

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

May 14, 2020

A meeting of the Executive Committee of the State Employees' Retirement System of Illinois was held on Thursday, May 14, 2020 at 8:45 a.m. in the System's Springfield office at 2101 S. Veterans Parkway and by videoconference as allowed under Executive Orders 2020-07 and 2020-18.

Committee Members:

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

Others Present:

Jeff Houch, Assistant to the Executive Secretary
James Stivers, General Counsel
Eric Glaub, Manager, Claims Division
Karen Brown, Supervisor, Disability Section
Steve Bochenek, System Attorney
Jessica Blood, Recording Secretary
Vicki Dunlap, Claimant

Minutes of the Previous Meeting

The minutes of the April 9, 2020 meeting of the Executive Committee were presented by Chairman Iglarsh for approval. Copies of the minutes were previously emailed to Committee members for review. There being no additions or corrections, on motion by Vice-Chairperson Morris, seconded by Executive Secretary Blair and by unanimous vote, the minutes were approved as submitted.

Routine Claims Report

The Routine Claims Report for the month of April 2020 was presented. Following review and discussion, the Routine Claims Report for the period of April 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, February, March, and April 2020 meetings pending a decision from IMRF. At their February meeting, IMRF reached the decision not to approve Mr. Schoenbein's appeal to undo his reciprocal pension.

After some discussion, the Committee decided to refer the case to Attorney Bochenek for recommendation.

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.

Attorney Bochenek presented recommendation No. 2020-2 at the Committee's February meeting. After discussing the recommendation presented, the Committee decided to defer a recommendation pending further consideration of the facts of the case.

After further discussion regarding the facts and recommendation previously presented, the Committee decided to refer the case to Attorney Bochenek for a revised recommendation.

Attorney Bochenek provided a revised recommendation No. 2020-2. After discussing the recommendation and facts presented, a motion was made by Chairman Iglarsh to adopt recommendation No. 2020-2. The motion was seconded by Vice-Chairperson Morris and all were in favor.

New Business

Vicki Dunlap – Appeal for Service Credit Purchase – Personal Hearing via Videoconference – 9:00am

Vicki Dunlap is currently receiving non-occupational disability benefits. Recently, Ms. Dunlap requested to purchase service credit related to a leave of absence that occurred from January 26, 2015 to March 1, 2016. Subsection (l) of Section 14-104 of the Illinois Pension Code (40 ILCS 5/14-104(l)) provides that an employee may establish service credit for “periods of less than one year spent on authorized leave of absence from service”. Because Ms. Dunlap took a leave of absence that was longer than one year, statute prohibits her from purchasing such leave.

Ms. Dunlap has requested a personal hearing as she contends her actual leave was from March 2, 2015 through March 1, 2016 because she was told by her agency that her time spent on leave covered by the Family Medical Leave Act (FMLA) does not count toward the one year period.

After hearing Ms. Dunlap present her case and reviewing the facts presented, the Committee decided to refer the case to Attorney Bochenek for recommendation.

Dashia Ricks-Carter – Appeal of Student Survivor Overpayment – Deceased Mbr: Jesse Carter

Jesse Carter, a state retiree, died on February 18, 2015. Mr. Carter’s surviving child, Dashia Ricks-Carter, has been receiving a monthly survivor annuity. A student certification was questioned by SERS for the Spring 2020 semester. The school confirmed the payee had not been in full-time status since December 16, 2018.

The school had been completing the certifications as though the student was full-time, and Ms. Ricks-Carter was submitting these certifications to SERS. This has created an overpayment of benefits.

After discussing the facts of the case, a motion was made by Chairman Iglarsh to deny Ms. Ricks-Carter’s request. The motion was seconded by Executive Secretary Blair and all were in favor.

Joseph Delaney-McAllister – Appeal to Receive Retroactive Survivor Benefit – Deceased Mbr: Mary Delaney

Mary Delaney, a state retiree, died on May 12, 2006. Ms. Delaney’s surviving child, Joseph Delaney-McAllister, has been receiving a monthly survivor annuity. A student certification was not received timely and his benefit was suspended February 28, 2020. Mr. Delaney-McAllister later returned the certification and was reinstated April 1, 2020.

Mr. Delaney-McAllister is requesting to receive his March 2020 benefit payment

retroactively.

After discussing the facts presented, a motion was made by Chairman Iglarsh to approve the appeal. The motion was seconded by Vice-Chairperson Morris and all were in favor.

Melissa McDermott – Appeal to Retire April 1, 2020

Melissa McDermott applied for a retirement benefit to be effective April 1, 2020. Prior to her retirement, she met with the SERS Chicago office for an estimate. An estimate was provided to the Chicago office with an effective date of May 1, 2020. However, the staff member gave an April 1, 2020 retirement date to Ms. McDermott instead.

Ms. McDermott is short of meeting the Rule of 85 by .25 months. She is requesting to retire effective April 1, 2020.

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

Felicita Lebron-Cortes – Appeal of SSA Overpayment Repayment Terms

Felicita Lebron-Cortes was approved for a 6P Temporary benefit from SERS effective September 10, 2015.

Ms. Lebron-Cortes was approved for a retroactive Social Security Administration (SSA) disability benefit effective February 1, 2016. The retroactive benefit created an overpayment of benefits from SERS for the period of February 1, 2016 through December 31, 2018.

The overpayment due is in accordance with 40 ILCS 5/14-125 of the Pension Code. SERS sent a notification letter to Ms. Lebron-Cortes on January 31, 2019 explaining the calculation of the overpayment and what is due. A repayment plan letter was sent on January 24, 2020.

Ms. Lebron-Cortes is retired and is also receiving a benefit from the Social Security Administration. She is requesting the overpayment from SERS be eliminated.

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

There being no further business to be brought before the Committee, the meeting was adjourned at 10:47 a.m.

The next meeting of the Executive Committee is scheduled for June 11, 2020, in the

Springfield office, with video conferencing in Chicago.

Loren Iglarsh, Chairman

David Morris, Vice-Chairperson

Timothy Blair, Executive Secretary