Retirement Concept Corner: Disability Retirement

POLICY UPDATE AS OF 3/20/2019

In this third annual installment of the Retirement Concept Corner, the topic covered will be Disability Retirement.

All active members are eligible to apply for a Disability Retirement. If you become unable to perform the duties of your job function, a disability application must be submitted while actively making contributions to the plan or within 4 months after their discontinuance of service (unpaid leave of absence). A member may apply beyond the 4 months, but will be required to supply additional information, this is called a Delayed Disability Filing.

There are two types of Disability Retirement:

1) Service Connected Disability. If your accident, injury, or illness occurred in the course of your job, you are eligible to apply for a Service Connected Disability Retirement. There is no vesting requirement for a Service Connected Disability, meaning that you can apply regardless of vesting status or years of service credit.

2) Non-Service Connected Disability. If your accident, injury, or illness occurred outside of your job, you are eligible to apply for a Non-Service Connected Disability Retirement if you are a vested member (meaning you have at least 5 years of service credit).

Service Connected and Non-Service Connected Disability benefits are calculated and taxed differently and a Retirement Specialist will explain the differences during your appointment.

The process for a Disability Retirement is as follows:

Once you have been deemed permanently disabled and your status is labeled “Permanent Stationary” by your Treating Physician, you should submit a disability retirement application. This application is available on our website (Active Members/Disability).

Our Retirement Specialists will review your application for completeness and return it to you if it is not complete or needs additional information. Once it is accepted as complete, a Retirement Specialist will schedule an appointment with you. At that appointment, the Retirement Specialist will discuss Service Connected vs. Non-Service Connected Disability, as well as your eligibility for a Service Retirement (a regular, non-disability retirement).

Some members will choose to Service Retire while they concurrently pursue their Disability Retirement application. The Retirement Specialist will also explain the entire Disability Retirement process to you during your appointment.

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Cost of Living Adjustment (COLA) Information

The Fresno County Employees’ Retirement Association Board of Retirement approved a 3.0% cost of living increase for all retirees and beneficiaries at its regular meeting on February 6, 2019. This change is effective with the April 2019 benefit payment for any member who has retired on or before April 1, 2019. This action was taken in accordance with Government Code section 31870.1 of the retirement law that requires the Board to determine the percentage change in the COLA each year. For 2019, the increase in the Average Consumer Price Index for All Urban Consumers (CPI-U) for the Western Region was 3.3%. The excess change from this year’s change in CPI of 1/2 of 1% will be added to the cost of living bank.

Employees in Tiers 4 and 5 are not eligible for any COLA in retirement.

COLA Bank Accumulation

Based on the CPI-U for the Western Region (Base Period: 1982-84=100)

<table>
<thead>
<tr>
<th>Retirement during 12 month period ended April 1</th>
<th>Accumulated COLA bank April 1, 2019</th>
<th>Retirement during 12 month period ended April 1</th>
<th>Accumulated COLA bank April 1, 2019</th>
</tr>
</thead>
<tbody>
<tr>
<td>1973 or earlier</td>
<td>58.5%</td>
<td>1979</td>
<td>34%</td>
</tr>
<tr>
<td>1974</td>
<td>58%</td>
<td>1980</td>
<td>27.5%</td>
</tr>
<tr>
<td>1975</td>
<td>55%</td>
<td>1981</td>
<td>22%</td>
</tr>
<tr>
<td>1976</td>
<td>48%</td>
<td>1982</td>
<td>10%</td>
</tr>
<tr>
<td>1977</td>
<td>41%</td>
<td>1983 or later</td>
<td>0.5%</td>
</tr>
<tr>
<td>1978</td>
<td>38.5%</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Disability Retirements, continued

The next step in the process is the collection of medical records. These records will be reviewed and if needed an appointment will be scheduled with our Independent Medical Examiner. We use third party companies to assist in the compiling of medical records and appointment scheduling for the Independent Medical Examiner. Based on this information and review, the Retirement Specialist will prepare a recommendation to be presented to the Board of Retirement to grant or deny the application. You will be informed of the date your case will be presented to the Board of Retirement. You are welcome to attend the meeting and speak to the Board of Retirement, however it is not a requirement.

The Board of Retirement will typically make a decision on the day of the meeting. If your Disability Retirement is granted, the Retirement Specialist will contact you for any additional information needed and when you can expect your first check.

If your application is denied, you will have 30 days from the Notice of Decision to request a hearing. The hearing process is as follows:

1. Request a Hearing: The Board of Retirement notifies the applicant/attorney(if represented) that the application is denied at which point the applicant can request a hearing within 30 days of the Notice of Decision. FCERA strongly recommends that you retain legal counsel to prepare your case.

2. Hearing Officer Selection: FCERA and the applicant/attorney select a Hearing Officer from a list of 7 individuals provided by the California State Mediation and Conciliation Services.

3. Notice of Hearing: Retirement staff coordinates the date and time of the hearing. The matter is placed on the calendar with doctors, attorneys, County Counsel, court reporter, applicant and Hearing Officer of time and location of the hearing.

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Disability Retirements, continued

4. Hearing Evidence: The hearing evidence is prepared for presentation.

5. Hearing Held: Applicant/attorney presents his/her case to the Hearing Officer. County Counsel represents FCERA during the hearing. The Hearing Officer prepares a recommendation to grant or deny the application within 45 days of the hearing being concluded.

6. The Hearing Officer’s recommendation is provided to the Board. The Board has the option to adopt the recommendation, send the recommendation back to the Hearing Officer for additional information, or rehear the case themselves.

7. Notice of Decision: Applicant/attorney is sent a notice of decision.

8. Objections/Responses: Applicant/attorney has 10 days from the date notified to file objections with the Board of Retirement. Member may also file an appeal in Superior Court within 90 days of the date notified of the decision.

There are staff available to answer any questions about Disability Retirements. You can contact us at FCERA@FresnoCountyCA.gov or 559-457-0681.

New Website, More Information

If you’ve visited our website in the past few months, you may have noticed a new look! We are proud to announce that we launched a new website, including a new domain, in the Fall of 2018.

Visit us at FresnoCountyRetirement.org. Update your bookmarks to be sure that you are directed to our new site. If you type in our old address fcer.org, it should still direct you to our new site. If it does not, you will see an archive search bar and a link to our new site. Be sure to refresh the page!

Our new website contains more member education content, as well as the other organizational information that you are used to viewing. On our website, you can find:

- All our forms
- Board of Retirement information, agendas, minutes, and audio
- Link to the Member Portal
- Retiree Payment Dates
- And much more!

Board Calendar

Next Regular Board Meeting:
June 5, 2019
June 19, 2019
July 17, 2019
August 7, 2019

Location:
FCERA Boardroom
7772 N Palm Ave
Fresno, CA 93711
Time: 8:30 A.M.

Pension Payroll Payment Schedule
Friday, May 31, 2019
Friday, June 28, 2019
Wednesday July 31, 2019
*Please allow 3-5 days for mailed checks.

Live Audio Broadcast
FCERA broadcasts all Board meetings live via streaming audio. Visit FresnoCountyRetirement.org for more information.

Board of Retirement
- Nathan Magsig, MBA MS, Chair
- Stanley L McDivitt, Vice Chair
- John Adams, MBA
- Dr. Rauden Coburn, III, DDS
- Robert Dowell
- Oscar J. Garcia, CPA
- Steven J. Jolly
- John Robinson
- Riley L. Talford
- Mary Ann Rogozinski, Alternate
Hello everyone! I’m the new Communications Analyst for FCERA. I have been here at FCERA since February 2015 and have been a Retirement Specialist for the past couple of years assisting members with their retirement. I am excited to take on this new challenge in my professional career and hope to build upon the great foundation that our previous Analyst Maria Baker left.

Some of you may have seen me out at various health fairs, the new employee orientation, or met with me in our office. I will strive to continue our outreach to the membership so we can help answer any questions, educate and empower members, and assist retirees more effectively.

A little bit about myself, I have a bachelor’s degree in Accounting from Fresno State and have worked in the public accounting field for a few years. I also was fortunate to have an internship with The Walt Disney Company in Orlando, FL gaining experience in fields such as guest services, management, marketing, teamwork and leadership.

In my spare time I like to run half marathons, play golf, travel, compete in esports events, try new food, craft beer, and spend time with friends and loved ones. I look forward to helping the membership in any way I can. If you happen to see me at an event please come say hi!