

**MINUTES  
OF THE MEETING OF  
THE EXECUTIVE COMMITTEE  
STATE EMPLOYEES' RETIREMENT SYSTEM OF ILLINOIS  
May 12, 2011**

A meeting of the Executive Committee of the State Employees' Retirement System of Illinois was held on Thursday May 12, 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:

Dave Rolf, Attorney  
Kathy Yemm, Manager, Claims Division  
Joseph Maggio, Manager, Service & Refunds Division  
Nicholas Merrill, Manager, Accounting Division  
Michael Noblet, Supervisor Pensions & Deaths  
Kerry Walker, Assistant Supervisor, Disability Section  
Dawn Blakeman, Recording Secretary  
Sharmin Doering, Hearing

Minutes of the Previous Meeting

The minutes of the April 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 Chairman Iglarsh 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 April 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 April, 2011. Executive Secretary Blair seconded the motion, which passed unanimously.

Old Business

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.

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 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.

On February 10, 2011 Ms. Edwards attended an Executive Committee meeting with her Attorney, Mr. Atsaves, and additional information was submitted at that time.

Ms. Edward's case was deferred until additional medical records were obtained and reviewed by SERS medical consultant. Also, she disagreed with her job duty statement. Ms. Edwards completed a job duty statement at that time.

On April 17, 2011 SERS medical consultant reviewed the entire file with the new medical information and the new job duty statement and concluded that the additional information failed to substantiate a disabling condition.

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.

Cesare Vitale 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 Vice Chairperson Laidlaw, and by unanimous vote, the Committee accepted Recommendation No. 2011-08 in the matter of Cesare Vitale. A copy of this recommendation has been made a part of this member's file.

Terry Myers 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 Chairman Iglarsh, seconded by Executive Secretary Blair, and by unanimous vote, the Committee accepted Recommendation No. 2011-09 in the matter of Terry Myers. A copy of this recommendation has been made a part of this member's file.

Rosebud Walker Nonoccupational Disability

Rosebud Walker works for a state agency. She was granted a medical leave of absence. Ms. Walker's application for disability benefits was denied based upon the results of a review of medical information in her file.

Medical information on file was reviewed by the System's medical consultant on February 7, 2011. Based upon this review, a disability was not documented.

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 and that she was granted a medical leave of absence. Ms. Walker's claim for nonoccupational disability benefits was denied due to medical information failing to substantiate a disability. Ms. Walker requested a personal hearing pursuant to the denial of disability benefits.

During the April 7, 2011 meeting, the Committee deferred Ms. Walker's appeal so that additional medical records could be provided..

Additional medical information had been obtained from Ms. Walker and once again the entire file was reviewed by the System's medical consultant. The results of this review failed to document a disability.

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.

New Business

Steve Stalcup

Service Lay-off Credit

Steve Stalcup has requested a personal hearing to establish creditable service for lay off from July 1, 1995 through June 30, 2000 under provisions of House Bill 5262, Public Act 96-1320.

After an extensive search, the Service & Refunds Division could not verify that Mr. Stalcup was on a lay off for the requested period. Therefore, his request was denied.

Mr. Stalcup requested a personal hearing with the Executive Committee with legal representation.

Mr. Stalcup's attorney requested to re-schedule the hearing. Accordingly, this case has been deferred.

Roxanne Singer

Service - Furlough Days Credit

Roxanne Singer has requested a written appeal before the Executive Committee. She is attempting to establish creditable service under the provisions of HB4644 pertaining to the purchase of furlough days (up to 24 days) taken during the period of July 1, 2009 through June 30, 2011.

Her request was denied, under the provisions of HB4644, which states a written request to establish creditable service for furlough days had to be in our office by December 31, 2011; however, she retired effective January 1, 2011.

Based on a review of information and after some discussion, Chairman Iglarsh moved to approve the written appeal of Roxanne Singer provided she makes the payment within 30days of our billing notice. Vice Chairperson Laidlaw seconded the motion and all were in favor.

Jerome Herron

Occupational Disability

Jerome Herron works for a state agency and a service connected leave of absence was granted.

Mr. Herron'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 Jerome Herron 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. Herron 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.

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

Michelle Morales

Occupational Disability

Michelle Morales works for a state agency and a service connected leave of absence was granted.

Ms. Morales' 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 Michelle Morales 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. Morales 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.

Following a review of the file and some discussion, Chairman Iglarsh moved approval of the appeal of Michelle Morales 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.

Helen Wooden

Nonoccupational Disability

Ms. Wooden worked for a state agency and was granted a medical leave of absence.

Helen Wooden received a unreduced retirement benefit from the Social Security Administration (SSA) which created an overpayment of nonoccupational disability benefits being paid by SERS.

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

Upon receipt of the information regarding Helen Wooden's SSA unreduced retirement benefit, she was contacted regarding the overpayment of nonoccupational disability benefits. This overpayment was in accordance with 40 ILCS 5/14-125 and Section 1540.90 of the Illinois

Administrative Code which indicate nonoccupational disability benefits paid by the System are reduced by the SSA unreduced retirement benefit.

Ms. Wooden's Power of Attorney is appealing the amount being taken from her check to pay back the overpayment. Ms. Wooden's Attorney is requesting that the SERS overpayment be waived.

Following a review of the file and some discussion, Chairman Iglarsh moved to deny the appeal of Helen Wooden.. Chairperson Laidlaw seconded the motion and all were in favor.

Jacqueline Johnson

Occupational Disability

Jacqueline Johnson works for a state agency and a service connected leave of absence was granted.

Ms. Johnson'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 Jacqueline Johnson 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. Johnson 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.

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

James Provenzano

Occupational Disability

James Provenzano works for a state agency and a service connected leave of absence was granted.

Mr. Provenzano's claim for disability benefits was denied by the SERS medical consultant stating that a disabling impairment was not established.

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

Mr. Provenzano requested a written appeal pursuant to the denial of disability benefits due to the review by the SERS medical consultant.

Following a review of the file and some discussion, Executive Secretary Blair moved denial of the appeal of James Provenzano Chairman Iglarsh seconded the motion and all were in favor.

Donald Garrity Occupational Disability/subrogation

Donald Garrity works for a state agency and a medical leave of absence was granted.

Mr. Garrity was injured in September, 2002 and has been receiving temporary total disability (TTD) benefits from Workers' Comp and occupational disability benefits from SERS since that date.

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

In September, 2010, Mr. Garrity received a settlement with a third party. SERS learned of this in December, 2010, and requested reimbursement for disability and retirement contributions previously paid to him under 40ILCS 5/14-120 SERS is entitled to reimbursement for the sums paid to Mr. Garrity due to subrogation interests by SERS.

Mr. Garrity is requesting that the Executive Committee rule that the monies received from the third party lawsuit does not have to be reimbursed to SERS.

Following a review of the file and some discussion, Chairman Iglarsh moved denial of the written appeal of Donald J. Garrity regarding a subrogation lien due to a third party settlement payment. Vice Chairperson Laidlaw seconded the motion and all were in favor.

David Houseright Pension

Mr. Houseright is requesting that the effective date of his pension be changed from March 1, 2011 to January 1, 2011.

Prior to retirement, David Houseright requested to pay for his qualifying period. The cost of this purchase was to be deducted from his sick/vacation lump sum payment. However, a form requesting this deduction could not be found in his file or with the agency.

Mr. Houseright had completed the pension application in December, 2010 requesting to retire January 1, 2011. However, payment for the purchase service credit had to be made prior to retirement. Because the payment to establish the service credit was made on February 22, 2011, the effective date of his pension was March 1, 2011.

David Houseright has requested a written appeal before the Executive Committee to change the date of his pension to January 1, 2011. He stated that he requested and completed the required forms to purchase his qualifying period prior to January 1, 2011 and an employee of SERS verified the completed form was in the file at the time he talked to him on the telephone.

Following a review of the information provided and some discussion, Chairman Iglarsh moved approval of David Houseright's appeal to change the effective date of pension to reflect January 1, 2011 and back pay for the two prior months. Vice Chairperson Laidlaw seconded the motion, and all were in favor.

Janice K. Draper

Pension – Level Income

Janice Draper is currently receiving a retirement annuity from the System.

During the application process for her retirement annuity, Ms. Draper had elected "to participate" in the level income option with her pension to be reduced at age 62.

Based upon a review of the file and information submitted, the Executive Committee finds Ms. Draper receiving a retirement annuity as of December 1, 2004 and during the application process for her retirement annuity, Ms. Draper indicated she wanted to retire under the level income optioning for age 62.

Ms. Draper was notified February 26, 2010 in accordance with the election at the time of retirement that her benefit would be reduced by the amount of her SSA retirement annuity in accordance with Section 14-112 of the Illinois Pension Code.

Janice Draper has requested a change in her application for pension on the level income from age 62 to 66. She is stating she was sick at the time she applied for her pension and did not understand the level income option. This appeal was previously denied. Ms Draper submitted additional medical information asking for a re-appeal.

After discussion and following a review of the file, Executive Secretary Blair moved that the request for re-appeal of Janice Draper be approved and the change in level income option be denied. Chairman Iglarsh seconded the motion, and all were in favor.

Inactive Accounts

Write-Off Policy

There is no longer a business purpose to writing off the account balances from the Member Data Base to the Purge Data Base. Therefore, the Accounting Division is requesting the Executive Committee rescind the policy adopted in June 1997.

Following discussion Vice Chairperson Laidlaw moved approval of the policy change to not purge member accounts. Executive Secretary Blair seconded the motion, and all were in favor.

Sharmin Doering

Accounting - Credit

Sharmin Doering has requested a personal hearing to establish optional service credits for accumulated sick leave, vacation, and personal days.

Following discussion, the Committee referred this matter to SERS Attorney for recommendation based on the facts and findings in file for presentation at the next meeting.



Carol A. Hopkins is currently receiving a retirement annuity from the System.

During the application process for her retirement annuity, Ms. Hopkins' elected participation in the level income option with her pension to be reduced at age 62.

Based upon a review of the file and information submitted, the Executive Committee finds Ms. Hopkins is receiving a retirement annuity as of March 1, 2006.

During the application process for her retirement annuity, Ms. Hopkins indicated she wanted to retire reciprocally under the level income option at 62. Ms. Hopkins was notified in accordance with the election at the time of retirement that her benefit would be reduced starting June, 2011 per her request on the pension application (age 62).

The office received a written appeal to the Executive Committee from Ms. Hopkins dated May 5, 2011 wanting to rescind her choice of the level income option.

After discussion the Executive Committee recommended denying Carol Hopkins' appeal to rescind her level income option.

Following a review of the file and some discussion, Vice Chairperson Laidlaw moved to deny the appeal for Carol Hopkins request to rescind her level income option. Executive Secretary Blair seconded the motion and all were in favor.

Kelli Gidcumb works for a state agency and a service connected leave of absence was granted.

Ms. Gidcumb'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 Kelli Gidcumb 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.

Kelli Gidcumb requested a written appeal pursuant to the denial of disability benefits due to late filing.

Based on the facts of this case and information submitted, the Committee recommends approving Kelli Gidcumb'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 Kelli Gidcumb 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.

Norman Hurd Nonoccupational Disability

Norman Hurd works for a state agency and was granted a medical leave of absence.

Mr. Hurd has received non-occupational disability benefits since April 14, 2010. He became eligible to receive his full Social Security Retirement benefit on December 1, 2009 however, SERS was not aware of this until February 01, 2011. His unreduced social security retirement 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 Norman Hurd was granted a medical leave of absence.

Mr. Hurd requested an appeal of the overpayment of non-occupational disability benefits.

After discussion Chairman Iglarsh recommended the denial of the appeal to waive the overpayment. 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 11:30a.m.

The next meeting of the Executive Committee is scheduled for Tuesday, June 14 2011, in the Springfield office, with video conferencing in Chicago.

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Loren Iglarsh  
Chairman

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Lori Laidlaw  
Vice Chairperson

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Timothy Blair  
Executive Secretary

