

STATE OF CONNECTICUT
STATE EMPLOYEES RETIREMENT COMMISSION

DECEMBER 17, 2020 REGULAR MEETING
HELD VIA ZOOM
CONVENED AT 9:06 a.m.

Commission Members Present:

Peter Adomeit, Chairman
Michael Bailey, Trustee
Sandra Fae Brown-Brewton, Trustee
Karen Buffkin, Trustee
Michael Carey, Trustee
Martha Carlson, Deputy Comptroller, Ex Officio Member
Carl Chisem, Trustee
Robert D. Coffey, Trustee
John Flores, General Counsel Office of the Treasurer,
Ex Officio Member
Sal Luciano, Trustee
Karen Nolen, Trustee
Claude Poulin, Trustee
Angel Quiros, Trustee
Timothy Ryor, Trustee
Mark Sciota, Municipal Liaison

Also Present:

Bruce Barth and Alisha Sullivan, Tax Counsel to the
Commission, Robinson & Cole
Cindy Cieslak and Michael Rose, General Counsel to the
Commission, Rose Kallor
John Herrington, Director, Retirement Services Division
Colin Newman, Assistant Director, Retirement Services
Division
Patricia Shannon

Court Reporter: Karen Vibert

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1 (Proceeding convened at 9:06 a.m.)

2 MR. ADOMEIT: I can call the meeting to
3 order because we have a quorum.

4 Cindy, do you have the list of
5 persons present, please?

6 MS. CIESLAK: Yes. Good morning, everyone.
7 As a reminder, this meeting is being recorded, so
8 please state your name when you speak.

9 In attendance, we have Chairman
10 Peter Adomeit, Trustee Angel Quiros, Trustee
11 Carl Chisem, Actuarial Trustee Claude Poulin.
12 Trustee Karen Buffkin, Trustee Karen Nolen, Trustee
13 Michael Carey, Trustee Michael Bailey, Trustee
14 Robert Coffey, Trustee Sal Luciano, Actuarial
15 Trustee Tim Ryor.

16 We also have John Flores, General
17 Counsel to the Office of the Treasurer and ex
18 officio member of the Commission. We have Deputy
19 Comptroller and ex officio member of the Commission,
20 Martha Carlson. We have Mark Sciota, municipal
21 liaison.

22 Also present is Alisha Sullivan, Tax
23 Counsel from Robinson & Cole, Bruce Barth, Tax
24 Counsel from Robinson & Cole, myself, Cindy Cieslak,
25 General Counsel from Rose Kallor, Michael Rose,

1 General Counsel from Rose Kallor, and
2 John Herrington, Retirement Services Division
3 Director.

4 Did I miss anyone?

5 MR. NEWMAN: You missed me, Cindy.

6 MS. CIESLAK: Oh, hi, Colin.

7 Colin Newman, Assistant Director of
8 the Retirement Services Division.

9 MR. ADOMEIT: Good morning. Thank you,
10 Cindy.

11 Before we get to the agenda we have
12 two actuarial issues to place on the agenda to amend
13 it. The first would be to amend the agenda to add
14 the SERS actuarial evaluation of 6-30-20. Do I see
15 we have a motion to that effect? Claude?

16 MR. POULIN: I move to add, after the end
17 of the public session, the acceptance of the
18 actuarial report for SERS prepared as of June 30,
19 2020, followed by the acceptance of the actuarial
20 valuation report for the judges compensation
21 commissioners and family magistrates, also prepared
22 as of June 30, 2020.

23 MR. BAILEY: Second.

24 MR. ADOMEIT: Okay. All in favor say aye.
25 Opposed nay. The ayes have it. Thank you very

1 much.

2 Chairman's report.

3 As we learned at the beginning before
4 the meeting started, there is light at the end of
5 the tunnel with the vaccination process beginning,
6 and that will obviously have a huge impact on all of
7 us, personally and professionally as well as the
8 entire country, and, obviously, the workings of this
9 Commission as well.

10 The other part of my report is to ask
11 people to hang around for a while if they can
12 because at the end of this meeting, Cindy will have
13 made me the co-host. She has a prior commitment,
14 but we will have a continuation of our annual
15 holiday celebration for maybe 45 minutes or so or an
16 hour.

17 As you know, the folks that run the
18 machinery have continued to run it well and the
19 checks come in -- go out. The money comes in, the
20 decisions are made --

21 (outside interruption.)

22 MS. CIESLAK: I apologize for that
23 interruption. Patricia Shannon has a matter on the
24 agenda this morning and she has just joined us and I
25 think she was not muted, but she is muted now.

1 Thank you, Ms. Shannon. We are in
2 the meeting right now and Chairman Peter Adomeit is
3 giving the Chairman's report.

4 Then, Peter, I just wanted to let you
5 know that my deposition was canceled so I'm happy to
6 stay and wish everyone a happy holiday.

7 MR. ADOMEIT: Oh, Okay. Well, you know,
8 you can't get to a Zoom meeting in all this snow,
9 Cindy.

10 Okay. So, we can move to the
11 Division Director's report.

12 MR. HERRINGTON: Good morning, everyone. I
13 have forwarded my Director's report for this month.
14 There are some points that need some clarification.

15 Aside from the snow day, this is an
16 odd month in the sense that today is the close of
17 payroll, so all of the numbers that we have
18 available are now final. So probably the largest
19 impact would be on the number of disability cases
20 processed. We have cases that have been processed
21 up to this point, but that number will likely
22 increase depending on what we're able to process for
23 today's payroll. So those numbers likely will be
24 reflected in next month's report.

25 We have refocused our efforts on

1 eliminating the disability backlog over the next
2 year. We've made considerable progress within the
3 Division over the past year in terms of eliminating
4 other backlogs. I believe that perhaps with an
5 exception or two, we will be in a position where we
6 have no overdue audits for the non-disability
7 population, so the idea would be from 2021 forward,
8 all cases will be finalized within 60 days of the
9 date of the retirement. That's our own internal
10 goal. As some of you may know, there is a
11 requirement -- a statutory requirement that to the
12 extent it takes more than six months for us to
13 finalize a case, we must pay interest. The goal
14 would be that from 2021 forward, there will be no
15 instance where we're paying interest on a processed
16 normal retirement due to a delay in processing that
17 audit finalization.

18 Hopefully, we will get through to the
19 point where there likely will be no large interest
20 payments in 2021 due to our resolution of the
21 disability backlog; but, the hope would be from 2022
22 forward, we will no longer be paying interest as a
23 matter of course in connection with any type of
24 retirement. So, that's a great deal of progress
25 that we've made.

1 We are leveraging the technology
2 available to us as best we can. As we engage in
3 these efforts, we find, you know, further and
4 further efficiencies as we get more comfortable with
5 the technology, and, you know, quite frankly,
6 comfortable with identifying the limitations and
7 then we can, you know, resolve -- get solutions to
8 what appear to be obstacles at first. So there are
9 lots of gains to be made there.

10 We're in the process right now of
11 releasing a self-service tool statewide, and part of
12 that process is what we call screening the
13 underlying data as we have discussed in previous
14 months. One of the challenges that we have in
15 processing all these retirements due to PeopleSoft
16 Tool is that there are many people whose career
17 predates PeopleSoft, so that information wasn't kept
18 in real time in the system. As we go through, we
19 have to verify the information, what was converted
20 and in some cases make some corrections to that
21 data. We are getting better and better at that
22 process, you know, as each month passes, and we
23 likely will shift our focus; whereas, historically
24 the focus as been in the Division to correct all of
25 the issues and errors at the time that someone's

1 retired or perhaps even after someone has retired,
2 at the time that we're finalizing their benefit.
3 We're reaching a point where we can be proactive and
4 we can identify populations that have errors that
5 need to be corrected en masse, and that we would
6 make those corrections.

7 So, that's going to have two
8 benefits. The first would be that the underlying
9 data would be more reliable for the self-service
10 tool for any individuals that are interested in
11 obtaining, you know, on demand an estimate of what
12 their benefit entitlement would be; but, perhaps
13 more importantly, that is going to improve the data
14 that we are able to provide to the actuaries for our
15 actuarial evaluation. So, that's probably a process
16 that over a period of two or three years, I think we
17 will be in a position where we will feel very
18 comfortable with the reliability of the data, that
19 there are, you know, 50,000 active employees. And
20 one of the things that we're trying to tie down is
21 how many terminated employees we have and, of those
22 terminated employees, which truly are vested and are
23 entitled to future benefits. That's one of our
24 processes. The hope would be over the next three
25 years or so, we should have a very good handle on

1 our entire population.

2 But that's basically what we've been
3 working on this year and this month. I think
4 something new for this year's Director's report is
5 that we're identified, you know, the work that -- or
6 the number of normal retirements that have occurred
7 over, you know, each of the past 11 years and we
8 have averages per month. That's something that we
9 developed in connection with our discussions with
10 the DAS pod that is processing just about half of
11 all State retirements and we wanted to give them a
12 sense of what they can expect for demand from one
13 month to the next. I thought as we presented that,
14 that information might be of interest to some
15 members of the Commission as well.

16 MR. ADOMEIT: All right. John, thank you
17 very much.

18 Any comments or questions of
19 Mr. Herrington?

20 MS. NOLEN: I just want to say that the
21 chart that you provided on the normal retirement
22 audits is very informative, so thank you for
23 providing that.

24 MR. ADOMEIT: All right. Thank you.

25 Any further comments or questions?

1 Hearing none, Marti Carlson, do you have anything to
2 report, please?

3 MS. CARLSON: Just a couple of things just
4 to tag on to what John is saying. Those of you who
5 are veterans on the Commission and even more
6 recently, you'll remember we -- John and I brought
7 to you Paul Piechowicz a couple of years ago to
8 announce the elimination of that famous 15,000-item
9 backlog, which he led the team over two years to
10 eliminate that. Once he did that, he pivoted to
11 another backlog which John was talking about, and
12 that was the -- as we were eliminating the
13 15,000-item backlog, implementing the pension
14 module. Current applications from that period of
15 time three years ago backed up a little bit and
16 there were a few thousand of those. Paul pivoted to
17 that. He is the lead -- John, correct me if I am
18 wrong -- on the team that has eliminated that
19 backlog as well.

20 I think those of you who have been
21 around a while remember our commitment that once we
22 implemented and stabilized the pension module, our
23 goal was to have a permanent benefit go out within
24 the 60 days, and we are pretty much there.

25 Notwithstanding the savings and

1 interest, I think that you can imagine those 15,000
2 plus 2,000 people who had a preliminary benefit and
3 were just sort of waiting for a very long time to
4 find out what their final benefit and permanent
5 benefit was going to be so that they could plan the
6 rest of their lives was important to the members as
7 well.

8 The other thing I would like to talk
9 to you about, in particular, Angel, as John
10 mentioned we're rolling out the self-service
11 calculator agency by agency, and we started a soft
12 launch of that to the quote/unquote easy agencies.
13 And John's staff has been working on the
14 hazardous-duty employees, cleaning up their data.

15 Angel, I know that you also know that
16 there are many corrections officers in particular
17 who hit that 20 years and they just want out, and
18 then they find out that they've got 19 years and
19 11 months because there was some unpaid leave.

20 So, we're cleaning up that data. I
21 believe -- John, correct me if I am wrong -- there
22 are several -- we've identified the several hundred
23 hazardous-duty employees who are eligible to retire
24 between now and July 1st of 2022, and we're
25 releasing those -- the calculator to those employees

1 in batches. We released 129, or we sent 129
2 hazardous-duty employees an email that we know are
3 eligible on January 1st, like next week, and we've
4 only had an uptick into the calculator of like a
5 very low number, 15 people. We know that that
6 cohort is difficult to reach. They don't -- you
7 know, if they have even have a State email, they
8 rarely open the State email. You'll remember in the
9 past we would send thousands of direct deposit
10 advices over to Corrections, because that's what we
11 did in the old days, and then nobody would pick them
12 up. It's just not the same cohort.

13 We're going through roll call and
14 going through the HR department at Corrections
15 trying to inform these potential retirees that they
16 can access this self-service calculator and
17 calculate their own retirement. If they can do
18 that, and, you know, be prepared for -- particularly
19 on service. You know, three highest years is crazy,
20 too, because there's so much overtime, but the issue
21 is generally, I think -- John, correct me if I'm
22 wrong -- their service. So, if they can go onto
23 that calculator and find out they've only got
24 19 years in and 10 months, or they've got 20 years
25 and one month, it would be really helpful. We just

1 don't know how to reach those people.

2 So, John, I think you're working with
3 the HR people at Corrections. Am I right?

4 MR. HERRINGTON: Correct, we are. I
5 believe Patricia Meskers actually reached out to
6 Angel earlier this week.

7 MS. CARLSON: If you could engage in that,
8 Angel, to try to help us figure out how to get to
9 these folks?

10 MR. QUIROS: I have engaged the -- the roll
11 call notice is out in the correctional facilities.
12 My concern is I have an obligation to not just a roll
13 call notice. If there's a list of the individuals
14 that we know and we're not seeing an uptick in the
15 utilization of the calculator, then I need that list
16 so my administrator can --

17 MS. CARLSON: We should have that list,
18 right? John, correct me if I am wrong, but the HR
19 director there should have that list, right?

20 MR. HERRINGTON: Correct. We can provide
21 that list in an email after that meeting as well.

22 MR. QUIROS: That would be great.

23 MS. CARLSON: Okay. Thank you. That's
24 all I have, Peter. It's a really important cohort.
25 We want to help those -- we do want to help those

1 folks be able to retire when they -- you know, when
2 they've had enough time. It's very stressful for
3 the individuals to find out that they're 10 days
4 short or 30 days short when they think they've got
5 it.

6 MR. HERRINGTON: I would add, one of the
7 difficulties that we have is we are not holding
8 in-person counseling sessions anymore, so there has
9 been a great bit of angst amongst all State
10 employees in terms of obtaining that information;
11 but, particularly that population and if
12 particularly for that reason in determining when
13 they are eligible. So, this is the solution to that
14 problem. To the extent that we receive, you know,
15 phone calls from those individuals, we can determine
16 that they have access to the tool, we have handled
17 that through individual phone calls, but it could be
18 best if that information was filtered out to that
19 population in real time.

20 MS. CARLSON: Angel, for your members,
21 access to the tool is very different than access to
22 an actual computer to use the tool.

23 MR. QUIROS: Okay. Question: Any thought
24 about virtual sit-downs?

25 MR. HERRINGTON: What we have is we have a

1 video that is basically the same presentation that
2 individuals receive if they came into Hartford. The
3 problem that we have is one of manpower in terms of
4 in order for us to roll this tool out to the entire
5 population, we need to screen the data. So, the
6 people that otherwise would be meeting people one on
7 one each day are screening the data so that we can
8 get the information to everyone. The goal is that,
9 you know, by the fall of this year, we would have
10 that tool out to the -- what's now, you know,
11 somewhere in the neighborhood of 13,000 individuals
12 that are eligible to retire in 2022. There would be
13 no way possible for us to meet with all of those
14 people individually; but, the thought is if we can
15 provide this tool and those videos to that
16 population, everyone will have the basics of the
17 information that we need, and to the extent there
18 are outliers, we will deal with them once we've
19 rolled out the tool to everyone.

20 MR. ADOMEIT: Thank you, John. Thank you,
21 Marti.

22 Any further questions or comments?

23 Hearing none, Sal, new matters?

24

25 MR. LUCIANO: Point of personal privilege.

1 MR. ADOMEIT: Sure. Go ahead.

2 MR. LUCIANO: I want to congratulate Paul
3 and the Division for getting rid of the backlog. As
4 a veteran trustee, that's a huge deal. I think it
5 should be acknowledged and put on the record. To
6 Marti's point, it's a big deal.

7 Now I would like to make a motion for
8 approval the minutes.

9 MR. BAILEY: Second.

10 MR. ADOMEIT: All in favor say aye.
11 Opposed nay. The ayes have it.

12 MR. LUCIANO: I would like to make a
13 motion for item No. 2, Chairman's per diem.

14 MR. BAILEY: Second.

15 MR. ADOMEIT: Any discussion? All in
16 favor say aye. Opposed nay. The ayes have it.

17 MR. LUCIANO: Motion to move item 3 with
18 Claude abstaining.

19 MR. BAILEY: Second.

20 MR. ADOMEIT: Any discussion? All in
21 favor say aye. Opposed nay. The ayes have it.

22 MR. LUCIANO: Motion to move item 4 with
23 Tim abstaining.

24 MR. BAILEY: Second.

25 MR. ADOMEIT: Any discussion? All in

1 favor say aye. Opposed nay. The ayes have it.

2 MR. LUCIANO: Motion to accept items 5
3 and 6.

4 MR. BAILEY: Second.

5 MR. ADOMEIT: Any discussion? All in
6 favor say aye. Opposed nay. The ayes have it.

7 MR. LUCIANO: Motion to approve items 7
8 and 8.

9 MR. BAILEY: Second.

10 MR. ADOMEIT: Any discussion? All in
11 favor say aye. Opposed nay. The ayes have it.

12 MR. LUCIANO: Motion to approve item 9,
13 the disabilities.

14 MR. BAILEY: Second.

15 MR. ADOMEIT: Any discussion? All in
16 favor say aye. Opposed nay. The ayes have it.

17 MR. LUCIANO: Motion to approve items 10
18 and 11.

19 MR. BAILEY: Second.

20 MR. ADOMEIT: Any discussion? All in
21 favor say aye. Opposed nay. The ayes have it.

22 MR. LUCIANO: Motion to accept items 12
23 and 13.

24 MR. BAILEY: Second.

25 MR. ADOMEIT: Any discussion? All in

1 favor say aye. Opposed nay. The ayes have it.

2 MR. LUCIANO: Motion to approve items 14
3 and 15.

4 MR. BAILEY: Second.

5 MR. ADOMEIT: Any discussion? All in
6 favor say aye. Opposed nay. The ayes have it.

7 MR. LUCIANO: Motion to accept item 16.

8 MR. BAILEY: Second.

9 MR. ADOMEIT: Any discussion? All in
10 favor say aye. Opposed nay. The ayes have it.

11 MR. LUCIANO: On No. 17, for discussion
12 purposes (inaudible.)

13 MR. ADOMEIT: No. 17, is there any
14 discussion on this one?

15 MR. LUCIANO: Yes. COVID is an unusual
16 disease, and the fact that the person got it -- I
17 understand that we normally say the person has to
18 finish an application or at least begin the
19 application in order to get the death benefit; but,
20 I don't think the person knew they were going to
21 die, No. 1. No. 2, they did ask the steward to look
22 into the disability.

23 While I know the rules are -- while I
24 understand why it wasn't accepted, I think COVID
25 changes the whole dynamics of the rules so that I

1 think her intent was not to die and I think her
2 intent was to look at the disability as proof that
3 she asked the steward to begin that process.

4 So, I don't agree that we should deny
5 this. I don't agree with the -- I don't agree with
6 the conclusion of the Committee.

7 MR. NEWMAN: The Subcommittee recommended
8 that they would approve that a posthumous
9 application for disability retirement could be made.
10 The question was that they didn't -- they didn't say
11 under which particular option should the benefit --
12 should the application be processed under.

13 In the event that it goes before the
14 Disability Retirement Board and it gets approved, it
15 was -- what we were looking for was a determination
16 as to under which particular option, whether it be
17 50 percent to spouse or a hundred percent contingent
18 annuitant. That's what the question was. That's
19 the reason why it's on the agenda, because the
20 Subcommittee didn't -- while they approved -- or
21 while they made the recommendation that a posthumous
22 disability retirement application be processed, they
23 didn't say under what particular option. They
24 thought that benefit -- I'm sorry -- that that
25 application should be processed.

1 MR. LUCIANO: Did the Subcommittee make
2 that determination to recommend one or the other?

3 MR. NEWMAN: That's entirely up to this
4 body.

5 MR. LUCIANO: I would like to make that
6 motion, then.

7 MR. POULIN: Second.

8 MR. ADOMEIT: Who seconded, please?

9 MR. POULIN: I did.

10 MR. ADOMEIT: Any further discussion? All
11 in favor say aye. Opposed nay. The ayes have it.
12 Back to committee, then we will report back to the
13 Commission at the next meeting.

14 MR. LUCIANO: Thank you very much.

15 The next item is item 18,
16 Pat Shannon. Again, this is another one that I'll
17 make a motion to accept for the purposes of
18 discussion; but, it's another recommendation I have
19 a problem with.

20 MR. BAILEY: I'll second the motion.

21 MR. ADOMEIT: Any discussion?

22 MR. POULIN: We never really discussed the
23 merits of this case and I was wondering whether
24 before the hearing, whether we could have a
25 discussion on the merits, because when we addressed

1 this case earlier, it was a strictly for
2 reconsideration of the application and not for the
3 merits, because I think that there are some
4 important points that -- or items that need to be
5 discussed by the Commission before the hearing, if
6 you will. Or could you discuss and take this after
7 the hearing? But I think it's important that some
8 comments be made before the hearing.

9 MR. ADOMEIT: Well, Cindy, do we have a
10 written legal opinion on this matter?

11 MS. CIESLAK: Yes, there is a written
12 legal opinion in your packet. It's the legal
13 opinion that went to the Subcommittee and the one
14 that came before you on request for reconsideration.

15 So, Ms. Shannon is here to provide
16 her statement and answer any of your questions. You
17 also have a written legal opinion to discuss in
18 executive session and have your comments, if
19 appropriate, in executive session, or you can ask
20 Ms. Shannon questions as well.

21 MR. ADOMEIT: Commissioner Poulin --
22 Actuarial Commissioner Poulin has requested that we
23 discuss it before she speaks, and to do that, we
24 need to discuss the opinion, and to do that, we need
25 to go into executive session.

1 Sal, is there a motion to go into
2 executive session for the purposes of discussing
3 that written legal opinion, please?

4 MR. LUCIANO: If we're going to do that,
5 may we hold off until we finish items 19 and 20?

6 MR. ADOMEIT: Okay. Very good. We can go
7 to 19.

8 MR. LUCIANO: I would like to move to
9 accept item 19, the SERS actuarial evaluation dated
10 June 30, 2020.

11 MR. POULIN: Second.

12 MR. ADOMEIT: Any discussion? All in
13 favor say aye. Opposed nay. The ayes have it.

14 MR. LUCIANO: I would like to move that we
15 accept the judges actuarial report dated June 30,
16 2020.

17 MR. POULIN: Second.

18 MR. ADOMEIT: Thank you, Claude.

19 Any discussion? All in favor say
20 aye. Opposed nay. The ayes have it.

21 MR. LUCIANO: Claude, if's it's all right,
22 Patricia Shannon is here and she's waited through
23 the entire meeting. If it's okay, maybe she can
24 make her statement before we go into executive
25 session?

1 MR. POULIN: Okay. That's fine.

2 MR. ADOMEIT: All right. Good morning,
3 Mrs. Shannon. This is not an adversarial
4 proceeding. There's no one on the other side. The
5 purpose of having this meeting is to have you tell
6 us briefly and cogently why the relief you are
7 looking for ought to be granted to you.

8 So, you have the floor. Please
9 proceed.

10 MS. SHANNON: Okay. Thank you. Good
11 morning.

12 Cindy, I apologize for my disruption
13 in the beginning. I had to walk a quarter of a mile
14 to a friend's house because we're out of power and
15 cable. So, I'm on my third set of clothes already
16 this morning. We've been up since 5:00. Whatever.

17 But, anyway, that's my apology from
18 the friend's house. I'm not even home.

19 So, thank you, everyone. I do have a
20 lot to say, unfortunately, and I don't really sound,
21 you know, too good, so bear with me.

22 MR. ADOMEIT: Ms. Shannon, you should know
23 that we have all read the file. We're familiar with
24 the file.

25 MS. SHANNON: Oh, super.

1 MR. ADOMEIT: You don't have to go back
2 over those points at all. We know them. What we
3 want you to do for us is basically tell us briefly,
4 because we are familiar with your case, why it is
5 that you should be granted the relief that you seek.

6 MS. SHANNON: Okay. Well, with that, has
7 everyone read the letter that I sent Colin recently,
8 November -- November 27th, because it's really
9 important. And exhibits, you know, all my previous
10 material which I could start off just reading his
11 letter quickly.

12 I mean, I will go through this as
13 quickly as I can, but I really have some really good
14 evidence and I had to wait -- I sent him so much of
15 the documentary, but verbally, you know, I've worked
16 very, very hard on this.

17 MR. NEWMAN: Just for the purposes of the
18 Commission, what she's referring to is Exhibit Q.

19 MR. ADOMEIT: Do you have the page number?

20 MR. NEWMAN: I don't have the actual page
21 number; but, it's Exhibit Q at the bottom.

22 MR. ADOMEIT: Okay. I found her letter to
23 us of August 20th, and that is Exhibit -- page
24 No. 112.

25 MR. NEWMAN: You have to go a little

1 further. Exhibit Q.

2 MS. SHANNON: I think it's on page 116 of
3 the packet.

4 MR. ADOMEIT: Dated November 27th?

5 MR. NEWMAN: Yes.

6 MR. ADOMEIT: I have it.

7 Once again, you don't have to read
8 this to us. We can read it.

9 MS. SHANNON: Okay. It's very important
10 that you do. I've enclosed four different exhibits
11 that really represent my whole case, my whole file.
12 Not my whole file, but the very important forms that
13 were in my file that states -- one form in
14 particular was the 898 form, which is Exhibit D, the
15 last of the four forms. And I can't reiterate
16 enough how -- with what I'm about to tell you, how
17 blank this form is and what we're going to discuss.
18 You know, of course, it says the important things,
19 my name and all that, but --

20 MR. ADOMEIT: Exhibit D, by the way, is --
21 in terms of page number is page No. 122.

22 Go ahead, I have it on my other
23 computer.

24 MS. SHANNON: So, you have all those forms
25 attached? Everyone has that information?

1 MR. ADOMEIT: Yes.

2 MS. SHANNON: All right. Super. One of
3 the things is -- yes, I was going to make sure
4 everyone read my personal file. But the important
5 thing is -- has everyone present and at the previous
6 meetings read and reviewed the Connecticut General
7 Assembly Retirement Division Legislative Program
8 Review and Investigations Committee report from
9 January 1991? Besides Robert Coffey? Is Robert
10 with us today?

11 MR. ADOMEIT: Mrs. Shannon, why don't you
12 make a statement rather than asking what we have or
13 haven't read. I can assure you that we've had this
14 information before us several times and we're
15 familiar with it.

16 MS. SHANNON: It's never gotten brought
17 up. This is the form that I had wanted to speak of.

18 MR. ADOMEIT: Is this in the packet,
19 please?

20 MS. SHANNON: Part of the report from the
21 1991 report. Okay? That talks about retirement.
22 And it was what the Division was working on back in
23 1991 and everything.

24 So, I just wanted to read something
25 from that that is very important, and, you know, is

1 in reference to my particular case. I know you guys
2 deal with all sorts of cases; but, the two major
3 problems under the executive summary of that -- the
4 two major problems regarding membership service
5 delivery identified by the Program Review Committee
6 are the absence of a useable, comprehensive
7 retirement database, and a serious delay in audits
8 and retirement applications, recommendations made
9 with respect to those problems are intended to
10 clarify responsibilities, establish priorities and
11 elevate the impact of this audit delay on retirees.

12 You know, this is the executive
13 summary of 1991, and what they were working on back
14 then. And, you know, the Committee found some areas
15 in which changes could be made to provide greater
16 understanding of the retirement process for both
17 agencies and pension system members, and following
18 are the committee recommendations.

19 So, besides that and under their
20 findings and recommendations and everything, because
21 this was so long ago -- I know you guys -- I was
22 listening to everything today, what you were saying.
23 I'm sure that you deal with a lot of cases or claims
24 that have come up in the last, you know, 10 years
25 due to retirement; but, obviously, with mine, it was

1 1994, and, you know, the report was, you know, which
2 encompasses from 1972 to 1991 and begins with the
3 Retirement Commission membership, and I asked, you
4 know, if Robert Coffey was here today because he's
5 been at the last three of my meetings and he has
6 been around since 1991, you know, and he was for
7 management in the director of human resources
8 judicial department, and nowhere does it mention
9 anyone from the Department of Mental Retardation as
10 being part of the membership, but yet speaks of all
11 the State agencies in that report.

12 Frank Franculli, the letter that I
13 attached once again to Colin's letter, you know, he
14 was the personnel manager of DMR, and he submitted
15 this letter and put everything into perspective for
16 me, because he's like, Yeah, Trish, things were
17 crazy back then.

18 MR. ADOMEIT: Mrs. Shannon, let me pause
19 it right now for you please and sort of highlight,
20 because I read this, and I want to alert everyone on
21 the Commission as well, that on page 118 is the
22 letter that she's referring to.

23 You are now getting to why it is that
24 you think that we should grant the relief you
25 requested. So, why don't you focus on this letter

1 and tell us why it's important and tell us why do
2 you think we should grant the relief requested,
3 please.

4 MS. SHANNON: Okay. Well, he states in
5 his letter, It is possible that I was never informed
6 of my option to purchase and records were not
7 available to him and, furthermore, records from the
8 Danbury office were not always complete and
9 available. Frank continued to state there should be
10 a copy of such written notification in my personnel
11 file, and if I was notified of this option. And I
12 have provided you with sufficient information and,
13 you know, he just went on to say that, you know,
14 furthermore, when I -- and I have everything written
15 down because it's very confusing, but the thing is,
16 back then they went the extra miles to notify
17 people. Okay? That they were going to be -- you
18 know, that they were for the Tier I. Okay? And in
19 that report it says -- on pages 19 and 20 it states,
20 Many of the opportunities for Tier I members to
21 purchase service credit were subject to an
22 October 1, 1985 deadline. You know, I was only told
23 that it was offered once. It talks about people not
24 receiving notice of the deadline, but neglects to
25 mention people that weren't notified to begin with,

1 which was me. The Commission went to great length
2 to develop a last-chance letter policy. A certified
3 letter was sent to these people. So where is my
4 copy of my certified letter? You know, where is the
5 number that's in reference to that? This is what
6 I'm trying to stress with you. I know you want me
7 to get to the point and this and that, but in --

8 MR. ADOMEIT: Ms. Shannon, excuse me. I
9 think you're getting up to the point now. Tell us
10 why it is that you did not apply for purchased
11 credit. Tell us why you did not apply.

12 MS. SHANNON: Because I never received the
13 form, which I told you from day 1.

14 MR. ADOMEIT: That's your case. I'm
15 trying to condense it for you.

16 MS. SHANNON: Okay. Yes.

17 MR. ADOMEIT: Okay.

18 MS. SHANNON: Yes. I'm sorry. I'm
19 telling you -- well, okay. But whatever, yes, I
20 never received the form and -- yes.

21 MR. ADOMEIT: This letter here, you're
22 saying to us the letter we have from Francis
23 Franculli supports your position that you did not
24 know and were not informed?

25 MS. SHANNON: Right, yes. It does. Yes,

1 yes, yes.

2 MR. ADOMEIT: There's one more important
3 thing. I'm going to help you bring it out.

4 MS. SHANNON: Okay.

5 MR. ADOMEIT: When you retired, what was
6 your understanding as to whether you were entitled
7 to a pension when you retired?

8 MS. SHANNON: What was my understanding?

9 MR. ADOMEIT: Yes.

10 MS. SHANNON: The form that I received
11 that said that the business office, personnel
12 office, my supervisor, everyone said, Trish, you're
13 vested, you have your time in. You will, at the age
14 of 55, receive your retirement packet in the mail
15 and you don't have to do anything until then. I'm
16 like, Nothing? They're like, No, nothing. I'm
17 like, Well, I have a long ways off. What was I?
18 31 years old.

19 So, basically, it was September
20 before my 55th birthday when I called the Retirement
21 Division and they said not to worry, everything
22 would be in the mail, and because they were
23 backlogged, if I didn't receive anything, then I
24 would get something in February. My birthday is
25 January, is when I was going to be 55. And they

1 said if I didn't get anything by then, because they
2 were backlogged, then they would -- I would get a
3 retroactive check and it would be in the mail. And
4 to call them if it didn't get received.

5 MR. ADOMEIT: That was your understanding,
6 Mrs. Shannon? That was your understanding --

7 MS. SHANNON: Yup.

8 MR. ADOMEIT: -- when you took the
9 retirement date that you did?

10 MS. SHANNON: Absolutely. Oh, yeah. I
11 wasn't walking out of there until I knew I was
12 getting my position.

13 MR. ADOMEIT: All right.

14 MS. SHANNON: Yes, yes. Absolutely.

15 MR. ADOMEIT: All right. Basically,
16 that's your case? It's as simple as that?

17 MS. SHANNON: Well, it is as simple as
18 that; but, it hasn't been very simple in the last
19 three years to prove my case. Like this is not my
20 mistake. Like if you're not given the
21 documentation, if you're not even notified of this,
22 you know, then how can you be in the wrong, I guess
23 is my point, yeah.

24 MR. ADOMEIT: Okay.

25 MR. POULIN: I have a question for

1 Mrs. Shannon.

2 MR. ADOMEIT: Go ahead, Claude.

3 MR. POULIN: Ms. Shannon, what was your
4 understanding all those years since 1994? Did you
5 think that you would receive a benefit based on all
6 your years of service of Tier I or that you would
7 receive a benefit from October 1, 1985, until your
8 date of termination on Tier I and then for the
9 period from May 1983 until October 1, 1985, you
10 would receive a benefit based on Tier II? What was
11 your understanding? Or that it would cover the
12 whole period of Tier I?

13 MS. SHANNON: My understanding was that I
14 was retiring in a Tier I position. Tier IB
15 position. And that when I did transfer in 1985,
16 they said to me -- these were their exact words,
17 when I said, I don't have to do anything? I just
18 become a Tier I member? And they said, Yes. All
19 your time just gets transferred to your Tier I.
20 Just all the time, State time, goes together. And I
21 was like, Okay. That's, you know -- so, you know,
22 at the bottom of the 898 form, you know, it says
23 that I -- you know, like the credited service was
24 11 years one month and 28 days, but my total
25 credited service was 10 years, nine months and 11

1 days. So that's -- basically, they did check the
2 box that I was vested and everything but, you know,
3 the Tier plan that they enrolled, that I was Tier I,
4 they have that. All the -- all the yellow is
5 highlighted in the areas that were complete, which
6 were the main areas, of course; but, I was just
7 using that as an example of the incomplete forms,
8 too, because that's how things were back then.

9 MR. ADOMEIT: Okay.

10 MS. SHANNON: It was unfortunate; but, we
11 were told what we were told and we went with, you
12 know --

13 MR. ADOMEIT: All right. Any further
14 questions, Claude?

15 MS. SHANNON: Did I answer you? I'm
16 sorry. Thoroughly?

17 MR. POULIN: Thank you.

18 MR. ADOMEIT: Anybody else have any
19 questions of Ms. Shannon?

20 MR. CAREY: Yes, please, Mr. Chair.

21 Good morning, Ms. Shannon, I have a
22 question for you.

23 Should the Commission look favorably
24 upon your request, do you understand that you would
25 be required to make the contributions for that

1 initial period before you formally transferred into
2 Tier I in order for that to be credited?

3 MS. SHANNON: Absolutely. Yes. That's
4 the purchase.

5 MR. CAREY: I just wanted to make sure you
6 were clear about that.

7 MS. SHANNON: I knew about that that back
8 then. That's a no brainer. What's the amount of
9 money? That's the whole thing. Absolutely, I
10 would, and I would understand that. But the thing
11 is that -- well, yes, to answer your question. I'm
12 sorry.

13 MR. CAREY: That's okay. I appreciate it.
14 Thank you so much.

15 MR. ADOMEIT: Are there any other
16 questions of Mrs. Shannon?

17 MR. HERRINGTON: Yes, I have a follow-up
18 question following on Mike Carey's question.

19 Are you also aware, Ms. Shannon, in
20 terms of to the extent that you are granted the
21 relief that you're seeking, what the difference
22 would be between a Tier I plan B benefit and a
23 Tier II benefit?

24 MS. SHANNON: What the difference is?

25 MR. HERRINGTON: Correct.

1 MS. SHANNON: Well, I know the difference
2 as far as the Tiers. Tier II benefit you never had
3 to pay anything into and you could receive your
4 medical and your benefit at the age of 55 as well;
5 but, Tier I was, yes, put money into it, getting
6 your medical at 55 and also whatever money you put
7 into your -- which I have written down. I don't
8 know if you guys want to get into it today, either,
9 because this is going back to when Patrick Fairbanks
10 sent me the initial letter that he did, and those
11 numbers aren't even correct. That was another thing
12 I was going to bring up today; but, I know you want
13 me to stay focused.

14 MR. ADOMEIT: John, does that answer your
15 question, then?

16 MR. HERRINGTON: I guess the question --
17 it's slightly more complicated to the extent that
18 we're going to, you know, have to deal with the
19 underlying factor; but, I guess my question would be
20 whether you understand the potential magnitude and
21 difference in a monthly benefit between Tier I and
22 Tier II in your case.

23 MS. SHANNON: I understand the Tier I
24 member that I am, I would receive my medical and,
25 obviously, it would be a small pension check a month,

1 but it's -- you know, yes.

2 MR. HERRINGTON: And that would be the
3 same for Tier II. The difference between the two
4 would be the size of the check. I mean, it appears
5 as though there's not going to be a significant
6 difference in the monthly pension between Tier I and
7 Tier II, and the fact that were you to go into
8 Tier I, you would be required to pay retirement
9 contributions.

10 MS. BUFFKIN: I have a question.

11 MR. ADOMEIT: Karen, go ahead.

12 MS. BUFFKIN: Is there an early
13 retirement -- as Tier I is an age 55 normal
14 retirement date, is there a difference between the
15 Tier II and the Tier I normal retirement date and
16 the discount?

17 MR. POULIN: I think that is mentioned in
18 the file that -- hold on. Am I on?

19 MR. ADOMEIT: Yes.

20 MR. POULIN: It's mentioned in the file
21 that for Tier II, the normal retirement age is 65,
22 and there is a reduction of five tenths of 1 percent
23 for each month that retirement precedes age 65. So,
24 this in case, it would be a 60 percent reduction in
25 Tier II.

1 MS. BUFFKIN: Thank you.

2 MR. HERRINGTON: There's also a reduction
3 in Tier I that's built into it, so the normal
4 retirement age in Tier I varies based on the number
5 of years completed, so someone in Tier I could
6 retire as early as age 55 with 10 years of service,
7 but that individual would only be entitled to
8 1 percent per each year of service; whereas, had
9 that member been 65, that member would have been
10 entitled to 2 percent off for each year of service.
11 So, essentially -- there's a complicated chart, but,
12 essentially in that case, it would be approximately
13 a 50 percent reduction in Tier I for someone who
14 hadn't yet reached 25 years of service.

15 MR. NEWMAN: I just want to make a
16 correction. For Tier II, it's the age reduction to
17 age 62 with 10 years of service.

18 MR. POULIN: It was mentioned in the file,
19 age 65. I stand corrected.

20 MR. HERRINGTON: That's what it is now.
21 That's not what it was then.

22 MS. SHANNON: That's right. That's what's
23 in the report as well. It does -- it's a pretty big
24 report that, with my counsel, I read. It took us
25 quite a while to go through it.

1 MR. ADOMEIT: Are there any other
2 questions of Ms. Shannon?

3 MR. CAREY: Yes, please, Mr. Chair.

4 Ms. Shannon, I think what Director
5 Herrington is bringing up to you is that, again,
6 based on my original question, if the Retirement
7 Commission looks upon your request favorably, there
8 are potentially different remedies. One of those
9 remedies would be to allow you to purchase that
10 initial period of service in Tier I so that your
11 entire period of employment would have been under
12 Tier I. Another option for a potential remedy would
13 be to have that entire period of time under Tier II,
14 and in that circumstance you would be eligible for a
15 refund of your Tier I retirement contributions.
16 That's why Director Herrington was asking you if you
17 understood what the difference between a pension
18 under Tier I would be -- the amount of your monthly
19 benefit would be under Tier I versus the amount of
20 your monthly benefit under Tier II, because there
21 again, there are potentially two different remedies
22 if the Commission rules favorably on your request
23 either all Tier I or all Tier II.

24 Theoretically, if you were to look at
25 the two monthly -- what would be the monthly pension

1 benefit under either remedy, and the Tier II are
2 very comparable, you may say, I prefer to get a
3 refund of all my contributions for all these years
4 in Tier I and just get the Tier II benefit. That
5 would leave your medical benefits intact, by the
6 way. So, it's really just a matter of what that
7 monthly pension payment would be.

8 John, was that accurate? Is that
9 where you were going with this?

10 MR. HERRINGTON: Correct. I was going to
11 kind of follow up; but, to the extent there's
12 questions in terms of the actual calculation of the
13 benefits that are provided here, you know, I think
14 it might be slightly more complicated, but the
15 magnitude of difference between one to the next is
16 very small.

17 MR. ROSE: Can I interrupt?

18 MR. ADOMEIT: Mike Rose, go ahead.

19 MR. ROSE: Just a quick question for John.
20 I don't know -- is there like a schematic that she
21 could see, where she could see the difference and
22 then also the cost to buy back?

23 MR. HERRINGTON: Unfortunately, I'm
24 working from home today, so I don't have access to
25 all of that information.

1 Colin, do you have access to the
2 contribution piece, both the contributions paid to
3 the system and the contributions that would be due?

4 MR. NEWMAN: What I have is -- I could
5 verbally say what the dollar amount was calculated
6 at the time when this information was requested, you
7 know, for the Subcommittee meeting. I mean, I could
8 share that with everybody.

9 The fact of the matter is that the
10 cost to purchase the period of time in question was
11 \$1,565.41, and what the resulting -- what the result
12 in the difference in between the two benefits,
13 basically it's like a \$10 difference in the monthly
14 benefit, the Tier II benefit being \$10 less than the
15 Tier I benefit.

16 MR. CAREY: That answers the question so
17 far as the purchase would be in turn, but not
18 necessarily what the refunds of contributions paid
19 would be, right?

20 MR. POULIN: Exhibit D mentions that her
21 contributions were \$4,195.91 and the interest of
22 these contributions was \$10,649.10, for a total of
23 \$14,845.01. Now, this was --

24 MR. HERRINGTON: 2018.

25 MR. POULIN: -- around 2018.

1 MR. HERRINGTON: Whether we get the
2 dollars down to the penny, I think the principal is
3 clear. So that there would be a refund of, you
4 know, somewhere in the magnitude of \$15,000 without
5 the obligation to pay the 1,500 in additional
6 purchase, and the trade-off for that would be to
7 collect a lifetime benefit that that's approximately
8 \$10 less.

9 MR. ADOMEIT: All right. Are there any
10 other questions or comments?

11 All right. How do you wish to
12 proceed? Do you want to go back into executive
13 session with a written legal opinion?

14 MR. CAREY: Yes, please. Yes, I think
15 that's a good approach.

16 MR. ADOMEIT: I take it you so moved.

17 MR. CAREY: So moved.

18 MR. BAILEY: Second.

19 MR. ADOMEIT: All right. All in favor say
20 aye. Opposed nay? The ayes have it. Mrs. Shannon,
21 what's happening now is that we're going into
22 executive session and then we will be in further
23 communication with you.

24 MS. SHANNON: Okay. Thank you so much.

25 MR. ADOMEIT: You're very welcome.

1 MS. SHANNON: I appreciate everything that
2 you're working on. Thank you.

3 MR. ADOMEIT: Thank you. Bye now.

4 MS. CIESLAK: Before I pause the
5 recording, can I get clarification on the motion
6 that the individuals that are being invited into
7 executive session include Alisha Sullivan,
8 Bruce Barth, Cindy Cieslak, Colin Newman,
9 John Herrington, and Michael Rose?

10 MR. ADOMEIT: I believe so. Yes, Cindy.

11 MS. CIESLAK: Okay.

12 MR. CAREY: I think she was looking for
13 the maker of the motion to do that.

14 MR. ADOMEIT: Once again, all in favor of
15 going into executive session say aye.

16 MR. CAREY: Yes, that was included in my
17 original motion, Cindy. Thank you.

18 MR. ADOMEIT: Opposed nay. The ayes have
19 it.

20 (The Commission was in executive session
21 from 10:02 a.m. until 10:37 a.m.)

22 MS. CIESLAK: The recording is back on.

23 MR. ADOMEIT: Is there a motion?

24 MR. LUCIANO: I motion that we allow
25 Ms. Shannon to purchase her Tier I time, that we

1 agree to her request to purchase all of her time as
2 Tier I.

3 MR. COFFEY: I'll second.

4 MR. ADOMEIT: Is there any further
5 discussion? Hearing none, all in favor say aye.
6 Opposed nay. The ayes have it.

7 All right. We are now going back
8 into executive session, I guess, Sal.

9 MR. LUCIANO: For purposes to discuss the
10 plan compilation documents.

11 MR. BAILEY: Second.

12 MR. ADOMEIT: All in favor say aye.
13 Opposed nay.

14 A The ayes have it.

15 (The Commission was in executive
16 session.

17 MS. CIESLAK: Mr. Luciano, Your motion
18 includes the invitation to Alisha Sullivan,
19 Bruce Barth, Cindy Cieslak, Colin Newman,
20 John Herrington and Michael Rose?

21 MR. LUCIANO: Yes.

22 MR. ADOMEIT: Thank you, Cindy.

23 (

24 MS. CIESLAK: The recording is back on.

25 MR. LUCIANO: I would like to make a

1 motion to adjourn.

2 MS. BROWN-BREWTON: Before we do that, did
3 we make a motion with respect to Shannon and granting
4 her request?

5 MR. LUCIANO: We did that. We came out of
6 executive session, did that, and then went back in.

7 MS. BROWN-BREWTON: It was so long ago, I
8 just forgot.

9 MR. BAILEY: Second.

10 MR. ADOMEIT: You see my hand and eyes
11 going off to one side because I'm writing all this
12 stuff down. If you go way over here, I have a
13 second computer, on which I have all the 156,000
14 pages that we get. So that's what I've been doing.

15 All in favor of adjournment say aye.
16 Opposed nay. The ayes have it. Hope to see you
17 back in about five or 10 minutes for a holiday
18 session.

19 (Concluded at 11:01 a.m.)

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1 STATE OF CONNECTICUT:
2 : ss: Bristol
3 COUNTY OF HARTFORD :

4 I, Karen Vibert, LSR No. 00064, a
5 Notary Public for the State of Connecticut, do hereby
6 certify that the preceding pages are an accurate
7 transcription of the Connecticut State Employees
8 Retirement Commission regular meeting held
9 electronically via Zoom, convening at 9:06 a.m., on
10 December 17, 2020.

11
12 Dated at Bristol, Connecticut,
13 this 30th day of December, 2020.

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24 Karen Vibert

Karen Vibert, Notary Public

25 My commission expires: 08/31/2024.



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