



**STATE OF WISCONSIN**  
**Department of Employee Trust Funds**  
**A. John Voelker**  
 SECRETARY

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***Correspondence Memorandum***

**Date:** February 22, 2022

**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 2021

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

During calendar year 2021, 14 new appeals were filed, no final decisions were issued, and four appeals were withdrawn. As of December 31, 2021, there were 55 pending appeals among the Employee Trust Funds (ETF) Board, Group Insurance Board (GIB), and Wisconsin Retirement (WR) Board. There were zero pending appeals among the Teachers Retirement (TR) Board and the Deferred Compensation (DC) Board.

Table 1

<b>PENDING APPEALS BY BOARD</b>				
ETF	GIB	WR	TR	DC
36 <sup>1</sup>	8	11	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 27 appeals involving category of employment, one domestic relations order (DRO) denial appeal, one member appeal of their final retirement annuity calculation, five 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.

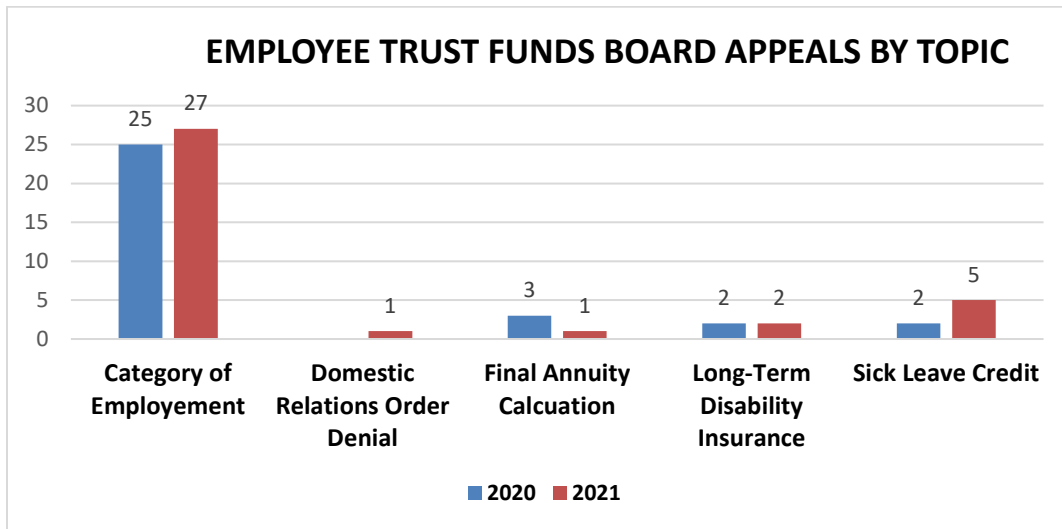
<sup>1</sup> Twenty-five (25) of the pending ETF appeals involve a group of employees who were changed from the Protective employment category to the General employment category.

Reviewed and approved by Pamela Henning, Assistant Deputy Secretary  
 Electronically Signed 3/3/22

*Pamela L Henning*

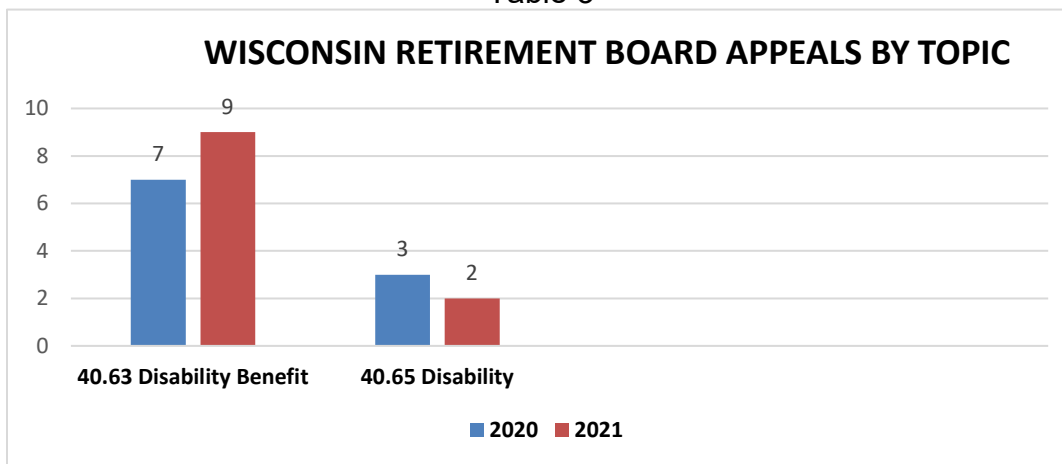
Board	Mtg Date	Item #
JM	03.24.22	4H

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 nine disability retirement benefit (40.63) appeals and two duty disability (40.65) appeals.

Table 3



The 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 TR 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).