



STATE OF WISCONSIN
Department of Employee Trust Funds
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SECRETARY

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CORRESPONDENCE MEMORANDUM

DATE: March 4, 2010
TO: Employee Trust Funds Board
FROM: Shelly Schueller
Director, Wisconsin Deferred Compensation Program
Division of Retirement Services
SUBJECT: Secretary's Correction of Error Authority Report to the Employee Trust Funds (ETF) Board

This memorandum is for informational purposes only. No action is required.

The ETF Secretary's Correction of Error Authority was created under Section 40.03(2)(w), Wisconsin Statutes and took effect on August 31, 2001. It allows the Department Secretary to correct certain Departmental errors in order to prevent inequities. The statutory provision reads:

If the secretary determines that an otherwise eligible participant has unintentionally forfeited or otherwise involuntarily ceased to be eligible for any benefit provided under this chapter principally because of an error in administration by the department, may order the correction of the error to prevent inequity. A decision under this paragraph is not subject to review. The secretary shall submit a quarterly report to the employee trust funds board on decisions made under this paragraph.

The table on the following page provides information on a case in 2009 where ETF Secretary Stella exercised his authority to alleviate participant inequities created due to Departmental errors.

Reviewed and approved by Jean Gilding, Division of Retirement Services.

Signature

Date

Board	Mtg Date	Item #
ETF	3.18.10	7C

Correction of Error Authority Report			
Type of Case	Description of Error	Remedy	Date
Retirement, s. 40.23 Wisconsin Statutes	A participant with a terminal disease was given contradictory and confusing information by ETF staff regarding retirement and disability benefits. As a direct result, he cancelled his retirement benefit application and unintentionally forfeited his spouse's right to the higher death benefit amount available to survivors of participants who die while actively employed.	ETF rescinded the cancellation of the participant's retirement application.	December 10, 2009

Correction of Error Usage									
Year	2001	2002	2003	2004	2005	2006	2007	2008	2009
# Error Corrections	0	2	3	0	0	3	2	0	1

Please contact me at 608-266-6611 if you have any questions.