

MINUTES
OF THE MEETING OF
THE EXECUTIVE COMMITTEE
STATE EMPLOYEES' RETIREMENT SYSTEM OF ILLINOIS
August 11, 2011

A meeting of the Executive Committee of the State Employees' Retirement System of Illinois was held on Thursday, August 11, 2011, at 8:30 A.M. in the System's Springfield office at 2101 S. Veterans Parkway.

Committee members present:

Loren Iglarsh, Chairman
Lori Laidlaw, Vice Chairperson
Timothy Blair, Executive Secretary

Others Present:

Steve Bochenek, Attorney
Kathy Yemm, Manager, Claims Division
Joseph Maggio, Manager, Service & Refunds Division
Chris Silver, Supervisor, Disability Section
Michael Noblet, Supervisor, Pensions & Deaths Section
Kerry Walker, Assistant Supervisor, Disability Section
Dawn Blakeman, Recording Secretary
Wendie Medina, Hearing

Minutes of the Previous Meeting

The minutes of the July 7, 2011 meeting of the Executive Committee were presented by Chairman Iglarsh for approval. Copies of the minutes were previously mailed to Committee members for review. There being no additions or corrections, on motion by Vice Chairperson Laidlaw seconded by Executive Secretary Blair and by unanimous vote, the minutes were approved as submitted.

Routine Claims & Denial Report

The Routine Claims and Denials Report for the month of July 2011 were presented for approval. Following review and discussion, Chairman Iglarsh moved acceptance of the Routine Claims and Denials Report for the period of July, 2011. Executive Secretary Blair seconded the motion, which passed unanimously.

Old Business

Robert Ruiz Pension

Mr. Ruiz is receiving a retirement annuity from SERS. He retired effective February 1, 2009 using reciprocity with the County Employees' Annuity & Benefit Fund of Chicago (CEA&BF).

Based on a review of the file and information submitted, the Committee finds Robert Ruiz worked for a state agency and retired under the Reciprocal Act.

On October 1, 2009, Robert Ruiz returned to full-time work for the State of Illinois, therefore, SERS and CEA&BF suspended his benefits. Mr. Ruiz is requesting his original reciprocal agreement be cancelled so he can still collect his pension benefits from the County Employees' Annuity & Benefit Fund of Chicago.

A personal hearing was requested in a letter dated November 19, 2009. This hearing continues to be deferred based on the request of Mr. Ruiz.

Jill Gordon Nonoccupational Disability

The System's attorney submitted a recommendation to deny based on the facts and findings on file in this case for the Committee's review. Following discussion, on motion by Executive Secretary Blair, seconded by Chairman Iglarsh, and by unanimous vote, the Committee accepted Recommendation No. 2011-12 in the matter of Jill Gordon.

A copy of this recommendation has been made a part of this member's file.

Beverly Hoaglin Nonoccupational Disability

Beverly Hoaglin works for a state agency and a medical leave of absence was granted.

Ms. Hoaglin has received non-occupational disability benefits since 07/07/2007. She turned age 66 in February, 2010 and, at that time, the amount of her unreduced social security benefit should have been subtracted from the monthly amount of her SERS non-occupational disability check.

This has created an overpayment of nonoccupational disability benefits being paid by SERS.

Based upon a review of the file and information submitted, the Executive Committee finds the employee's work location is as stated and Beverly Hoaglin was granted a medical leave of absence.

Ms. Hoaglin requested an appeal of the overpayment of non-occupational disability benefits.

Following a review of the file and some discussion, Executive Secretary Blair moved that the appeal of Beverly Hoaglin be deferred so SERS can calculate what her monthly pension and effective date would be compared to the amount of her non-occupational disability. The Claims department would then contact Ms. Hoaglin with the numbers in order for her to choose between the two options. Vice Chairperson Laidlaw seconded the motion, and all were in favor.

The pension supervisor completed calculating the disability overpayment vs. retro pension and it was determined that Ms, Hoagland could retire retroactively to her birthday of 2/1/2010 which would drop her overpayment considerably.

After some discussion, Chairman Iglarsh moved to approve Ms. Beverly Ann Hoaglin's disability waiver and to backdate her pension to 2/1/2010. Vice Chairperson Laidlaw seconded the motion, and all were in favor.

Donald Snyder/Leecia Snyder Pension/QILDRO

Following the felony conviction, the former spouse filed an amended QILDRO allowing her to receive 100% of the marital portion of any termination refund. The 100% marital portion formula was stated on the QILDRO to include 'regular' and 'permissive' service. ERI contributions are considered permissive service. The ERI contributions received from Mr. Snyder's lump sum (\$1,320.45) are included in the termination refund payable totaling \$59,891.88. The 24 month reductions of \$1,672.57 totaling \$40,141.74 are not included in the refund amount.

Leecia Snyder, represented by her attorney Eric Altman, is of the opinion she is entitled to receive the value of the reductions totaling \$40,141.74. The Committee requested the System's attorney to research and review this issue.

Following discussion and based on the advice of counsel, Chairman Iglarsh moved that the appeal of Snyder/Snyder be approved for the ERI refund per QILDRO. Executive Secretary Blair seconded the motion, and all were in favor.

Proof of Birth Acceptable Documents Policy

Section 1540-100 regarding Birth Date Verification: We have made limited exceptions for people born out of the country by accepting copies of, Naturalization papers or passports without a letter of "no record exists".

Based on an email from the Claims Division Manager at that time, in 2008 the policy was reviewed by the Executive Committee and was approved at that time to accept DD 214's, Naturalization papers and immigration papers in lieu of a birth certificate without the necessity of obtaining a statement of "No Record Exists" from the state of birth. This decision cannot be located.

Recently it was found that some employees of the Claims Division are accepting only birth records or a letter stating "no record exist" with a copy of military papers, Naturalization papers, passport and other records with a date of birth on them.

All staff should be consistent and use the same documentation requirements for birth certificates. Staff is asking the committee for direction on whether they can accept DD214's and passports as proof of date of birth without the "No Record Exists" certification form the member's state of birth. Staff is also asking the Committee to clarify if a hospital record is acceptable as proof of birth date. This matter was referred to the Executive Secretary at his request to do further research.

New Business

Wendie Medina

Service/Furlough

Wendie Medina requested a personal appeal before the Executive Committee. She is requesting that her furlough days be re-calculated under the newly passed HB1565 with a refund of the difference.

The Executive Committee finds that Wendie Medina purchased 24 furlough days under the provisions of HB4644.

Following a review of the file and some discussion, Chairman Iglarsh moved to refer the appeal of Wendie Medina to re-establish furlough days for repayment under HB1565 to the System's attorney for a recommendation. Vice Chairperson Laidlaw seconded the motion and all were in favor.

John Urbas

Pension/Refund

John Urbas began receiving a retirement annuity on 10/01/2009. His benefit was suspended on June 30, 2011, following his conviction of a felony arising out of his duties as a state employee.

Mr. Urbas is requesting a waiver of the 60 day period and a refund of his contributions.

Refund applications were previously mailed to Mr. Urbas and with a QUILDRO in place also to his ex-spouse for completion.

Following a review of the file and some discussion, Chairman Iglarsh moved to approve the waiver of the 60 day wait for a refund of contributions for John Urbas. Executive Secretary Blair seconded the motion and all were in favor.

Linda Boone

Occupational Disability

Linda Boone works for a state agency and a service connected leave of absence was granted.

Ms. Boone's claim for disability benefits was denied due to failure to apply for occupational disability benefits within the proper time frame.

Based upon a review of the file and information submitted, the Committee finds Linda Boone works for a state agency and a service connected leave of absence was granted.

The System did not receive the employee's application for disability benefits within the time limitation pursuant to occupational disability benefits as noted in 40 ILCS 5/14-123, therefore the application was denied.

Ms. Boone requested a written appeal pursuant to the denial of disability benefits due to late filing, information was received with the appeal request which lists the reasons the employee failed to file on a timely basis.

Based on the facts of this case and information submitted, the Committee recommends approving Linda Boone's appeal for a waiver of the twelve month filing limitation.

Following a review of the file and some discussion, Chairman Iglarsh moved approval of the appeal of Linda Boone for a waiver of the twelve month filing time limit for occupational disability benefits. Vice Chairman Laidlaw seconded the motion and all were in favor.

Ronald Upchurch Occupational Disability

Ronald Upchurch works for a state agency and a service connected leave of absence was granted.

Mr. Upchurch's claim for disability benefits was denied due to failure to apply for occupational disability benefits within the proper time frame.

Based upon a review of the file and information submitted, the Committee finds Ronald Upchurch works for a state agency and a service connected leave of absence was granted.

The System did not receive the employee's application for disability benefits within the time limitation pursuant to occupational disability benefits as noted in 40 ILCS 5/14-123, therefore the application was denied.

Mr. Upchurch requested a written appeal pursuant to the denial of disability benefits due to late filing. Information was received with the appeal request which lists the reasons the employee failed to file on a timely basis.

Based on the facts of this case and information submitted, the Committee recommends approving Mr. Upchurch's appeal for a waiver of the twelve month filing limitation.

Following a review of the file and some discussion, Chairman Iglarsh moved approval of the appeal of Ronald Upchurch for a waiver of the twelve month filing time limit for occupational disability benefits. Vice Chairman Laidlaw seconded the motion and all were in favor.

Christina Aud Nonoccupational Disability

Christina Aud works for a state agency and a medical leave of absence was granted.

Ms. Aud's claim for disability benefits was denied due to failure to apply for nonoccupational disability benefits within the proper time frame.

Based upon a review of the file and information submitted, the Committee finds Christina Aud works for a state agency, and was granted a medical leave of absence.

The System did not receive the employee's application for disability benefits in the allowed time frame. Since the application was received beyond the ninety day filing limitation as noted in 40 ILCS 5/14-124, the application was denied.

Ms. Aud requested a written appeal pursuant to the denial of disability benefits due to the late filing. Information was received with the appeal request which lists the reasons the employee did not file on a timely basis.

Based on the facts of this case and information submitted, the Committee recommends approving Christina Aud's appeal for disability benefits. Following a review of the file and some discussion, Executive Secretary Blair moved approval of the appeal of Christina Aud for a waiver of the 90 day filing limitation for nonoccupational disability benefits. Vice Chairman Laidlaw seconded

Laura Enloe Nonoccupational Disability

Laura Enloe works for a state agency and a medical leave of absence was granted.

Ms. Enloe's claim for disability benefits was denied due to failure to apply for nonoccupational disability benefits within the proper time frame.

Based upon a review of the file and information submitted, the Committee finds Laura Enloe works for a state agency, and was granted a medical leave of absence.

The System did not receive the employee's application for disability benefits in the allowed time frame. Since the application was received beyond the ninety day filing limitation as noted in 40 ILCS 5/14-124, the application was denied.

Ms. Enloe requested a written appeal pursuant to the denial of disability benefits due to the late filing. Information was received with the appeal request which lists the reasons the employee did not file on a timely basis.

Based on the facts of this case and information submitted, the Committee recommends approving Laura Enloe's appeal for disability benefits. Following a review of the file and some discussion, Chairman Iglarsh moved approval of the appeal of Laura Enloe for a waiver of the 90 day filing limitation for nonoccupational disability benefits. Vice Chairman Laidlaw seconded.

Lisa Streit Occupational Disability

Lisa Streit works for a state agency and a service connected leave of absence was granted.

Ms. Streit's claim for disability benefits was denied due to failure to apply for occupational disability benefits within the proper time frame.

Based upon a review of the file and information submitted, the Committee finds Lisa Streit works for a state agency and a service connected leave of absence was granted.

The System did not receive the employee's application for disability benefits within the time limitation pursuant to occupational disability benefits as noted in 40 ILCS 5/14-123, therefore the application was denied.

Ms. Streit requested a written appeal pursuant to the denial of disability benefits due to late filing. Information was received with the appeal request which lists the reasons the employee failed to file on a timely basis.

Based on the facts of this case and information submitted, the Committee recommends approving Lisa Streit's appeal for a waiver of the twelve month filing limitation.

Following a review of the file and some discussion, Executive Secretary Blair moved approval of the appeal of Lisa Streit for a waiver of the twelve month filing time limit for occupational disability benefits. Vice Chairman Laidlaw seconded the motion and all were in favor.

Saleem Qureshi

Refund – Write-Off

This account became eligible for a write off in June, 2009. Contributions in the amount of \$4,896.59 were written off on June 26, 2009. Mr. Qureshi has contacted us regarding his account and has requested a refund.

The Service & Refunds Division is requesting the Executive Committee to approve the reinstatement of this account so that a refund may be paid.

Following a review of the file and some discussion, Executive Secretary Blair moved that the appeal of Saleem Qureshi be approved. Vice Chairman Laidlaw seconded the motion, and all were in favor.

Quandralene Wright

Pension/Overpayment/Reciprocal

On August 1, 2004, Ms. Wright retired under the Reciprocal Act with the State Employees' Retirement System (SERS) and Illinois Municipal Retirement Fund (IMRF).

Ms. Wright returned to work with an employer who participated in IMRF on February 1, 2007. IMRF failed to notify SERS until recently. Once SERS discovered Ms. Wright had returned to work with an employer who participated in the IMRF, the SERS benefits were suspended. This created an overpayment with SERS.

In an appeal letter dated July 29, 2011 Ms. Wright requested a written appeal addressed to the Executive Committee to have her pension recomputed and processed as an independent pension rather than a reciprocal, which would eliminate her overpayment with SERS.

The Supervisor of the Pension Department contacted the IMRF office to verify that Ms. Wright could change her retirement to independent pension with SERS and he was told she could if both Retirement Systems approved to retroactively process her pension without the reciprocal provisions of the law.

Following a review of the file and some discussion, Executive Secretary Blair moved that the appeal of Quandtralene Wright be approved. Chairman Iglarsh seconded the motion, and all were in favor.

John J. Danehy Pension/PA095-1043

John J. Danehy has been receiving a retirement annuity since 2002.

Mr. Danehy failed to request participation in P.A. 095-1043 within the proper time frame. Therefore, his request to participate was denied.

Based upon a review of the file and information submitted, the Executive Committee finds John J. Danehy began receiving a retirement annuity as of 2002.

Public Act 95-1043 allowed certain annuitants to elect to reduce their monthly retirement annuity in order to remove the Social Security offset from an SERS widow's or survivor benefit. Election forms were required to be returned by June 30, 2009 (with an extension to 12/31/09) in order to determine participation by the effective date of the Public Act (July 1, 2009).

Since Mr. Danehy's request to participate in P.A. 095-1043 was not returned, his request was denied.

Based upon the facts of this case and the information submitted, the Executive Committee recommends denying John J. Danehy's appeal for participation in P.A. 095-1043.

Following a review of the Public Act and some discussion, Chairman Iglarsh moved denial of Mr. Danehy's appeal to participate in P.A. 095-1043. Executive Secretary Blair seconded and the motion.

Based on facts and with additional information submitted by Mr. Danehy the Executive Committee approved the appeal for participation in P.A. 095-1043. Chairman Iglarsh moved approval of John J. Danehy's appeal to participate in P.A. 095-1043. Executive Secretary Blair seconded and the motion passed unanimously.

Margo McClelland Widow/Survivor Refund Request

Margo McClelland retired effective January 1, 2011.

Upon completion of the pension application at the time of retirement Ms. McClelland had completed a "WAIVER OF WIDOW/SURVIVOR CONTRIBUTION REFUND" form which she downloaded from SERS website, she thought at the time she had everything completed correctly.

However, the pension department feels Ms. Margo McClelland had completed the form in error she has no survivors and therefore should be entitled to her widow/survivor contribution refund.

In a written appeal letter dated July 25, 2011, Ms. McClelland is requesting the Executive Committee grant her a refund of the widow / survivor contributions.

Based on the facts of this case and the information submitted, the Executive Committee recommends approving the appeal of Margo McClelland.

Following a review of the file and some discussion, Vice Chairperson Laidlaw moved approval of the appeal of Margo McClelland for a refund of her widow/survivor refund of contributions. Executive Secretary Blair seconded the motion and all were in favor.

Nicole Bergeron/Survivor of Paul Bergeron Pension – SS Offset

Mr. Paul Bergeron retired 09/01/2001 and passed on 07/03/2009.

Mr. Bergeron's election form to participate in P.A. 095-1043 was not returned to our office due to illness. Therefore, when Mrs. Bergeron contacted SERS inquiring why her benefit was so small employees explained that the social security offset form to participate in P.A. 095-1043 was not returned.

Based upon a review of the file and information submitted, the Executive Committee finds Mr. Paul Bergeron was retired and has since passed, and that Nicole Bergeron is receiving a survivor benefit.

Public Act 95-1043 allowed certain annuitants to elect to reduce their monthly retirement annuity in order to remove the Social Security offset from an SERS widow's or survivor benefit. Election forms were required to be returned by May 31, 2009 in order to determine participation by the effective date of the Public Act (July 1, 2009).

After discussion the Executive Committee recommended approval of Ms. Bergeron's appeal for participation in P.A. 095-1043.

Following a review of the file, Public Act and some discussion, Chairman Iglarsh moved approval of the Nicole Bergeron appeal to participate in P.A. 095-1043. Executive Secretary Blair seconded and the motion passed unanimously.

Constance Eversgerd Nonoccupational Disability

Constance Eversgerd works for a state agency, and was granted a leave of absence.

Nonoccupational disability benefits were denied as of July 15, 2011 based on medical information in file.

Based upon a review of the file and information submitted, the Committee finds Ms. Eversgerd works for a state agency and was granted a medical leave of absence.

Ms. Eversgerd's claim for disability benefits was denied based on a review of medical documentation from treating medical sources.

Medical documentation was reviewed by the System's medical consultant on July 14, 2011. Additional medical information was obtained and the file was again reviewed on August 7, 2011 and the results of this review indicated the medical information in file failed to substantiate a disabling condition.

In a letter dated July 29, 2011 Ms. Constance Eversgerd requested a written appeal pursuant to the denial of disability benefits.

Following a review of the written request the file and some discussion, Executive Secretary Blair moved to deny the written appeal of Constance Eversgerd for nonoccupational disability benefits. Vice Chairperson Laidlaw seconded the motion and all were in favor.

There being no further business to be brought before the Committee, the meeting was adjourned at 11:A.M.

The next meeting of the Executive Committee is scheduled for Thursday, September 8, 2011, in the Springfield office, with video conferencing in Chicago.

Loren Iglarsh
Chairman

Lori Laidlaw
Vice Chairperson

Timothy Blair
Executive Secretary