to private contractors or so-called “shadow” government agencies, and also opposes the federal funding of any not-for-profit or other entities, including academic and research foundations providing services or programs currently or previously performed by public agencies and employees.</p> <p>PEF supports the use of federal funding for state projects that pay prevailing wage and use union labor as a first option.</p> <p>PEF opposes privatization of services provided by public employees.</p> <p>In 2014, the Department of Labor updated regulations defining which white collar workers are protected by the Fair Labor Standards Act’s (FLSA) minimum wage and overtime standards. PEF supports the benefits promised by the Fair Labor Standards Act. PEF opposes the diminution or rolling back of any benefits created through this act. When these benefits are denied, it should be permissible to seek legal redress in federal court.</p> <p>PEF supports legislation that would make it a policy of Congress that the total compensation of state and local employees in agencies receiving Federal funds be based on the principles that:</p> <ol style="list-style-type: none"> 1. There be equal pay for substantially equal work done by public employees and private contractors those agencies have contracted with; and 2. The pay and per diem rates of State and local government employees should be no less than the prevailing wage for similar or substantially similar work done within the State or locality. <p>PEF believes that maintaining a stable public workforce will ensure the provision of high-quality services to the state’s residents. A stable workforce provides continuity of service and</p>
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<p>Repeals Labor and Wage Protections for Workers on Federal Projects</p> <p>The Project 2025 agenda encourages Congress to repeal the Davis–Bacon Act, which requires construction companies to pay wages to laborers and mechanics on federally funded projects that are in line with similar projects in the area. It also urges federal government agencies to end the mandatory use of project labor agreements (PLAs) on large-scale construction projects, which set the terms and conditions of employment with labor organizations. This will result in lower wages for construction workers on federal projects while also weakening worker protections in the industry.</p> <p>Public-Private Partnerships</p> <p>Allow designers, contractors, and maintenance teams to work together through the delivery of the process to focus on lifecycle costs as opposed to just initial design and construction costs. (p. 623)</p> <p>Wagner–Peysner Staffing Flexibility</p> <p>State agencies that administer unemployment benefits and workforce development programs should be able to hire the best people to do the job and should not be required to use state employees if a contractor can do the job better. Further, the federal government should not force a state to use non-union labor or union labor for these positions.</p>	<p>longevity of experience. While changes in the size and composition of the workforce always occur, proper management of these changes will result in fewer disruptions in the services being provided.</p> <p>PEF is opposed to the contracting-out of work that state employees should be performing. However, since the state does engage in this practice, it shall be regulated by requiring a cost/benefit analysis and a review of the contractor’s qualifications and track record prior to the signing of a contract. PEF will continue to advance common sense legislation to ensure that all taxpayer dollars are used effectively, efficiently and for the sole benefit of New Yorkers.</p> <p style="text-align: center;">PEF Legislative Department Actions</p> <p>PEF has fought against the “Empowering People in Rights Enforcement” (EMPIRE) act which would privatize wage and other enforcement of State Labor Law.</p> <p>PEF has fought against the reauthorization of the design build program and secured legislation requiring public sector licensed professionals to be on the job sites of all design build projects (Veto #85/23)</p> <p>PEF continues to fight against the closure and privatization of state-operated entities, including:</p> <ul style="list-style-type: none"> • SUNY Downstate Hospital • Institute for Basic Research in Developmental Disabilities (IBR) • Rockland County Psychiatric Hospital • Western New York Children’s Psychiatric Hospital • Hutchings Psychiatric Hospital
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Agency Funding	Budget Reductions for Agencies	Current PEF Policy
	<p>Health and Human Services is home to Medicare and Medicaid, the principal drivers of our \$31 trillion national debt...from 1967 through 2020—according to the American Main Street Initiative’s analysis of official federal tallies—Medicare and Medicaid combined cost \$17.8 trillion, while our combined federal deficits over that same span were \$17.9 trillion. In essence, our deficit problem is a Medicare and Medicaid problem. (p. 283)</p> <p>The Project 2025 agenda would require states to have “more robust eligibility determinations”—making it tougher for people to qualify for Medicaid—while also putting lifetime caps or time limits on receiving Medicaid.</p> <p>Project 2025 calls for the federal government to reduce the agencies’ budgets to the low end of the historical average. The Trump Administration’s FY 2020 request, \$10.9 billion, would provide a workable target for spending reductions for DOL, for example. (p. 615)</p> <p>Spending reductions should occur primarily in the Employment and Training Administration (ETA). (p. 615)</p> <p>Focus health and safety inspections on egregious offenders, as other inspections are often abused and usurp state and local government prerogatives. (p. 615)</p> <p>Maximize hiring of political appointees - The Trump Administration Department of Labor worked with up to 150 political appointees. <u>The number of political appointees should be maximized in order to improve the political accountability of the department.</u> (p. 615)</p>	<p>NY Currently receives around \$54 billion in Medicaid funding from the federal government. Federal funding is directly tied to the quality of state services at various facilities and agencies, including, but not limited to DOH, OASAS, OMH, SUNY Hospitals, DOCCS, SED, DOT, DEC, OPWDD, DOL, OCFS, and OTDA. The Public Employees Federation urges New York State Federal representatives to ensure that New York State applies for all federal funding to which it is entitled in order to support the professional workforce and the services they provide.</p> <p>Reducing funding to Medicaid programs will lead to decreases in health care for low-income elderly individuals, people with disabilities, and parents and children. Medicaid cuts will negatively impact PEF members and hasten the deterioration of New York States’ fiscal condition.</p> <p>PEF supports improved funding of Medicaid and opposes cuts and/or re-distribution of funds that will diminish the quality of services provided by our members.</p> <p style="text-align: center;">PEF Legislative Department Actions</p> <p>PEF has been advocating for additional funding for all state agencies so that PEF members can provide the efficient and effective services taxpayers deserve and expect.</p> <p>In 2024, PEF has successfully pushed for additional \$20M in funding to re-open closed state-operated mental health beds across OMH</p> <p>PEF successfully lobbied for additional monies for Civil Service to implement regional testing centers and more tests</p> <p>PEF continues to lobby for additional staffing across all state agencies.</p>

	<p><u>Implement a hiring freeze for career officials.</u> A hiring freeze imposes financial discipline on agencies' personnel costs and reduces agency bloat. (p. 615)</p>	
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<p>Collective Bargaining</p>	<p>End Public Sector Unions</p> <p>The Project 2025 agenda states that union representation of government workers is “incompatible with democracy” and asks Congress to make these public unions illegal. The U.S. Supreme Court, stacked with conservative justices appointed by former President Trump, has already demonstrated its opposition to public unions with the <u><i>Janus v. AFSCME</i></u> decision, which overturned decades’ long precedent to allow public employees to opt out of paying union dues while still receiving the benefits of the collective bargaining agreement.</p> <p>Non-Union Worker Voice and Representation</p> <p>The Project 2025 agenda calls for significant “changes to the one-size-fits-all approach that undermines worker representation.” Project 2025 calls for alternatives to labor unions in favor of a “more cooperative model” of representation run jointly with management and which focuses <u>solely</u> on workplace issues. Project 2025 calls for the establishment of new options for workers and “the passage of labor reforms that create non-union “employee involvement organizations” as well as a mechanism for worker representation on corporate boards.” (p. 559)</p> <p>NOTE: Frm. Pres. Trump did adopt 3 EOs that undercut collective bargaining for federal employees:</p> <p><u>Executive Order #13836</u>: Re-open collective bargaining agreements and then rush negotiations</p> <ul style="list-style-type: none"> • Directs agencies to renegotiate collective bargaining agreements as soon as possible; 	<p>Current PEF Policy</p> <p>PEF is opposed to actions by the National Labor Relations Board to reclassify any employees that would render them ineligible for union representation. PEF opposes any action that would diminish the rights of any worker. PEF supports legislation amending the National Labor Relations Act which would remove restrictions on unions’ first amendment rights to free speech and association.</p> <p>PEF supports the Public Service Freedom to Negotiate Act to allow workers to exercise their right to unionize without unfair intimidation by their employers.</p> <p>PEF supports the Protecting the Right to Organize (PRO) Act which protects workers right to join a union without unfair and abusive interference from management. (H.R.20/S.567)</p> <p>PEF will support legislation to ensure that the union maintains unfettered access to its members to protect its formal, legal role in administering the contract on behalf of all members.</p> <p>PEF Legislative Department Actions</p> <ul style="list-style-type: none"> • Ensuring new agencies are operated by PEF members, including the new Office of Cannabis Mgmt. and Office of Just Transition. • Expanding opportunities for PEF to speak to new state employees about the benefits of union membership and to protect those employees from solicitations from outside anti-union groups (Chapter 55 of 2020 - Part W)
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	<ul style="list-style-type: none"> • Sets arbitrary timelines for the negotiation process which, when exceeded, will result in the unilateral imposition of terms by the agencies; • Establishes a new bureaucracy called “The Labor Relations Group” that will dictate “one-size-fits-all” proposals to agencies engaged in bargaining; and • Encourages agencies to engage in “take-it-or-leave-it” bargaining tactics inconsistent with agencies’ good-faith bargaining obligations. <p><u>Executive Order #13837</u>: Hamstring unions’ ability to represent workers</p> <ul style="list-style-type: none"> • Attempts to prevent union stewards from using official time to aid employees in preparing or pursuing grievances; • Directs agencies to drastically reduce official time authorizations to 1 hour per bargaining unit employee per year, an attack designed to make it harder for your union to help you; and • Cuts off access to agency office space for union officials carrying out their representational duties making it harder to help workers. <p><u>Executive Order #13839</u>: Fire first, ask questions never</p> <ul style="list-style-type: none"> • Encourages agencies to abandon fairness concepts such as progressive discipline process; • Encourages agencies to tailor different penalties for the same or similar offenses, ignoring established law; • Directs the Office of Personnel Management to give performance appraisal more weight than seniority when an agency faces a reduction in force, creating great potential for unfairness; and • Instructs agencies to take away our ability to grieve unfair removals from service or to challenge performance appraisals or awards at all. 	
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Topic	Project 2025	Current PEF Policy and Legislative Department Action
<p>Health Care</p>	<p>Taxes Worker Benefits</p> <p>Project 2025 calls for establishing a cap on the tax deductions that employers can claim for benefits they offer workers (any benefits that are valued over \$12,000 a year per employee will be subject to taxes). This goes way beyond a "Cadillac Tax" on high-cost health insurance -- it includes other benefits like building gym facilities. It also denies employers tax deductions for health insurance used to cover children over 23 -- a key win for union and nonunion workers alike from the Affordable Care Act. This will cause a race to the bottom for corporations to offer fewer and worse benefits for workers and their families. (p. 697)</p> <p>Eliminates Reproductive Freedom Nationwide</p> <p>The Project 2025 agenda states that the Department of Health and Human Services (HHS) should be known as the Department of Life. It would let federally-funded hospitals deny women medical care and discusses effectively ending all reproductive freedom through executive order by using the Comstock Act, a federal 1873 law.</p> <p>Eliminates the Affordable Care Act</p> <p>Trump’s Project 2025 calls for a complete overhaul of the Department of Health and Human Services (Chapter 14). These so-called patient-centered and market-based changes are in addition to Trump’s continued promise to repeal the ACA, leaving millions of Americans without health insurance 22.</p>	<p>Current PEF Policy</p> <p>PEF supports the expansion of Medicare and any legislation that would provide not for profit, single payer health care to all Americans.</p> <p>PEF supports the following health care reform principles:</p> <ul style="list-style-type: none"> • Affordability- health care costs must be brought under control. Surprise/balance billing should be prohibited from impacting patients. • Choice- every American should have the freedom to choose their health care provider, including a health care public option. • Improving quality- reform should include provisions to improve the quality of health care in America, with a strong public health focus. • All Americans must have quality health care. • Equity-reforms to the healthcare system must address systemic inequalities in care and outcomes. <p>PEF opposes taxing employer-provided health benefits. PEF opposes the ACA tax on high-quality health plans (the so-called “Cadillac” tax).</p> <p>PEF opposes federal cuts that diminish the quality of care provided by the state workforce.</p> <p>PEF Legislative Department Actions</p> <p>PEF has highlighting coverage under the ACA in its fight against the establishment of a single payer health care system in New York that reduces members’ voice and which could result in significantly lower health care benefits and higher costs for PEF members.</p>

Topic	Project 2025	Current PEF Policy and Legislative Department Action
Retirement Security	<p>Cuts Retirement Benefits for Federal Employees</p> <p>The Project 2025 agenda believes that the current system is too generous to employees and wants to reduce defined benefit retirement plans for federal employees. They believe that civil service workers get paid too much and receive too many benefits, despite many studies showing this not to be true.</p> <p>Congress should increase the variable rate premium on underfunding and eliminate the per-participant cap in order to appropriately take into account risk and limit the degree to which well-funded pension plans must subsidize underfunded plans. Reforms should proportionately reduce the fixed per-participant premium to ease the burden on well-funded plans and also increase premiums on multiemployer plans to match single-employer plans. (p. 610)</p>	<p style="text-align: center;">Current PEF Policy</p> <p>PEF supports legislation that will make defined benefit retirement plans more economically feasible for companies to adopt and continue to adequately fund and support.</p> <p>PEF supports legislation to correct the inequities in pension tiers including, but not limited to, service credit percentages and additional years of service credit. This can also include allowing all accrued vacation and sick leave accruals to be part of the final average salary used for the pension calculation.</p> <p>PEF believes that all state employees after giving their working lives to serve the public good, have earned, and deserve a secure and dignified retirement.</p> <p style="text-align: center;">PEF Legislative Department Actions</p> <ul style="list-style-type: none"> • PEF worked to defeat various Constitutional Amendment referenda that could have overturned the current state constitutional protections contained in Article V, Sec. 7. • PEF fought against the establishment of the Tier 5 and 6 plans. • PEF worked to defeat the establishment of a defined contribution system proposed by Governor Cuomo in 2012 • PEF has and will continue to fight to improve the Tier 5 and 6 retirement plans and has successfully secured the reestablishment of the 5 year vesting benefit and the 3 year final average salary benefit for Tier 6 members, as well as the prohibition against using overtime compensation in the calculation of Tier 6 member contributions to the retirement plan.

Topic	Project 2025	Current PEF Policy and Legislative Department Action
Public Service Loan Forgiveness Program	Eliminates the Public Service Loan Forgiveness Program The Project 2025 agenda states: “The Public Service Loan Forgiveness program, which prioritizes government and public sector work over private sector employment, should be terminated.”	<p style="text-align: center;">Current PEF Policy</p> PEF will support legislation to establish a state-operated student loan forgiveness program for all state employees with the goal to recruit new employees to state service.

Topic	Project 2025	Current PEF Policy and Legislative Department Action
<p>Retirees and Medicare Beneficiaries</p>	<p>Makes Medicare Advantage Plan the Default Program for Seniors Versus Current Medicare Program</p> <p>Encourage more direct competition between Medicare Advantage and private plans. Medicare Advantage (MA), a system of competing private health plans, is the major alternative to traditional Medicare for America’s large and growing cohort of seniors. The program provides beneficiaries with a wide range of competitive health plan choices—a richer set of benefits than traditional Medicare provides and at a reasonable cost. Equally as important, the MA program has been registering consistently high marks for superior performance in delivering high-quality care. Critical reforms are still needed to strengthen and improve the program for the future. Specifically: — 464 —Department of Health and Human Services 1. Make Medicare Advantage the default enrollment option. 2. Give beneficiaries direct control of how they spend Medicare dollars. 3. Remove burdensome policies that micromanage MA plans. 4. Replace the complex formula-based payment model with a competitive bidding model. 5. Reconfigure the current risk adjustment model. 6. Remove restrictions on key benefits and services, including those related to prescription drugs, hospice care, and medical savings account plans. (pp. 464). It is important to note that unlike Original Medicare, Medicare Advantage plans have provider networks and can also require prior authorization, meaning that the plan can approve or deny certain services. Original Medicare plans don’t have prior authorization requirements.</p>	<p style="text-align: center;">Current PEF Policy</p> <p>In 2022, President Biden signed the Inflation Reduction Act into law, which included a provision that finally allowed Medicare to negotiate directly with drug companies to improve access and lower costs of some Medicare Part B and Part D prescription drugs.</p> <p>The costs of prescription drugs could be lowered if Congress authorized the Medicare plan to negotiate with manufacturers of the price of the drugs used in the plan.</p> <p>PEF supports proposals that would lower the costs of prescription drugs.</p> <p style="text-align: center;">PEF Legislative Department Actions</p> <p>PEF successfully defeated the proposal to cut the Income Related Monthly Adjustment Amount (IRMAA) program that would have cut the state’s reimbursement to PEF retirees.</p> <p>PEF supported law that eliminates co-pays, premiums or deductibles for insulin (Ch. 58/2023 – part EE)</p>

Increases Medicare Part D Prescription Drug Prices

Project 2025 states that the Medicare prescription drug “negotiation’ program should be repealed -- HHS is home to Medicare and Medicaid, the principal drivers of our \$31 trillion national debt...according to the American Main Street Initiative’s analysis of official federal tallies—Medicare and Medicaid combined cost \$17.8 trillion, while our combined federal deficits over that same span were \$17.9 trillion. In essence, our deficit problem is a Medicare and Medicaid problem” (p. 283 and p. 465).