

MINUTES  
OF THE MEETING OF  
THE EXECUTIVE COMMITTEE  
STATE EMPLOYEES' RETIREMENT SYSTEM OF ILLINOIS  
November 14, 2013

A meeting of the Executive Committee of the State Employees' Retirement System of Illinois was held on Thursday, November 14, 2013 at 8:30 A.M. in the System's Springfield office at 2101 S. Veterans Parkway.

Committee members present:

Loren Iglarsh, Chairperson  
Lori Laidlaw, Vice Chairperson  
Timothy Blair, Executive Secretary

Others Present:

Steve Bochenek, Attorney  
Joseph Maggio, Manager, Service & Refunds Division  
Kathy Yemm, Manager, Claims Division  
Michael Noblet, Supervisor, Pensions & Deaths Section  
Don Williams, Supervisor, Disability Section  
Kerry Walker, Assistant Supervisor, Disability Section  
Cory Mitchell, Assistant Supervisor, Pensions & Deaths Section  
Dawn Blakeman, Recording Secretary  
Jennifer Staley, Recording Secretary  
Kimberly Cochran, Hearing  
Randy Paswater, Attorney for Kimberly Cochran Hearing  
Cindy Denby, Friend to Kimberly Cochran Hearing  
Kathy Parmenter, Illinois State Police employee for Kimberly Cochran Hearing  
Chris Campbell, Attorney for Illinois State Police for Kimberly Cochran Hearing

Minutes of the Previous Meeting

The minutes of the October 10, 2013 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 Vice Chairperson Laidlaw, seconded by Secretary Blair and by unanimous vote, the minutes were approved as submitted.

Routine Claims & Denial Report

The Routine Claims and Denials Report for the month of October, 2013 were presented. Following review and discussion, the Routine Claims and Denials Report for the period of October, 2013, as prepared by staff was received by the Executive Committee.

## Old Business

### Michelle Flowers Occupational 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 Secretary Blair, seconded by Chairman Iglarsh, and by unanimous vote, the Committee accepted Recommendation No. 2013-007.

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

### Russell Rothchild Disability/Pension

Mr. Rothchild works for a state agency and has been on occupational leave since 1997.

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

Mr. Rothchild has been receiving a monthly occupational disability benefit since 01/21/1997 with annual increases. As per law his retirement account has been credited with wages and contributions based on his rate when he went off the payroll in 1997 and he will turn 65 on 09/11/2013. His occupational benefit will cease as of 09/30/2013.

Russell Rothchild has sent in an appeal letter dated August 21, 2013. He states that he has been receiving occupational disability for 16 years and receiving annual increases however his rate and average final compensation have stayed the same for 16 years and if he has to go on pension he would lose a considerable amount monthly and that would not be fair to him.

Based on the facts of this case and information submitted, the Committee recommends deferring the appeal of Russell Rothchild at this time.

After some discussion it was noted that 40 ILCS 14-127 states "during occupational disability there shall be credited to the account of the disabled member amounts representing the contributions the member would have made had he remained in active employment in the same position and at the same rate of compensation in effect at the time the disability occurred and that at the age of 65 he shall become entitled to a retirement annuity." Therefore Mr. Rothchild's request to receive the same amount on pension that he is receiving on disability is denied.

Following a review of the file and some discussion, Chairman Iglarsh moved to deny Russell Rothchild's appeal. Secretary Blair seconded and the motion passed unanimously.

## New Business

### Kimberly Cochran Pension

Kimberly Cochran applied for a retirement annuity from the System with an effective date of September 1, 2013.

During the application process for retirement annuity, Ms. Cochran had elected to participate in the reciprocal option which would give her 80% between SERS and IMRF. However, her pension with IMRF would not begin until age 55 and at that time she was also informed she could only retire reciprocally and receive 80%.

Ms. Cochran informed the technician she would retire independently.

At the time Ms. Cochran signed her pension application she had 297 months of service credit, and her agency certified that she had 11 months of unpaid sick days and 5 months of paid sick and vacation days, totaling 78.2499%.

Ms. Kimberly Cochran is requesting to purchase her 6 month qualifying period and to receive her pension at 80%.

Based upon a review of the file and information submitted, the Committee finds Ms. Cochran retired September 1, 2013 and has not cashed her first warrant.

Kimberly Cochran requested a personal hearing and appeared with her attorney Mr. Randy Paswater at this meeting.

Mr. Paswater gave a history of the problems Ms. Cochran has endured throughout her retirement planning. Mr. Paswater is requesting his client be able to purchase the 6 month qualifying period which will give her 79.7499%, and that she be given the other .2501% to reach the 80% she has requested.

Chairman Iglarsh stated that the Committee unanimously agreed that Ms. Cochran could purchase her 6 month qualifying period provided payment is made within 30 days of the billing notice. Attorney Bochenek then suggested the numbers be ran again with a follow up with Illinois State Police to seek the most accurate information available.

Following a review of the file and some discussion, the appeal of Kimberly Cochran was deferred so SERS can re-calculate her pension once ISP confirms the number of unused sick and vacation days.

Rita Corson Occupational Disability/12 month

Rita Corson works for a state agency and a service connected leave of absence was granted.

Ms. Corson'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 Rita Corson 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. Corson submitted a written appeal of the denial of disability benefits due to late filing.

Based on the facts of this case and information submitted, Vice Chairperson Laidlaw moved approval of the appeal of Rita Corson for a waiver of the twelve month filing limitation for occupational disability. Chairman Iglarsh seconded the motion, and all were in favor.

Danny Ford Occupational Disability/12 month

Danny Ford works for a state agency and a service connected leave of absence was granted.

Mr. Ford'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 Danny Ford 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. Ford submitted a written appeal of the denial of disability benefits due to late filing.

Based on the facts of this case and information submitted, Secretary Blair moved approval of the appeal of Danny Ford for a waiver of the twelve month filing limitation for occupational disability. Vice Chairperson Laidlaw seconded the motion, and all were in favor.

Bradley Frieman Occupational Disability/12 month

Bradley Frieman works for a state agency and a service connected leave of absence was granted.

Mr. Frieman'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 Bradley Frieman 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.

Bradley Frieman submitted a written appeal of the denial of disability benefits due to late filing.

Based on the facts of this case and information submitted, Chairman Iglarsh moved approval of the appeal of Bradley Frieman for a waiver of the twelve month filing limitation for occupational disability. Vice Chairperson Laidlaw seconded the motion, and all were in favor.

Charles Donaldson Occupational Disability/12 month

Charles Donaldson works for a state agency and a service connected leave of absence was granted.

Mr. Donaldson'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 Charles Donaldson 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.

Charles Donaldson submitted a written appeal of the denial of disability benefits due to late filing.

Based on the facts of this case and information submitted, Chairman Iglarsh moved approval of the appeal of Charles Donaldson for a waiver of the twelve month filing limitation for occupational disability. Vice Chairperson Laidlaw seconded the motion, and all were in favor.

Larry Portee

Pension

Larry Portee worked for a state agency. Mr. Portee's application for a retirement annuity was denied due to failure to meet the qualifications for the annuity.

During the retirement annuity application process Mr. Portee was informed he did not qualify for a retirement annuity from SERS he needed 240 months to be eligible and he only had 232.25.

Based on a review of the file and information submitted, it was determined that Mr. Portee worked for a state agency.

Mr. Portee requested and received info to purchase his qualifying period and 2 short leaves. However, he purchased only the 6 month qualifying period which gave him a total of 238.25 credited service still 1 and  $\frac{3}{4}$  month shy.

Mr. Portee is now asking to purchase service credit of 1.75 months so he can start his pension as of July 1, 2013.

Based upon the facts of this case, the information submitted and after some discussion the Executive Committee recommended approval of Larry Portee's appeal to purchase the required months provided payment is made within 30 days of the billing notice. Chairmen Iglarsh motioned for approval and Vice Chairperson Laidlaw seconded the motion. The motion was carried with unanimous approval.

Joshua Bryant

Survivor waive of Benefits

Christina Bryant passed away on September 23, 2013.

Christina Bryant's surviving son Joshua has sent in a written request to waive his rights to survivor benefits, he is over eighteen and not a full time student and has no plans to enter college.

The waiver of all benefits was executed on November 5, 2013 by Mr. Bryant.

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

Following a review of the file and some discussion, Chairman Iglarsh moved approval of the appeal of Joshua Bryant for a waiver of survivor benefits. Vice Chairperson Laidlaw seconded the motion and all were in favor.

Ruth A. Liehr

Service Refund

Ms. Liehr is requesting a written appeal before the Executive Committee to request the return of \$767.73 that she paid for a 4 month refund.

Mr. Joe Maggio, Manager of the Service & Refunds Division stated 2 errors were made in-calculating the repayment.

- 1) The 12 month qualifying period should have been included
- 2) We should have explained to her that she needed at least 12 months to qualify for reciprocity.

Mr. Maggio has recommended the return of the \$767.73.

Following discussion, Chairmen Iglarsh motioned for approval and Vice Chairman Laidlaw second the motion. The motion was carried with unanimous approval.

John P. Flynn

Qualifying Period Refund

Mr. Flynn is requesting a written appeal before the Executive Committee to request the return of \$2,883.54 that he paid for a 6 month qualifying period.

Mr. Joe Maggio, Manager of the Service & Refunds Division explained that 1 month of the qualifying period was concurrent with the Illinois Municipal Retirement Fund (IMRF).

After discussion and following a review of the file, the request of John P. Flynn was deferred so that Mr. Joe Maggio, Manager of the Service & Refunds Division can show Mr. Flynn the difference in his pension if he was to leave the money in his account.

Howard L. Jeffries

Military Service Refund

Mr. Howard L. Jeffries is requesting in a written appeal before the Executive Committee a refund of \$34,329.32 that he paid for 32 months of military service.

Mr. Jeffries thought he could retire earlier if he purchased the 32 months of military service credit.

After a review of the file and some discussion, the written appeal of Howard L. Jeffries was deferred until estimates can be provided to show Mr. Jeffries the difference in his benefit.

Heidi Scott

Service/Purchase of Suspension Time

Heidi Scott is requesting a written appeal with the Executive Committee. She is requesting that she be allowed to establish creditable service for the period of December 10, 2012 through April 14, 2013.

In a letter to Ms. Scott dated August 12, 2013, from Service & Refunds Division it explained that our records indicate at that time she was on suspension/dockage time; therefore, she is not eligible to purchase this time.

In a letter to the Executive Committee and Secretary Blair, Ms. Heidi Scott explains why she feels she's entitled to the time in question.

After review of the file and the information submitted, Secretary Blair moved to deny the appeal of Heidi Scott. Chairman Iglarsh seconded the motion and all were in favor.

Joseph Lopez

Service/Interest on Purchase

Joseph Lopez is requesting to pay for his 6 month qualifying period without paying the additional \$18.39 interest due since his payment was not received on time.

Mr. Lopez missed payroll payments while he was on disability and his payment was not received within 30 days; he owes interest of \$18.39.

Mr. Lopez insists he mailed the check for the payment on September 6, 2013; however, the envelope is postmarked October 1, 2013.

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

Catherine L. Olivos

Write-Off

This account became eligible for a write off in June, 1996. Contributions in the amount of \$25.99 were written off on June 25, 1996. Ms. Olivos has requested to establish service credit.

The Service & Refunds Division is requesting the Executive Committee to approve the reinstatement of this account so that a pension may eventually be paid.

Following a review of the file and some discussion, Secretary Blair moved approval of the appeal of Catherine L. Olivos' request for reinstatement of the account. Vice Chairperson Laidlaw seconded the motion and all were in favor.

Yadira Rosas

Write-Off

This account became eligible for a write off in June, 2006. Contributions in the amount of \$3,892.43, widow/survivors' in the amount of \$486.13 and 47.25 months of creditable service were written off on June 23, 2006. Ms. Rosas has returned to State service and is requesting her account be reinstated.

The Service & Refunds Division is requesting the Executive Committee to approve the reinstatement of this account.

Following a review of the file and some discussion, Chairman Iglarsh moved approval of the appeal of Yadira Rosas' request for reinstatement of the 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 11:40A.M.

The next meeting of the Executive Committee is scheduled for Thursday, December 12, 2013, in the Springfield office, with video conferencing in Chicago.

---

Loren Iglarsh  
Chairman

---

Lori Laidlaw  
Vice Chairperson

---

Timothy Blair  
Executive Secretary