



STATE OF WISCONSIN
Department of Employee Trust Funds
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Correspondence Memorandum

Date: June 7, 2019
To: ETF Board
From: Kim Esselman, Appeals Coordinator
Subject: Secretary's Correction of Error Report

This memorandum is for information purposes only. No Board action is required.

The ETF Secretary has limited authority under Chapter 40 of the Wisconsin Statutes to correct errors. That authority is described in Wis. Stat. §40.03(2)(w):

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.

Most member concerns are addressed informally. A limited number escalate to the level of a formal administrative appeal. As a result, it is rare for ETF to receive a request to have the Secretary exercise this authority.

The purpose of this memo is to inform the Board of a recent request that was made to the ETF Secretary to exercise the authority under Wis. Stat. §40.03(2)(w) to change the member's WRS benefit effective date.

Reviewed and approved by David Nispel, General Counsel

Electronically Signed 6/11/19

Board	Mtg Date	Item #
ETF	6.20.19	5I

Correction of Error Authority Report

<u>Type of Case</u>	<u>Description of Error</u>	<u>Decision</u>	<u>Date</u>
Retirement, s. 40.23 Wisconsin Statutes	Member alleged that an ETF staff member gave the member "false information" concerning the effective rate of interest to be applied to his account, thereby inducing the member to select a benefit effective date prior to the end of the year which resulted in a lower money purchase retirement benefit. Member requested that his benefit effective date be changed.	Request to change member's benefit effective date was denied because there was insufficient evidence to show that the Department erred or that the alleged error, even if true, principally caused the member to select the benefit effective date prior to the end of the year.	April 4, 2019