



State of New Jersey

DEPARTMENT OF THE TREASURY
DIVISION OF PENSIONS AND BENEFITS
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September 21, 2017

CHRIS CHRISTIE
Governor

KIM GUADAGNO
Lt. Governor

FORD M. SCUDDER
State Treasurer

JOHN D. MEGARIOTIS
Acting Director

CRIVELLI & BARBATI, LLC

[Redacted address information]

Sent vial email to: [Redacted email address]

RE: Jean Treglia
[Redacted subject details]

Dear Mr. Crivelli:

At its meeting on September 20, 2017, the Board of Trustees of the Public Employees' Retirement System (PERS) considered the following documents in your appeal on behalf of your client, Jean Treglia:

- a) All exhibits;
b) The Initial Decision of Administrative Law Judge (ALJ) Elia A. Pelios, dated July 31, 2017¹;

Thereafter, the Board adopted the recommendation of ALJ Pelios, thereby reversing its original determination and approving Accidental Disability retirement benefits. Ms. Treglia is considered totally and permanently disabled as a direct result of the traumatic event which occurred on October 12, 2010. Therefore, Ms. Treglia is approved for Accidental Disability retirement benefits effective August 1, 2011 under her selection of the Maximum option.

Ms. Treglia has the right to change the retirement option she selected, provided she files written notice with the Division of Pensions and Benefits' Retirement Bureau within 30 days after the date of this letter. Otherwise, the retirement option will remain and cannot be changed for any reason thereafter.

Once the Board approves a member for a disability retirement allowance, the member's retirement application shall not be withdrawn or canceled, or amended to a later retirement date other than the date specified in the approved retirement application.

¹ The Board requested and was granted an extension of time until October 30, 2017 to issue its final decision.

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This matter is being referred to the Retirement Bureau to process the difference between Service retirement benefits and Accidental Disability retirement benefits, retroactive to August 1, 2011. Please allow approximately four weeks for the processing of this benefit.

The statute permits the Board of Trustees to require a disability retiree to undergo annual medical examinations to determine if he/she continues to be totally and permanently disabled and, therefore, eligible for continued receipt of his/her disability retirement allowance.

If a member continued to receive a salary beyond the effective date of retirement, no retirement benefits shall be paid for the period where the member received salary and no salary or service credit shall be provided for the service rendered after the approved effective date of retirement. In addition, the member's employer shall be required to complete an updated Certification of Service and Final Salary.

In addition, if in the future Ms. Treglia considers returning to a position either in private industry or public employment, be advised that her disability retirement allowance is subject to adjustment if earnings from employment after retirement exceed the difference between the pension portion of her disability retirement allowance and the salary attributable to her former position.

Pension laws require re-enrollment of a retiree under certain conditions. Disability retirees needing guidance on returning to employment should visit our website at www.state.nj.us/treasury/pensions and refer to the fact sheets on employment after retirement. Retirees needing additional clarification should contact the Division to determine the impact of a return to employment would have on their disability retirement benefits.

The Board of Trustees of the Public Employees' Retirement System hereby adopts the findings of fact of the Administrative Law Judge's Initial Decision and incorporates the same herein by reference.

Sincerely,



Mary Ellen Rathbun, Secretary
Board of Trustees
Public Employees' Retirement System

G-9

c: Jean Treglia
DAG John LoForese (ET)
V. McManus/S. Schreckengost/P. Sarti/T. Williams/L. Milton/ L. Williams (ET)
OAL, Attn: Library (ET)