

**MINUTES
OF THE MEETING OF
THE EXECUTIVE COMMITTEE
STATE EMPLOYEES' RETIREMENT SYSTEM OF ILLINOIS
February 10, 2011**

A meeting of the Executive Committee of the State Employees' Retirement System of Illinois was held on Thursday February 10, 2011, at 8:30 A.M. in the System's Springfield office, 2101 S. Veterans Parkway with video conferencing in Chicago, IL.

Committee members present:
Loren Iglarsh, Chairman
Timothy Blair, Executive Secretary
Lori Laidlaw, Vice Chairperson

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
Dawn Blakeman, Recording Secretary
Barbara Baird, Manager SERS Chicago
Fascia Edwards, Hearing
Louis G. Atsaves, Attorney for Ms. Edwards
Beryl Henderson, Hearing

Minutes of the Previous Meeting

The minutes of the January 13, 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 Chairman Iglarsh and by unanimous vote, the minutes were approved as submitted.

Routine Claims & Denial Report

The Routine Claims and Denials Report for the month of January, 2011 were presented for approval. Following review and discussion, Vice Chairperson Laidlaw moved acceptance of the Routine Claims and Denials Report for the period of January, 2011. Chairman Iglarsh seconded the motion, which passed unanimously.

Old Business

Donald Snyder

Retirement Annuity

Attorney Eric Artman contacted the retirement system and questioned why Mr. Snyder's ex-wife (Leecia Snyder) had not received her QILDRO refund. Ms. Snyder has a QILDRO in file to receive 100% of a refund payable due to the conviction of a felony.

The Claims Division Manager was instructed to mail Ms. Snyder an application for a refund for completion. The executed form will be reviewed by the Executive Committee at the next meeting. Additionally the Claims Division was instructed to follow-up with the Northern District U.S. Attorney to determine if there are any outstanding debts owed to the Federal Government.

Robert Ruiz

Pension

Mr. Ruiz is receiving a retirement annuity from the System.

Robert Ruiz 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.

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

Accordingly, this case has been deferred.

Nancy Ferguson

Service

Ms. Ferguson has requested a personal hearing to establish service for a leave of absence that was not less than one year.

House Bill 313 allows a member to establish service credit for periods of less than one year spent on an authorized leave of absence, provided that the period of leave began on or after January 1, 1982 and any credit established by the member for the period of leave in any other public employee retirement system has been terminated.

Ms. Ferguson requested a personal hearing with the Executive Committee in a letter dated November 17, 2009. Prior to the February 11, 2010, meeting due to bad weather Ms. Ferguson requested to re-schedule her hearing.

Accordingly, this case has been deferred.

Laraine Garner

Pension – Level Income

During the application process for her retirement annuity, Ms. Garner indicated she wanted to retire under the level income option. Ms. Garner was notified June 10, 2010 in accordance with the election at the time of retirement that her benefit would be reduced starting August, 2010 per her request on the pension application (age 66). The office received a written request from Ms. Garner dated July 6, 2010 wanting to opt out of the level income option.

Ms. Garner requested and attended a personal hearing with her son Shaun Garner asking the Executive Committee to approve her request to opt out of the level income option. After discussion, the Executive Committee agreed to have the Supervisor of the Pension department work up numbers to show Ms. Garner where the difference is and what the overpayment would be.

During the month of February, 2011, Ms Garner sent the retirement system a letter requesting to go forward with her appeal.

Therefore, following discussion, the Committee agreed to refer this matter to SERS Attorney for a recommendation based on the facts and findings in file for presentation at the next meeting.

Brenda Isaacs

Temporary 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 Vice Chairperson Laidlaw, seconded by Executive Secretary Blair, and by unanimous vote, the Committee accepted Recommendation No. 2011-3 in the matter of Brenda Isaacs.

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

Crystal Young

Temporary 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 Vice Chairperson Laidlaw, seconded by Chairman Iglarsh, and by unanimous vote, the Committee accepted Recommendation No. 2011- 4 in the matter of Crystal Young.

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

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 Chairman Iglarsh, seconded by Executive Secretary Blair, and by unanimous vote, the Committee accepted Recommendation No. 2011-5 in the matter of Gwendolyn Myers.

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

Fascia Edwards works for a state agency and a medical leave of absence was granted.

Ms. Edwards' disability benefit was suspended based on the results of an orthopedic independent medical evaluation and medical data from treating sources listed in file.

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

Medical data was obtained from sources listed in the employee's file. On October 07, 2010 the employee participated in an independent medical evaluation at the System's request. Based on the results of the independent medical evaluation and the medical data from the treating sources, disability benefits were suspended. Through Louis G. Atsaves, Attorney for Fascia Edwards additional information was received in our office with a request for a personal hearing pursuant to the denial of disability benefits.

On November 29, 2010 the entire file was reviewed by the System's medical consultant who determined that the medical information failed to substantiate a disabling condition.

On February 10, 2011 Ms. Edwards attended an Executive Committee meeting with her Attorney, Mr. Atsaves, and additional information was submitted. Ms. Edwards also indicated she has new medical information.

This case has been deferred until the new medical can be sent and reviewed by SERS medical consultant.

New Business

Beryl Henderson started receiving a retirement annuity on December 1, 2010.

Based upon a review of the file and information submitted, the Executive Committee finds Ms. Henderson is receiving a retirement annuity as of December 1, 2010.

At the time of her termination on September 30, 2010, Ms. Henderson indicated she had 10.75 months of leave of absence time she wished to purchase and have applied to her creditable service time. On October 9, 2010 a letter was sent to Ms. Henderson indicating that any optional service time must be established prior to retirement.

Ms. Henderson's personal check was received in our office on November 12, 2010. Per policy Beryl Henderson's effective date for pension is December 1, 2010. Ms. Henderson has requested a personal hearing to ask the Executive Committee to change her pension effective date to October 1, 2010.

Ms. Henderson attended the February Executive Committee meeting. She stated she understood she had 30 days from the date of the letter to purchase the time. After it was explained to Ms. Henderson that there was a problem with the billing letter sent to her, it was agreed that SRS would refund her purchased time and allow her to retire October 1, 2010. It was explained that Ms. Henderson will receive two checks: 1) contributions and interest for the service purchase, and 2) the October and November annuity.

The appeal was amended to request that her pension would begin 10/01/10 and that there would be a refund of the service purchased. The appeal as amended was approved and her pension will be adjusted accordingly.

Cynthia A. Noa Service

Cynthia Noa worked for a state office as a term appointment.

In a letter dated 10/19/10 Ms. Noa completed a request to establish service credit for a period of time she was on layoff.

In a letter dated 12/22/10 from the Illinois Department of Human Services it states Ms. Noa has never been laidoff.

In a letter to Ms. Noa dated 01/05/11 from the Service & Refunds Division, it's stated according to our records her separation from state service was due to her term appointment not being renewed.

Following a review of the file and some discussion, Executive Secretary Blair moved to deny the appeal of Cynthia Noa. Vice Chairperson Laidlaw seconded the motion and all were in favor.

Janice K. Draper Pension – Level Income

Ms. Draper retired 12/01/04 using the level income option at age 62. Ms. Draper has previously appealed to have her age of election changed to age 66 and

based on Recommendation No.2010-13 Ms. Draper's appeal was denied. Ms. Draper has asked for reconsideration based on additional information submitted by her Counselor regarding her mental state at the time of retirement. The entire file was again reviewed by the System's medical consultant. The medical information failed to substantiate a disabling condition.

Therefore following a review of the file and some discussion, Executive Secretary Blair moved to deny the appeal of Janice K. Draper. Vice Chairperson Laidlaw seconded the motion and all were in favor.

Disability Issue

Gainful Employment

SERS staff was directed to continue to review the current gainful employment rules and policies.

This discussion has been deferred until next month's meeting.

Henry Long, IV

Pension

Henry Long, IV is receiving a retirement annuity from the System.

Mr. Long began receiving a retirement annuity as of January 1, 2011 based upon his application for the annuity.

Based on a review of the file and information submitted, the Committee finds Mr. Long worked for a state agency and retired January 1, 2011.

On July 12, 2010 prior to receipt of his retirement annuity, Mr. Long received an unaudited retirement annuity estimate. This estimate indicated Mr. Long qualified for a retirement annuity under the "Rule of 85."

During the retirement annuity application process there was an audit on his account which documented an error in the estimate. Based on this information, Mr. Long did not qualify for a retirement annuity meeting the "Rule of 85".

Since Mr. Long's retirement annuity application had to be processed without the "Rule of 85", his retirement annuity was reduced due to age.

Henry Long has submitted a written appeal requesting that the Executive Committee waive the reduction for age and that his retirement annuity be calculated based on meeting the "Rule of 85" or at least the amount given to him on the estimate.

After discussion the Committee recommended to deny Henry Long's appeal to retire using the "Rule of 85."

Following a review of the file and some discussion, Chairman Iglarsh moved to deny the appeal of Henry Long, IV. Executive Secretary Blair seconded the motion and all were in favor.

Mr. McConkey passed away on October 14, 2010.

Gary McConkey's surviving daughter Lee has sent in a written request to waive her rights to survivor benefits. However, the waiver for benefits was executed on December 30, 2010 by Ms. McConkey, but, not notarized (stamped).

Based on the facts of this case and information submitted, the Committee is deferring the case of Lee McConkey's waiver of her rights to a survivor benefit from the System pending notarization (stamp) of the waiver.

The notarized waiver was received in our office and after a review of the file and some discussion Chairman Iglarsh moved approval of the appeal of Lee McConkey for a waiver of survivor 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 12:15pm. The next meeting of the Executive Committee is scheduled for March 10, 2011, in the Springfield office.

Loren Iglarsh
Chairman

Lori Laidlaw
Vice Chairman

Timothy Blair
Executive Secretary