



**STATE OF WISCONSIN**  
**Department of Employee Trust Funds**  
 Robert J. Conlin  
 SECRETARY

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**Correspondence Memorandum**

**Date:** March 1, 2021

**To:** Employee Trust Funds Board  
 Teachers Retirement Board  
 Wisconsin Retirement Board

**From:** Kim Esselman, Appeals Coordinator  
 Office of the Secretary

**Subject:** Pending Appeals Annual Report 2020

**This memo is for informational purposes only. No Board action is necessary.**

During calendar year 2020, six new appeals were filed; five final decisions were issued; and 10 appeals were withdrawn. As of December 31, 2020, there were 48 pending appeals between the Employee Trust Funds (ETF) Board, Group Insurance Board, and Wisconsin Retirement (WR) Board.

Table 1

PENDING APPEALS BY BOARD				
ETF	GIB	WR	TR	DC
32 <sup>1</sup>	6	10	0	0

The ETF Board has the authority to accept timely appeals from determinations made by the department, other than appeals of determinations made by the department regarding disability annuities under Wis. Stat § 40.03(1)(j). That means a variety of different types of cases come to the Board. Table 2 lists all the active appeals, which include the 25 remaining jailer appeals, three member appeals of their final retirement annuity calculations, two sick leave credit appeals, and two Long-Term Disability Insurance (LTDI) appeals.

Authority for hearing LTDI appeals was transferred to the ETF Board on January 1, 2018. Since the LTDI program is closed to new applicants, future LTDI appeals would be limited to issues raised by members already receiving the benefit. One example would be an appeal based on the termination of an LTDI benefit.

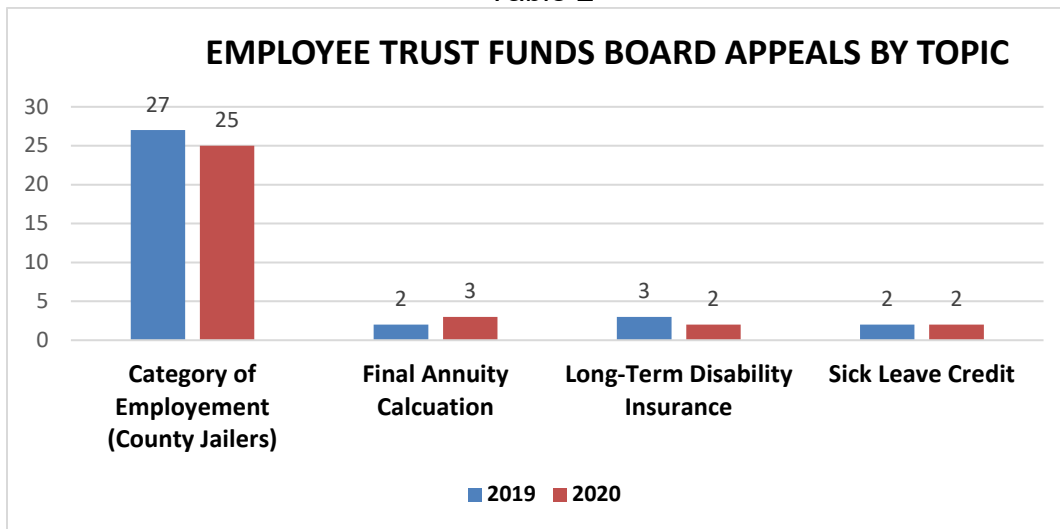
<sup>1</sup> Twenty-five (25) of the pending ETF appeals involve a group of employees who were changed from the Protective employment category to the General employment category.

Reviewed and approved by Pamela Henning, Assistant Deputy Secretary

*Pamela L Henning* Electronically Signed 3/10/21

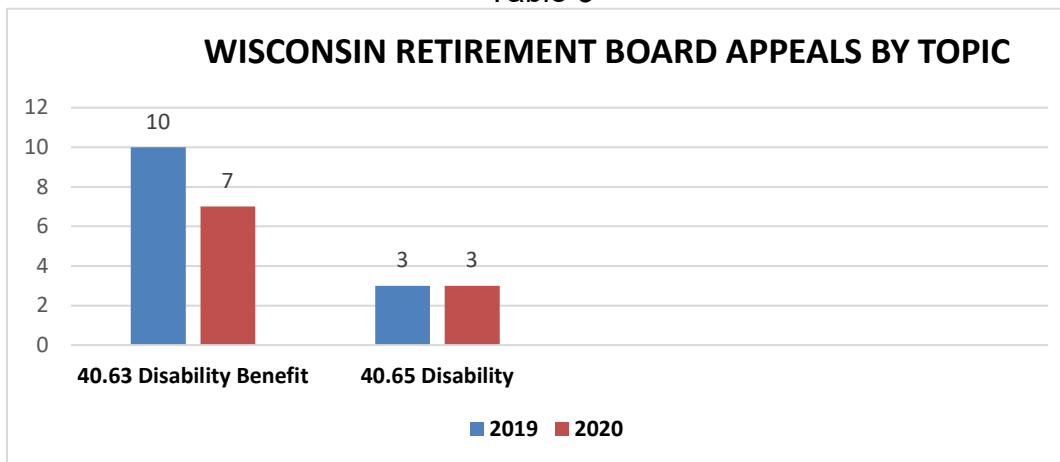
Board	Mtg Date	Item #
JM	3.25.21	4I

Table 2



The WR Board has the authority to accept timely appeals of determinations made by the Department regarding disability annuities for participants other than teachers under Wis. Stat. § 40.03(8)(f). In addition, duty disability determinations made by the Department, such as calculations of the benefit amount, are subject to appeal to the WR Board as provided for under Wis. Admin. Code § ETF 52.28(1)<sup>2</sup>. Table 3 lists all the active appeals, which include seven disability retirement benefit (40.63) appeals and three duty disability (40.65) appeals.

Table 3



The Teachers Retirement (TR) Board has the authority to accept timely appeals of determinations made by the Department regarding disability annuities for teacher participants under Wis. Stat. § 40.03(7)(f). There are no active appeals for the Teachers Retirement Board.

Staff will be available at the meeting to answer any questions.

<sup>2</sup> Determinations made by the Department of Employee Trust Funds as to an applicant's eligibility for duty disability benefits may be appealed to the Department of Workforce Development. Wis. Admin. Code § ETF 52.28(2).