

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

November 8, 2018

A meeting of the Executive Committee of the State Employees' Retirement System of Illinois was held on Thursday, November 8, 2018 at 8:30 a.m. in the System's Springfield office at 2101 S. Veterans Parkway.

**Committee Members:**

David Morris, Vice-Chairperson  
Timothy Blair, Executive Secretary

**Others Present:**

Jeff Houch, Assistant Executive Secretary  
Christine Self, SERS Attorney  
Kathy Yemm, Manager, Claims Division Manager  
Cory Mitchell, Acting Supervisor, Pension and Death Section  
Karen Brown, Supervisor, Disability Section  
Casey Evans, Internal Auditor  
Becky Glazier, Recording Secretary

**Minutes of the Previous Meeting**

The minutes of the October 11, 2018 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 Morris and by unanimous vote, the minutes were approved as submitted.

**Routine Claims Report**

The Routine Claims Report for the month of October 2018 was presented. Following review and discussion, the Routine Claims Report for the period of October 2018, as prepared by staff, was received by the Executive Committee.

## Old Business

### Angela Chaudoin – Non-Occupational – Review of Financial Information for Self-Employment

At the October 11, 2018 Executive Committee meeting a personal hearing was held with Ms. Chaudoin who was appealing the suspension of her non-occupational disability benefit for supplying false information on her Disability Certification form.

Ms. Chaudoin was asked to provide an amended Disability Certification letter and financial documentation for the business. Her appeal was deferred until the income from her business could be documented. Ms. Chaudoin has now submitted a corrected Disability Certification form and the business' financial documentation for review.

The Executive Committee reviewed the materials submitted by Ms. Chaudoin and determined no further action was necessary.

### Cherie McConnell – Request Lower Repayment of Overpayment

Ms. McConnell has an overpayment on her non-occupational disability claim because of a Social Security disability award. She appealed the amount of the overpayment and asked for a reduced monthly payment. The case was deferred at the Executive Committee due to questions about a Workers' Compensation claim that the member referred to during her communications with SERS staff. Review of her file and of her Tristar Workers' Compensation claim showed that Ms. McConnell had a work-related injury which kept her off work from September 26, 2015 – October 2, 2015. She did not file a disability claim with SERS for this period. Her current non-occupational benefit is not related to her workers' compensation claim.

After review and discussion, Executive Secretary Blair moved to approve the request for a reduction in Ms. McConnell's repayment to an amount of \$200 monthly. Vice Chairperson Morris seconded the motion, and all in favor.

### Norma Jean Norris-Brantley – Appeal to Lower Repayment

This is the fourth appeal for the same overpayment. All prior appeals have been denied.

Norma Jean Norris-Brantley received social security disability retroactive to November 1, 2013, resulting in an overpayment of \$37,128.00. She received \$8,297.00 from Social Security due to working and receiving disability benefits at the same time.

As stated in the SERS Board Policy, the Overpayment Section is to deduct ½ the gross of any benefit being paid toward an overpayment owed to SERS. The overpayment due is in accordance with 5/14-125 ILCS of the Pension Code.

Ms. Norris-Brantley's current monthly gross pension payment is \$945.64. Monthly deductions from the pension check are \$90.89 for health, \$11.00 for dental and \$560.00 which is applied to the overpayment. Net amount paid to the member is \$283.75 per month.

The balance of her overpayment effective today's date is \$21,367.28. Based on the balance and the amount paid per month, the overpayment will be paid in 38 months.

Mrs. Norris-Brantley retired June 1, 2015.

Mrs. Norris-Brantley's re-appeal is to lower the amount of the deduction from her pension check that is applied to her overpayment. Her current payment is \$560.00 per month and she signed a contract agreeing to the payment. She did not indicate a desired amount in her letter of appeal.

After review and discussion, Executive Secretary Blair moved to deny the re-appeal of Mrs. Norris-Brantley's request for a lower repayment. Vice Chairperson Morris seconded the motion, and all were in favor.

### New Business

#### Michael Wagenbach – Non-Occupational Disability – Denial Pending Approval

Michael Wagenbach works at a Site Superintendent II for the Historic Preservation Agency. He last worked on May 27, 2016. He began a medical leave of absence on July 1, 2016.

Mr. Wagenbach was referred to Midwest Disability on October 24, 2017. He began the process of applying for Social Security Disability, however he recently stopped cooperating. Two follow-up letters have been mailed requesting proof that he applied with SSA, with no response.

The denial is pending review by the Executive Committee.

Following a review of the information presented and some discussion, it was agreed to defer this matter to allow for further review of agency procedures.

#### Mir Majeed, Larry Hackwith, Julia Mowery, and Troy Vaughn – Request to Reinstate Accounts for Refund

Mir Majeed, Larry Hackwith, Julia Mowery, and Troy Vaughn's member accounts were written off in a prior fiscal year. Since then, these members have contacted SERS and requested a termination refund of their applicable SERS contributions.

Staff is asking the Executive Committee to reinstate these accounts that were written off so that the resignation refunds can be processed.

Following a review of the information presented and some discussion, a motion was made by Executive Secretary Blair to approve the requests for reinstatement of accounts for Mir Majeed, Larry Hackwith, and Troy Vaughn, including the addition of Julia Mowery. The motion was seconded by Vice Chairperson Morris and all were in favor.

### Patricia Salgado – Request Refund of ERI Payments

Patricia Salgado is requesting a refund of her ERI payments in the amount of \$7,910.00. Ms. Salgado's pension was being reduced by \$395.50 per month for 20 months for the ERI required payment prior to the termination of her annuity due to her felony conviction.

Background – Patricia Salgado's retirement annuity was terminated effective August 31, 2004 due to a felony conviction directly related to her employment. Her contribution refund of \$30,707.30 was originally denied by former Claims Manager Patrick Cummings (letter dated August 26, 2004).

After further review of Ms. Salgado's request of September 15, 2015, the Claims Division found that Ms. Salgado did have a right to a refund of her contributions as explained in the Attorney General's memo of August 23, 2004; therefore, the contributions in the amount of \$30,707.30 were refunded in 2016. At that time, a decision was made that the ERI payments should not be refunded.

Following a review of the information presented and some discussion, it was agreed to defer this matter to the next meeting.

### Sharon Ragland – Appeal of Overpayment

Mrs. Ragland was approved for a temporary benefit (6P) from SERS effective February 15, 2014 and was paid through May 31, 2016.

Mrs. Ragland won her appeal against the Illinois Workers' Compensation Commission and received benefits. SERS owed her a net occupational disability for the period of February 15, 2014 through May 31, 2016 in the amount of \$22,900.90. Temporary benefits were paid for the period of February 15, 2014 through May 31, 2016 equaling \$45,155.75. When what is owed to Mrs. Ragland is subtracted from what SERS has already paid, the total overpayment is \$22,254.85. SERS also owes a net occupational disability for January 16, 2014 through February 14, 2014 in the amount of \$846.19. When this amount is subtracted from the overpayment amount of \$22,254.85, it reduces the final overpayment owed to SERS to \$21,408.66.

Mrs. Ragland's disability benefits ended May 31, 2016 and she retired June 1, 2016.

SERS sent the member a notification letter on June 26, 2018 that explains the calculation of the overpayment and what is due to SERS. Mrs. Ragland had failed to respond to the letter sent in June and the Overpayment Section sent her a letter in September stating that SERS would begin deductions of \$1,427.25 from her pension check to repay the overpayment.

As stated in the SERS Board Policy, the Overpayment Section is to deduct ½ the gross of any benefit being paid toward an overpayment owed to SERS. The overpayment due is in accordance with 5/14-125 ILCS of the Pension Code.

Mrs. Ragland is appealing the amount of the monthly amount deducted from her pension check for the overpayment. Mrs. Ragland's gross pension payment is \$3,128.96.

SERS is currently offsetting her pension amount by \$1,427.25 and applying it to her overpayment. This will repay her overpayment in 15 months.

Mrs. Ragland has included her monthly expenses in her appeal letter and copies of expenses.

Following a review of the information presented and some discussion, a motion was made by Vice Chairperson Morris to approve Mrs. Ragland's appeal and lower her monthly payment to \$750.00. The motion was seconded by Executive Secretary Blair and all were in favor.

#### James Foster – Occupational Disability – 12 Month Filing Limitation

James Foster worked as a Highway Maintainer for the Illinois State Department of Transportation. He was injured at work on February 6, 2015 and was last paid by his agency on March 7, 2015. He was placed on a service connected leave of absence on March 8, 2015 and remained off work until December 7, 2015. Member received TTD benefits from Tristar on March 6, 2015 through November 4, 2015. He received a settlement in January of 2017.

Mr. Foster's request for occupational Disability was denied in accordance with Chapter 40 of Illinois Pension code 5/14-124(5). He is asking the Executive Committee to please waive the 12 month filing limitation.

Following a review of the information presented and some discussion, a motion was made by Vice Chairperson Morris to approve the request to waive the filing limitation. The motion was seconded by Executive Secretary Blair, and all were in favor.

#### Penny White – Occupational Disability – 12 Month Filing Limitation

Penny White works as a court reporter for the Illinois State Comptroller's Office. She last worked on October 31, 2016. She began a medical leave of absence on November 1, 2016 due to a work-related injury. She returned to work on November 28, 2016.

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

The member's request was denied in accordance with Chapter 40 Pensions 5/14-124(5).

Following a review of the information presented and some discussion, a motion was made by Executive Secretary Blair to approve the request to waive the 12 month filing limitation. The motion was seconded by Vice Chairperson Morris and all were in favor.

#### Andrew Krikie – Non-Occupational Disability – 90 Day Filing Limitation

Andrew Krikie is appealing the denial of disability based on the 90 day filing rule. He was removed from payroll May 21, 2018. His 90 days expired August 18, 2018. The notification came in from the agency September 14, 2018. SERS sent his forms September

7, 2018. His application was received September 7, 2018. The medical was received September 7, 2018. He has not returned to work.

Following a review of the information presented and some discussion, a motion was made by Vice Chairperson Morris to approve the request to waive the 90 day filing limitation. The motion was seconded by Executive Secretary Blair, and all were in favor.

Taryl Alexander – Non-Occupational Disability – 90 Day Filing Limitation

Taryl Alexander is appealing the denial of disability based on the 90 day filing rule. She was removed from payroll March 6, 2018. Her 90 days expired June 3, 2018. The notification came in from the member September 18, 2018. SERS sent her forms September 19, 2018. Her application was received October 9, 2018. The medical was received 10/9/2018. She returned to work May 30, 2018.

Following a review of the information presented and some discussion, a motion was made by Executive Secretary Blair to approve the request to waive the 12 month filing limitation. The motion was seconded by Vice Chairperson Morris and all were in favor.

Scott Rubach – Non-Occupational Disability – 90 Day Filing Limitation

Scott Rubach works as a Security Therapy Aide I for the Illinois Department of Human Services. He stopped working on March 6, 2017 and began a medical leave of absence on March 7, 2017. He returned to work on September 30, 2017.

His agency notified SERS of his disability on March 10, 2017. A disability packet was mailed to him on March 24, 2017, but his application was not received until September 26, 2018. He did not return his application within the 90 day filing rule. Therefore, his disability application was denied in accordance with Chapter 40 of Illinois Pension Code 5/14-124(5). He is asking the Executive Committee to please waive the 90 day filing rule.

Following a review of the information presented and some discussion, a motion was made by Vice Chairperson Morris to approve the request to waive the 90 day filing limitation. The motion was seconded by Executive Secretary Blair, and all were in favor.

There being no further business to be brought before the Committee, the meeting was adjourned at 10:40 a.m.

The next meeting of the Executive Committee is scheduled for December 13, 2018, 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**

