

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

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

Committee members present:

Lori Laidlaw, Vice Chairperson
Timothy Blair, Executive Secretary

Absent:

Loren Iglarsh, Chairman

Others Present:

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

Minutes of the Previous Meeting

The minutes of the February 10, 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 Executive Secretary Blair seconded by Vice Chairperson 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 February, 2011 were presented for approval. Following review and discussion, Executive Secretary Blair moved acceptance of the Routine Claims and Denials Report for the period of February, 2011. Vice Chairperson Laidlaw seconded the motion, which passed unanimously.

Old Business

Donald Snyder

Retirement Annuity

Attorney Scott A. Sabin contacted the supervisor of the pension department and stated Mr. Snyder would like to withdraw his appeal at this time.

The remaining issue regarding Mr. Snyder's case is the 100% QILDRO received by SERS for Mr. Snyder's contributions to the System. The Pension Section Supervisor contacted the U.S. Attorney's office in regards to the \$50,100 judgement against Mr. Snyder. An email was received from the U.S. Attorney's office stating the government is not likely to attempt to execute its judgment as 100% of the refund is going to be directed to Mr. Snyder's former wife.

Therefore, this case was referred back to staff to get a definitive release from the U.S. government on the refund payable to Mr. Snyder's former wife and to correspond with the former wife's attorney regarding amending the QILDRO to include the full amount of the refund.

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

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 Vice Chairperson Laidlaw, and by unanimous vote, the Committee accepted Recommendation No. 2011-06 in the matter of Laraine Garner.

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

Disability Issue Gainful Employment

SERS staff was instructed to continue to review the current gainful employment rules and policies as defined by rule.

New Business

Henry Foster Occupational Disability

Henry Foster works for a state agency and a service connected leave of absence was granted.

Mr. Foster'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 Henry Foster 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. Foster 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 Henry Foster'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 Henry Foster for a waiver of the twelve month filing time limit for occupational disability benefits. Vice Chairperson Laidlaw seconded the motion and all were in favor

Cesare Vitale

Nonoccupational Disability

Cesare Vitale works for a state agency and was granted a medical leave of absence.

Mr. Vitale received non-occupational disability benefits since 06/06/2010 He turned age 66 on 08/22/2010 and, at that time, the amount of his unreduced social security benefit should have been subtracted from the monthly amount of his 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 Cesare Vitale was granted a medical leave of absence.

Mr. Vitale 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 Cesare Vitale be deferred so SERS can calculate what his monthly pension would be effective September 1, 2010 compared to the amount of his non-occupational disability. The Manager of the Claims department will then contact Mr. Vitale with the numbers in order for him to choose between the two options. Vice Chairperson Laidlaw seconded the motion, and all were in favor.

Raymond Beaulieu

Reinstatement of Write-off

This account became eligible for write-off in June, 2008. Contributions in the amount of \$128.68 were written off on June 27, 2008. M. Beaulieu has contacted us regarding his account and eligibility for a refund.

The Service and 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 approval of the appeal of Raymond Beaulieu request for reinstatement of his account. Vice Chairperson Laidlaw seconded the motion and all were in favor.

Marlon D. Powell

Reinstatement of Write-off

This account became eligible for write-off in June, 2005. Contributions in the amount of \$126.00 were written off on June 13, 2005. Mr. Powell has contacted us regarding his account and eligibility for a refund.

The Service and 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 approval of the appeal of Marlon D. Powell's request for reinstatement of his account. 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 10:00am.

The next meeting of the Executive Committee is scheduled for April 7, 2011, in the Springfield office with videoconferencing in Chicago, IL. .

Lori Laidlaw
Vice Chairperson

Timothy Blair
Executive Secretary