

**MINUTES
OF THE MEETING OF
THE EXECUTIVE COMMITTEE
STATE EMPLOYEES' RETIREMENT SYSTEM OF ILLINOIS
January 13, 2011**

A meeting of the Executive Committee of the State Employees' Retirement System of Illinois was held on Thursday January 13, 2011, at 8:30 A.M. in the System's Springfield office, 2101 S. Veterans Parkway.

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

Others Present:
Steve Bochenek, Attorney
Kathy Yemm, Manager, Claims Division
Nicholas Merrill, Manager, Accounting Division
Chris Silver, Supervisor, Disability Section
Kerry Walker, Disability Section
Michael Noblet, Supervisor Pensions & Deaths
Dawn Blakeman, Recording Secretary

Minutes of the Previous Meeting

The minutes of the December 9, 2010 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 and seconded by Trustee Laidlaw and by unanimous vote, the minutes were approved as submitted.

Routine Claims & Denial Report

The Routine Claims and Denials Report for the month of December, 2010 were presented for approval. Following review and discussion, Chairman Iglarsh moved acceptance of the Routine Claims and Denials Report for the period of December, 2010. Executive Secretary Blair seconded the motion, which passed unanimously.

Old Business

Donald Snyder

Retirement Annuity

Donald Snyder began receiving a retirement annuity in 2005. His benefit was suspended in October, 2008, following his conviction of a felony arising out of his duties as a state employee.

Mr. Snyder is requesting a personal appeal pursuant to the suspension of his retirement annuity. Prior to the meeting, Mr. Snyder's representative contacted the office to request a deferral.

Mr. Snyder's appeal continues to be deferred.

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

Laraine Garner is currently receiving a retirement annuity from the System.

During the application process for her retirement annuity, Ms. Garner elected participation in the level income option with her pension to be reduced at age 66.

Based upon a review of the file and information submitted, the Executive Committee finds Ms. Garner receiving a retirement annuity as of January 1, 2003.

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 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 Acting Supervisor of the Pension department work up numbers to show Ms. Garner where the difference is and what the overpayment would be.

Accordingly, this case has been deferred.

Brenda Isaacs

Temporary Disability

Brenda Isaacs worked for a state agency and was granted a medical leave of absence and on January 26, 2010 ended her employment.

Ms. Isaacs has requested temporary disability benefits from SERS while she pursues worker's compensation benefits through the Illinois Workers' Compensation Commission (WCC).

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

Ms. Isaacs' claim for disability benefits was denied based on a review of medical documentation in her file.

The medical documentation was reviewed by the System's medical consultant on July 19, 2010 and the results of this review indicated the medical information in file failed to substantiate a disabling condition.

Ms. Isaacs requested a personal hearing to appeal the denial of temporary disability benefits. Brenda Isaacs stated she will have additional medical documentation to submit regarding her disability.

The Committee agreed to defer this matter so additional medical information could be reviewed.

Additional medical was received and reviewed by the System's medical consultant and the consultant determined that she is not disabled.

Following discussion, the Committee agreed to refer this matter to the System's Attorney for a recommendation based on the facts and findings in file for presentation at the next meeting.

Crystal Young

Temporary Disability

Crystal Young worked for a state agency and was granted a medical leave of absence on February 18, 2010.

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

Based upon a review of the file and information submitted, the Committee finds Crystal Young worked for a state agency and was granted a medical leave of absence.

Medical documentation was obtained from medical sources listed in the employee's file. This documentation was reviewed by the System's medical consultant who found that the medical information in file was not sufficient to establish a disability.

Ms. Young attended a personal hearing with her mother Ms. Pearl Green, asking the Executive Committee to approve her request for temporary disability. She disagrees with the Job Duty Statement that notes that she drives "less than three times per month" and will supply SERS with a copy of her travel-log that she keeps for her job. She also stated that she will supply us with updated medical records.

After a review of the file and some discussion, Chairman Iglarsh moved that the appeal of Crystal Young be deferred so that new information could be obtained. Executive Secretary Blair seconded the motion, and all were in favor. Additional medical evidence, travel records and a new Job Duties Statement were received and reviewed by the System's medical consultant. The consultant determined that she is not disabled.

Following discussion, the Committee agreed to refer this matter to the System's Attorney for a recommendation based on the facts and findings in file for presentation at the next meeting.

Gwendolyn Myers

Temporary Disability

Gwendolyn Myers works for a state agency and a service connected leave of absence was granted.

Ms. Myers' requested occupational disability and received occupational disability for a short period of time. Workers' Comp then suspended her TTD benefits and SERS suspended occupational disability benefits. Ms. Myers then requested temporary disability for the remainder of time.

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

Ms. Myers' claim for temporary disability benefits has been denied due to medical information failing to substantiate a disability. Medical records were submitted and reviewed

by the System's medical consultant on three different dates. The medical consultant indicated the medical information failed to substantiate a disability on both reviews.

Gwendolyn Myers requested a personal hearing to appeal her disability pursuant to the denial of disability benefits.

Ms. Myers appeared before the Committee during the October 7, 2010 meeting. She was accompanied by her spouse Mr. David Myers and her Attorney, Mr. Jim M. Vainikos. A personal hearing was accomplished and a record of this hearing will be made part of Ms. Myers' file. Ms. Myers stated the job duty statements were incorrect that the individual who completed the forms is not her immediate supervisor.

After a review of the file and some discussion, Chairman Iglarsh moved that the appeal of Gwendolyn Myers be deferred so additional information can be submitted. Vice Chairman Laidlaw seconded the motion, and all were in favor.

Additional information was received and reviewed by the System's medical consultant. It was determined that she is not disabled.

Following discussion, the Committee agreed to refer this matter to the System's Attorney for a recommendation based on the facts and findings in file for presentation at the next meeting.

~~Camille Rodriguez-Williams~~ ~~ARCP Repayment~~

~~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 Chairman Laidlaw and seconded by Chairman Iglarsh and by unanimous vote, the Committee accepted Recommendation No. 2011-1 in the matter of Camille Rodriguez-Williams and a copy of this recommendation has been made a part of the member's file.~~

~~However, the committee agreed on another repayment plan which will be sent to Ms. Williams via certified mail.~~

~~The new "Repayment Contract" is to be signed, dated and returned within thirty days or an involuntary withholding will be put into place.~~

Fascia Edwards Nonoccupational Disability

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.

Fascia Edwards requested to re-schedule the hearing until further notice.

Accordingly, this case has been deferred.

New Business

Paul Sutterfield

Occupational Disability

Paul Sutterfield'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 Mr. Sutterfield works for a state agency and a service connected leave of absence was granted.

Paul Sutterfield 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, Chairman Iglarsh moved approval of the appeal of Paul Sutterfield for a waiver of the twelve month filing time limit for occupational disability. Executive Secretary Blair seconded the motion, and all were in favor.

Sandra Lasher

Occupational Disability

Sandra Lasher'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 Ms. Lasher works for a state agency and a service connected leave of absence was granted.

Sandra Lasher 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, Vice Chairman Laidlaw moved approval of the appeal of Sandra Lasher for a waiver of the twelve month filing time limit for occupational disability. Chairman Iglarsh Blair seconded the motion, and all were in favor.

Robin Jones

Nonoccupational Disability

Robin Jones works for a state agency and was granted a medical leave of absence.

Nonoccupational disability benefits prior to receipt of Ms. Jones' application were denied due to the application not being received within the ninety day time frame.

Based upon a review of the file and information submitted, the Executive Committee finds the employee's job description and work location are as stated that Robin Jones last worked on June 19, 2005 and started a military leave of absence. While on active duty status Ms. Jones became disabled and started a medical leave of absence from her State job on November 1, 2009.

Robin Jones was not aware of nonoccupational disability benefits and is now requesting medical disability subsequent to the ninety-day time limit for applying for non-occupational disability benefits.

Since the application had not been received within the ninety day time limit, nonoccupational disability benefits became effective upon receipt of the application (January 4, 2011). (40 ILCS 5/14-124)

Robin Jones subsequently requested a written appeal pursuant to the denial of disability.

Based upon the facts of this case and the information submitted, the Executive Committee recommends approving Ms. Jones' request for a waiver of the ninety day time frame pursuant to Robin Jones' application for nonoccupational disability benefits.

Following a review of the file and some discussion, Chairman Iglarsh moved to approve the appeal of Robin Jones. Executive Secretary Blair seconded the motion and all were in favor.

Beryl Henderson Pension

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 personnel hearing to ask the Executive Committee to change her pension effective date to October 1, 2010.

Ms. Henderson had to cancel her hearing and she will re-schedule at a later date.

Therefore, this case has been deferred.

William Washington

Pension

Mr. Washington terminated employment with the State of Illinois on August 15, 2009, with State University in October 31, 2010, to retire November 1, 2010.

He states he came into the SERS office and was told by a retirement counselor that he could retire as of November 1, 2010 with the "Rule of 85".

However, it was found that because of concurrent service between SERS and SURS he was short four months of the time needed to retire under the "Rule of 85".

Based on this information, Mr. Washington had resigned his job and moved out of state.

Mr. Washington was advised by SERS Pension Section that he was four months short of retiring under the Rule of 85 and therefore, not eligible to retire until March, 2011.

In a letter received in our office dated December 27, 2010, William Washington sent a written appeal requesting to draw an unreduced pension effective November 1, 2010. After discussion the Executive Committee recommended approval of Mr. Washington's request.

Following a review of the file and some discussion, Chairman Iglarsh moved to approve the appeal of William Washington. Trustee Laidlaw seconded the motion and all were in favor.

Robert Logan

Service Credit

Mr. Logan first appeared on a State of Illinois payroll in October 1968. He immediately became a member of SERS as of that date, and had contributions of \$20.60 deducted for the month of October 1968. As a result of his date of employment, Mr. Logan was not covered by the federal Social Security program. He did not appear on a state payroll again until August 1998. When he returned, a coding error occurred, and he was included in the federal Social Security program. He has requested to remain as a coordinated member of SERS. The Accounting Division will notify his employing agency to continue to process his payroll as though he was correctly coded under SERS and Social Security.

Gary McConkey (daughter Lee)

Survivor Benefits

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.

Scott Miller (daughter Meredith) Survivor Benefits

Mr. Miller passed away on April 22, 2010.

Scott Miller's surviving daughter Meredith (a full time student) has sent in a written request to waive her rights to survivor benefits.

The waiver of all benefits was executed on January 3, 2011 by Ms. Miller.

Based on the facts of this case and information submitted, the Committee recommends approving Meredith Miller's waiver of her rights to a survivor benefit from the System.

Following a review of the file and some discussion, Executive Secretary Blair moved approval of the appeal of Meredith Miller for a waiver of survivor benefits. Chairman Iglarsh seconded the motion and all were in favor.

Wade Stewart Nonoccupational Disability

Mr. Stewart works for a state agency and was granted a medical leave of absence.

Wade Stewart's claim for disability benefits was denied based on a review of medical information on file from treating medical sources.

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

This documentation was reviewed by the System's medical consultant on January 10, 2011 who indicated the medical information failed to document a disability. Mr. Stewart's claim for disability benefits was denied due to medical documentation failing to substantiate a disability.

Therefore, Wade Stewart's claim for disability benefits was denied due to medical documentation failing to substantiate a disability.

Mr. Stewart sent in a written appeal dated January 7, 2011 pursuant to the denial of his claim for nonoccupational disability benefits.

After discussion, the Executive Committee recommended denial of Mr. Stewart's appeal for nonoccupational disability benefits.

Following a review of the file and some discussion, Chairman Iglarsh moved to deny the written appeal of Wade Stewart. Acting Executive Secretary Blair seconded the motion and all were in favor.

There being no further business to be brought before the Committee, the meeting was adjourned at 9:45am. The next meeting of the Executive Committee is scheduled for February 10, 2011, in the Springfield office with video conferencing in Chicago.

Loren Iglarsh
Chairman

Lori Laidlaw
Vice Chairman

Timothy Blair
Executive Secretary