

MINUTES  
OF THE MEETING OF  
THE EXECUTIVE COMMITTEE  
STATE EMPLOYEES' RETIREMENT SYSTEM OF ILLINOIS  
May 14, 2015

A meeting of the Executive Committee of the State Employees' Retirement System of Illinois was held on Thursday, May 14, 2015 at 8:30 a.m. in the System's Springfield office at 2101 S. Veterans Parkway.

Committee Members Present:

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

Others Present:

Jeff Houck, Asst. to the Executive Secretary  
Emily Reid-Peterson, Attorney  
Kathy Yemm, Claims Manager  
Don Williams, Supervisor, Disability Section  
Kerry Walker, Disability Section  
Cory Mitchell, Pension and Death Section  
Brenda Sawyer, Claimant, (Spfld. hearing)  
Stephen Sawyer, Claimant's husband  
Jennifer Staley, Recording Secretary

Minutes of the Previous Meeting

The minutes of the April 16, 2015 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 Vice Chairperson Morris, 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, 2015 was presented. Following review and discussion, the Routine Claims and Denials Report for the period of April, 2015, as prepared by staff, was reviewed by the Executive Committee. There being no additions or corrections, on motion by Executive Secretary Blair and seconded by Vice Chairperson Morris, and by unanimous vote, the Routine Claims and Denials Report was approved as submitted.

## **Old Business**

### **Gregory Patton – Waiting for additional medical**

Gregory Patton works as a Correctional Officer for IDOC. He last worked on June 7, 2008. He began a medical leave of absence on June 15, 2008 due to an injury. He was paid a temporary benefit from July 15, 2008 through October 31, 2009. His temporary benefits were terminated due to an independent medical exam. The Executive Committee denied his appeal at the January 21, 2010 meeting.

He requested a written re-appeal to the Executive Committee because his medical condition has worsened. In addition, he has received a settlement from IWCC. It has been past the five year period since his benefits were terminated.

The Committee, after discussion with staff, determined that it would be necessary for the staff to take a closer look at this case and to defer at this time.

At the May 14, 2015 meeting, SERS' Disability Section supervisor reported that there is no new medical evidence. After some discussion, Chairperson Loren Iglarsh moved to deny the re-appeal, seconded by Vice Chairperson David Morris. All were in favor.

## **New Business**

### **Brenda Sawyer – Nonoccupational benefits (personal hearing – Springfield)**

Ms. Sawyer is employed by the Secretary of State as an Administrative Assistant III Case Worker. Ms. Sawyer last worked June 10, 2014 and began a medical leave of absence June 16, 2014. She was expected to be off work for 8 weeks but at this time she is still off work.

Ms. Sawyer filed a workers' compensation claim which was denied on June 20, 2014. She has applied for temporary disability benefits through SERS.

Ms. Sawyer had an allergic reaction at work on June 10, 2014. Ms. Sawyer was referred to Phillip Wuertz, LCSW, whom she has been seeing since September 2, 2014.

Ms. Sawyer's file was reviewed by Medical Consultant #70: Overall, the history demonstrates that she is an insightful and compliant person. There has been improvement since the initial event, and a good prognosis is anticipated. In my opinion the illness is not severe, and she is not considered to be disabled from performing the duties of her job.

Ms. Sawyer was seen by Louis B. Cady, M.D. It is his opinion she has continuously, since suffering the allergic reaction on June 14, 2014, been unable to perform her position or, in fact, be engaged in any active employment. Given the circumstances, she is not able to perform the duties assigned to her at this time.

Medical Consultant #70 reviewed Dr. Cady's report and opined Ms. Sawyer has been diagnosed with an unusual allergy, which may have work implications, but the other symptoms do not prevent the performance of work.

Ms. Sawyer was evaluated on March 31, 2015 by M.A. Park, M.D., immunology/allergy at Mayo Clinic. Medical Consultant #70 reviewed Dr. Park's medical records and opined the latest medical data does not support the presence of a disability.

Ms. Brenda Sawyer was present at the May 14, 2015 meeting and gave an in-depth accounting of her illness. She stated she is still undergoing medical testing and depending on the outcome, will see if her condition could be treated or controlled.

After discussing the case, SERS' Disability supervisor will contact Ms. Sawyer's agency regarding her working conditions to see if anything could be altered to accommodate her situation in the work environment.

After hearing the basis of the appeal, Attorney Reid-Peterson advised she will pass on the information to Attorney Bochenek for a recommendation to SERS' Executive Committee.

#### Henry Sanchez - Nonoccupational 90 Day Waiver

Henry Sanchez worked as a Parole Supervisor for the Illinois Department of Corrections Administration Public Safety Shared Services Center. He last worked on September 30, 2013. He began a medical leave of absence on October 22, 2013. He has not returned to work.

Mr. Sanchez is appealing the 90 day filing limitation.

After some discussion, Chairman Iglarsh moved for approval of the appeal of the 90 day filing limitation, seconded by Executive Secretary Blair. All were in favor.

#### Mitchell Blackert – Occupational 12 Month Waiver

Mitchell Blackert works as a Senior Parole Agent for the Illinois Department of Corrections Administration Public Safety Shared Services Center. He was injured at work on December 28, 2012 and stopped working that day. Mr. Blackert began his service connected leave of absence on January 6, 2013. He had surgery on January 3, 2013 and returned to work on February 13, 2013. Mitchell Blackert is appealing the filing after one year denial rule.

After some discussion, Executive Secretary Blair moved for approval of the appeal of the 12 month waiver, seconded by Vice Chairperson Morris. All were in favor.

#### John Lehr – Occupational 12 Month Waiver

John Lehr works as a Stationary Fireman for the Department of Human Services. He was injured at work on September 7, 2013 and stopped working on February 25, 2014. He began his service connected leave of absence on February 26, 2014.

Mr. Lehr is appealing the filing after one year denial rule.

After some discussion, Executive Secretary Blair moved for approval of the appeal of the 12 month waiver, seconded by Vice Chairperson Morris. All were in favor.

### Linda Merriweather – Occupational 12 Month Waiver

Linda Merriweather works as a Juvenile Justice Specialist for the Department of Juvenile Justice. She stopped working on November 5, 2012 and was given extended benefits through November 12, 2013. She was placed on a service connected LOA as of November 13, 2013.

The member alleges disability due to injuries she sustained while “breaking up a youth fight at work”.

Ms. Merriweather is receiving workers’ compensation benefits for her injuries. She is asking the Executive Committee to waive the 12 month filing period for occupational disability benefits.

After discussing the case, Vice Chairperson Morris moved for approval of the appeal of the 12 month waiver, seconded by Executive Secretary Blair. All were in favor.

### Robert Williams – Occupational 12 Month Waiver

Robert E. Williams worked as a Security Therapy Aide II for Chester Mental Health and Developmental Center. He has two leave of absences. On the first leave his last day worked was February 4, 2009 and he began a service connected leave of absence on November 16, 2009 due to occupational injuries he sustained on July 20, 2008. He had surgery and then returned to work on February 1, 2010.

On the second leave his last day worked was April 15, 2010 and he began a service connected leave of absence on April 16, 2010 due to injuries sustained from the prior incident. He required a second surgery and has never returned to work. Mr. Williams is appealing the filing after one year denial rule.

After some discussion, Chairman Iglarsh moved for approval of the appeal of the 12 month filing limitation, seconded by Vice Chairperson Morris. All were in favor.

### Douglas England – Pension Adjustment Amount

Douglas England retired reciprocally with SERS and IMRF effective March 1, 2013.

In March, 2015 it was discovered that Mr. England’s pension had not been reduced by .25 month due to concurrency. In addition, his pension was not reduced for age as he did not meet the Rule of 85 when he retired, but was eligible for a reduced pension as he was over 55 with over 25 years combined service credit.

Mr. England’s pension was reduced from \$252.75 to \$191.30 per month, creating an overpayment from March 1, 2013 through March 31, 2015 in the amount of \$1,536.25. Mr. England believes his original pension calculations were correct.

After some discussion, Vice Chairperson Morris made a motion to deny Douglas England's appeal and offer him a lower repayment plan of \$25.00 per month, seconded by Executive Secretary Blair. All were in favor.

#### Danielle Myers - Survivor Waiver of Benefits

Karan Myers was an active state employee who died on May 10, 2011.

On the Application for Survivor Benefits for Spouse, Douglas Myers claimed himself as a spouse and Krystal Myers as a surviving child.

SERS has paid Mr. Myers and Krystal a survivor benefit from June 1, 2011 until Krystal turned age 22 in October, 2012. Mr. Myers' benefit ceased at this time also because he is not yet age 50.

Mr. Myers telephoned our office in February, 2015 asking if his daughter Danielle was eligible for a monthly survivor benefit as she was a full-time college student. There had never been mention of Danielle previously.

Danielle is a step-daughter of Karan Myers and is eligible for a monthly survivor benefit. Danielle is asking to waive her portion of the survivor benefit that her father, Douglas Myers, had received from June 1, 2011 through October 31, 2012 and to receive benefits from when her father's benefits were suspended until he is picked up again at age 50.

SERS can begin paying Danielle a benefit effective November 1, 2012 through the present. Mr. Myers' benefit would not be reinstated because Danielle was never under his care on a full-time basis.

After some discussion, a motion was made by Executive Secretary Blair to approve the waiver, seconded by Vice Chairperson Morris. All were in favor.

#### Sandra Collins – Pension – Survivor Contribution Refund

The Pension and Death Division is asking direction regarding a dependent parent.

Sandra Collins listed her mother as a dependent on her Application for Retirement Annuity. Ms. Collins verbally confirmed to an SERS employee that she claims her mother as a dependent on her tax returns and her mother is at least 50% financially dependent upon her.

Ms. Collins wants the survivor contribution refund. She explained that she has an agreement with her sister to provide care for their mother if the member dies before her mother.

Based upon her status at the time Sandra Collins filled out her application, a motion was made by Executive Secretary Blair to deny Ms. Collins' survivor contributions refund, seconded by Chairman Iglarsh. All were in favor.

### Crystal Banks – Nonoccupational Disability Reduced Repayment Request

Crystal Banks incurred an overpayment of her nonoccupational disability benefits due to the approval of retroactive social security disability benefits that she had applied for on her own.

Upon receipt of her first billing letter from the Vouchering Section, Ms. Banks called SERS and had requested the longest repayment period available to repay her overpayment in the amount of \$6,294.00.

She initially stated that she could only afford \$25.00 per month. SERS informed Ms. Banks that we would be unable to approve such a repayment plan because it did not fall within our guidelines (that repayment plan would take 21 years to repay).

Ms. Banks is now requesting a voluntary repayment arrangement to repay the balance of \$6,294.00 at the rate of \$10.00 per month. The earliest that Ms. Banks will be eligible to begin drawing her pension will be 11/1/17. Her anticipated pension will be in the gross amount of \$4,240.72. A repayment contract would be required to cover both a current monthly installment payment amount and a higher repayment amount once she goes on pension. It would also include terms to cover payroll deduction if she would return to work, applying an amount payable to a survivor as well as any lump sum refund or death benefit should one become payable.

Based on Ms. Banks' current retirement account, contributions are on deposit totaling \$90,189.92 and her overpayment balance is \$6,294.00.

Assuming Ms. Banks signs SERS' repayment agreement, SERS would be successful with collecting the full overpayment over time. However, since the current requested repayment rate of \$10.00 per month calculates out to a recoupment that spans 52 years, the Vouchering Section is seeking the opinion of the Committee regarding a suggested monthly repayment amount that would be allowed, both currently while on disability and when Ms. Banks begins receiving her pension benefit.

After some discussion, a motion was made by Executive Secretary Blair to deny her appeal and modify her payment to \$100.00 per month, seconded by Vice Chairperson Morris. All were in favor.

### Robert Charles – Occupational 12 Month Waiver

Robert Charles works as a Mental Health Tech II for DHS. He last worked on May 27, 2011. He began a medical leave of absence on May 27, 2011.

He has requested a written appeal to the Executive Committee so that the 12 month filing limitation can be waived. He was paid TTD for this time period.

After discussing the case, a motion was made by Chairman Iglarsh to approve the 12 month waiver, seconded by Executive Secretary Blair. All were in favor.

There being no further business to be brought before the Committee, the meeting was adjourned at 10:45 a.m.

The next meeting of the Executive Committee is scheduled for Thursday, June 11, 2015, 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