

MINUTES  
OF THE MEETING OF  
THE EXECUTIVE COMMITTEE  
STATE EMPLOYEES' RETIREMENT SYSTEM OF ILLINOIS

February 13, 2020

A meeting of the Executive Committee of the State Employees' Retirement System of Illinois was held on Thursday, February 13, 2020 at 8:45 a.m. in the System's Springfield office at 2101 S. Veterans Parkway.

Committee Members:

Loren Iglarsh, Chairman  
David Morris, Vice-Chairperson  
Timothy Blair, Executive Secretary

Others Present:

Jeff Houch, Assistant Executive Secretary  
James Stivers, General Counsel  
Eric Glaub, Manager, Claims Division  
Cory Mitchell, Acting Supervisor, Pension and Death Section  
Steve Bochenek, System Attorney  
Jessica Blood, Recording Secretary  
Thomas Crosby, Attorney for Kevin Acosta (via teleconference)

Minutes of the Previous Meeting

The minutes of the January 9, 2020 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 Executive Secretary Blair, seconded by Vice-Chairperson Morris and by unanimous vote, the minutes were approved as submitted.

Routine Claims Report

The Routine Claims Report for the month of January 2020 was presented. Following review and discussion, the Routine Claims Report for the period of January 2020, as prepared by staff, was received by the Executive Committee.

Old Business

Kirk Schoenbein – Appeal to Retire Reciprocally

Kirk Schoenbein is a member of the Illinois Municipal Retirement Fund (IMRF), SERS

and JRS, but is not independently vested with JRS.

Mr. Schoenbein retired reciprocally with IMRF effective March 1, 2017 and is deferred with SERS until March 1, 2022 when he reaches age 60. He elected not to retire reciprocally with JRS.

Mr. Schoenbein is appealing that SERS undo his reciprocal pension with IMRF and instead retire reciprocally with JRS.

The case was deferred at the Committee's September and October 2019 meetings pending further research into the case. It was again deferred at the Committee's November and December 2019 and January 2020 meetings pending a decision from IMRF.

Jeff Houch provided an update on Mr. Schoenbein's case, stating that a recommendation would be presented by the IMRF Benefits Committee on February 27<sup>th</sup> with their board expected to ratify any decisions on February 28<sup>th</sup>. He added that SERS should know of the status of Mr. Schoenbein's IMRF hearing by the March Executive Committee meeting. The Committee again decided to defer the case pending a decision from IMRF.

#### Timothy Haslett – Appeal Pension Amount – Recommendation

Timothy Haslett retired on March 1, 2012. In September 2019 while reviewing his file for back wage adjustment, it was discovered that his final average compensation included vacation pay which created an overpayment of benefits.

The Pension & Death section adjusted Mr. Haslett's pension amount going forward, which included a reduction of his former amount. Mr. Haslett requested a personal hearing to appeal the adjustment of his pension.

After reviewing the facts of the case and some discussion, the Committee decided to refer the case for recommendation.

Attorney Bochenek presented recommendation No. 2020-02. After discussing the recommendation presented, the Committee decided to defer a recommendation pending further consideration of the facts of the case.

#### New Business

#### Kevin Acosta – Appeal Occupational Disability Offset – Personal Hearing (Teleconference) 9:00am

Kevin Acosta received a 7T benefit from SERS from December 2016 through January 2019, when Tristar terminated his TTD. Mr. Acosta did not return to work and he did not go on SERS' temporary benefit. In August 2019, SERS was informed of Mr. Acosta's settlement provided by CMS and prepared an estimate to show how his

settlement would be offset from his future occupational benefit.

When SERS was informed the settlement had been finalized, the Disability Section processed the estimated settlement amount, not realizing the settlement with CMS was for a lower amount. After Mr. Acosta's attorney requested an appeal, the Disability Section reviewed the file and discovered the estimated settlement amount had been used in the calculation. A corrected calculation has been prepared with the actual settlement amount and the monthly offset is based on Mr. Acosta's average weekly wage.

Mr. Acosta's attorney, Thomas Crosby, is seeking to appeal the offset amount SERS has levied on Mr. Acosta's benefits and has requested a personal hearing via teleconference before the Executive Committee. After hearing Mr. Crosby present Mr. Acosta's case and some discussion, the Committee decided to refer his case to Attorney Bochenek for a recommendation.

#### Amber Beal – Appeal of SSA Overpayment Repayment Terms

Amber Beal was approved for a non-occupational disability benefit from SERS effective August 2013 through September 2015 and October 2016 through May 2017.

Ms. Beal was approved for a retroactive Social Security disability benefit effective January 2014, which created an overpayment of benefits. SERS sent Ms. Beal a notification letter dated October 5, 2017 explaining the calculation of the overpayment and what was due to SERS. Ms. Beal's disability benefit ended June 2019 due to her half time ceasing. She returned to work December 2019.

Ms. Beal's first appeal for a reduced repayment amount of \$200.00 per month, considered prior to her returning to work, was approved at the Committee's November 2019 meeting. Since Ms. Beal has now returned to work, SERS is requesting twenty percent of her gross, per SERS Board policy. She is appealing for a lowered repayment amount of \$500.00 per month.

After discussing the facts of the case, a motion was made by Vice-Chairperson Morris to deny Ms. Beal's request and instead offer a repayment plan of \$515.62 per month, which will repay the overpayment within five years. The motion was seconded by Chairman Iglarsh and all were in favor.

#### Reinstatement of Accounts for Refund of Contributions

The member accounts of Dale Wessels and Alexander Kolar were written off in a previous fiscal year. The members have now submitted applications seeking a refund of their applicable SERS contributions.

The Claims Division is requesting the Executive Committee to approve reinstatement of the written-off accounts so the refund requests may be processed.

After a brief discussion, a motion was made by Chairman Iglarsh to approve the request to reinstate the written-off member accounts. The motion was seconded by Vice-Chairperson Morris and all were in favor.

#### Angela Stassi – Appeal SSA Overpayment

Angela Stassi was approved for a non-occupational disability benefit from SERS effective May 2017. Ms. Stassi was approved for a retroactive Social Security disability benefit effective September 2017, which created an overpayment.

SERS sent a notification letter to Ms. Stassi dated December 17, 2019 that explains the calculation of the overpayment and what is due. Per SERS Board policy, the Overpayment Section is to deduct half of the member's gross benefit to be applied to the overpayment owed to SERS. Ms. Stassi is requesting a lower, unspecified repayment amount.

After reviewing the facts of the case and some discussion, a motion was made by Chairman Iglarsh to approve Ms. Stassi's request for a lower repayment amount and offer a repayment plan of \$950.42 per month, which will repay the overpayment within three years. The motion was seconded by Vice-Chairperson Morris and all were in favor.

#### Winona Buckner – Appeal of Non-Occupational Disability Overpayment Repayment Terms

Winona Buckner was approved for a non-occupational disability benefit from SERS effective May 2017 through November 2017. During an audit, it was discovered SERS paid Ms. Buckner twice for the period of July 1, 2017 through July 31, 2017 which resulted in an overpayment of benefits.

Ms. Buckner was also approved for a non-occupational disability benefit from SERS effective July 2019. It was confirmed by the Department of Human Services payroll that Ms. Buckner returned to the agency on October 1, 2019. This information was received after the check for October had been issued, resulting in an additional overpayment of benefits.

SERS sent notification letters to Ms. Buckner dated November 18, 2019 and January 17, 2020 explaining the reason for each overpayment and the total amount due, per SERS Board policy. Ms. Buckner is requesting a reduced repayment amount of \$500.00 per month.

After discussing the facts of the case, a motion was made by Vice-Chairperson Morris to approve Ms. Buckner's request. The motion was seconded by Chairman Iglarsh and all were in favor.

#### Robert Engel – Reinstatement of Account to Apply for Pension

The account of Robert Engel was written off in June 2005. Mr. Engel is requesting that his account be reinstated so he may apply for a pension benefit and has supplied a new address and proper identification.

After brief discussion, a motion was made by Chairman Iglarsh to approve the reinstatement of Mr. Engel's account. The motion was seconded by Executive Secretary Blair and all were in favor.

#### Arthur McFadden Jr. – Appeal to Retire November 1, 2019

Arthur McFadden Jr. applied for a retirement benefit to be effective November 1, 2019. Prior to his retirement he met with the SERS Chicago office for an estimate.

Mr. McFadden Jr. is short of meeting the Rule of 85 by 1.75 months. He is requesting to retire effective November 1, 2019.

After reviewing the facts of the case and some discussion, a motion was made by Executive Secretary Blair to approve Mr. McFadden Jr.'s request. The motion was seconded by Chairman Iglarsh and all were in favor.

#### Robyn Rogers – Appeal of SSA Overpayment Repayment Terms

Robyn Rogers was approved for two separate non-occupational disability benefits from SERS: October 2011 through October 2012, returning to work November 1, 2012 and October 2014 through November 2019, with half time ceasing on December 1, 2019.

In May 2016, Ms. Rogers was approved for a retroactive Social Security disability benefit effective March 2012, which created an overpayment of benefits. Ms. Rogers was notified of the overpayment and entered a repayment plan, which was deducted from her disability benefit on a monthly basis. Ms. Rogers' disability benefit ceased on November 30, 2019. SERS sent Ms. Rogers a letter dated December 23, 2019 explaining the remaining balance due on her overpayment.

As stated in the current SERS Board policy, a payment of \$400.00 per month is required for inactive members, with the repayment of an overpayment not to exceed five years. Ms. Rogers is requesting a lowered repayment amount of \$100.00 per month.

After discussing the facts of the case, a motion was made by Executive Secretary Blair to deny Ms. Rogers' request and instead offer a repayment plan of \$252.32 per month, which will repay the overpayment within five years. The motion was seconded by Chairman Iglarsh and all were in favor.

#### Marilyn Johnson – Appeal of SSA Overpayment

Marilyn Johnson was approved for a non-occupational disability benefit from SERS effective October 2016. She returned to work on July 13, 2018. Ms. Johnson was

approved for a retroactive Social Security disability benefit effective March 1, 2017, which resulted in an overpayment of benefits.

SERS sent a notification letter dated December 17, 2019 explaining the calculation of the overpayment and what is due in accordance with SERS Board policy. Ms. Johnson is appealing the overpayment.

After reviewing and discussing the facts, a motion was made by Executive Secretary Blair to deny Ms. Johnson's appeal of her overpayment and instead offer a repayment plan of \$277.68 per month to repay the overpayment within three years. The motion was seconded by Chairman Iglarsh and all were in favor.

#### Bobbie Talley Jr. – Appeal of SSA Overpayment Repayment Terms

Bobbie Talley Jr. was approved for a non-occupational disability benefit from SERS effective February 2016. Mr. Talley Jr. was approved for a retroactive Social Security disability benefit effective August 1, 2017, which created an overpayment of benefits.

SERS sent Mr. Talley Jr. a notification letter dated April 15, 2019 explaining the calculation of the overpayment and what is due per SERS Board policy. Mr. Talley Jr. is requesting a repayment plan of \$400.00 per month.

After discussing the facts of the case, a motion was made by Chairman Iglarsh to deny Mr. Talley Jr.'s request and instead offer a repayment plan of \$525.58 per month, which will repay the overpayment within five years. The motion was seconded by Vice-Chairperson Morris and all were in favor.

#### Kathryn Griffin – Appeal of Temporary Disability Overpayment

Kathryn Griffin began receiving an occupational disability benefit from SERS effective September 6, 2018. SERS was notified that Ms. Griffin's Workers' Compensation payments ceased effective March 15, 2019.

Ms. Griffin was then approved for a temporary disability benefit from SERS effective March 16, 2019. Ms. Griffin's half time ceased August 2019, but SERS continued to pay temporary disability benefits to Ms. Griffin through December 2019. This created an overpayment of benefits in accordance with 40 ILCS 5/14-123.1 of the Pension Code.

Ms. Griffin is no longer receiving a benefit from SERS, nor has she returned to work. She is appealing to not be held liable for the overpayment due to the confusion regarding her half-time cease.

After reviewing the facts of the case and some discussion, a motion was made by Chairman Iglarsh to deny Ms. Griffin's request. The motion was seconded by Executive Secretary Blair and all were in favor.

There being no further business to be brought before the Committee, the meeting was adjourned at 11:04 a.m.

The next meeting of the Executive Committee is scheduled for March 12, 2020, in the Springfield office, with video conferencing in Chicago.

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Loren Iglarsh, Chairman

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David Morris, Vice-Chairperson

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Timothy Blair, Executive Secretary