

***Government of Guam Retirement
Fund***

***MEMBERS' AND BENEFITS
COMMITTEE***

APRIL, 2009 - REPORT

Committee Summary
August '08 to July '09

	Aug	Sept	Oct	Nov	Dec	Jan	Feb	March	April	May	June	July
MEMBERS' & BENEFITS DIVISION STAFF	16	16*	16	16	16	16	16	16	15			
No. of Active Members												
Defined Benefits	3,797	3,797*	3,862	3,854	3,821	3,821	3,817	3,788	3,841			
Defined Contributions	5,906	5,906*	6,763	6,854	6,875	6,875	6,709	7,032	7,032			
No. of Retirees												
Defined Benefits	6,883	6,883*	6,902	6,906	6,911	6,904	6,891	6,896	6,898			
Defined Contributions	222	222*	231	230	232	232	236	237	239			
No. of Cases Pending	63	0	79	63	63	41	39	38	41	0	0	0
8119, 8120 and 8120.1	1	1*	0	0	5	4	0	3	1			
a Age Retirement	0	8*	0	0	0	0	2	0	0			
b Age Retirement (ERIP)	2	2*	4	1	1	3	0	1	1			
c Optional Retirement	2	2*	10	12	25	12	4	4	4			
d Service Retirement	0	0*	1	0	0	1	0	0	0			
e Service Retirement (ERIP)	6	6*	0	9	7	0	4	5	5			
f Medical Disability Applicants	5	5*	0	2	3	0	1	0	0			
g Medical Disability - Appeals	0	0*	2	0	2	2	3	2	1			
h Deferred Age (W/o Survivor Benefits)	0	0	0	0	0	1	0	0	0			
i Deferred Age (W/ Survivor Benefits)	15	15*	20	3	4	5	8	9	10			
j Survivor Annuity Benefits	0	0*	1	0	0	1	2	0	0			
k Minor Children Survivor Benefits	0	0*	1	1	1	0	0	1	1			
l Disabled Adult Survivor Benefits	32	32*	40	35	15	12	15	13	18			
m New Retirees	59	0	79	52	53	41	34	33	36	0	0	0
No. of Cases Acted On												
8119, 8120 and 8120.1	1	1*	0	0	5	4	0	3	1			
a Age Retirement	0	0*	0	0	0	0	2	0	0			
b Age Retirement (ERIP)	2	2*	4	1	1	3	0	1	1			
c Optional Retirement	2	2*	10	12	25	12	4	4	4			
d Service Retirement	0	0*	1	0	0	1	0	0	0			
e Service Retirement (ERIP)	6	6*	0	0	0	0	0	0	0			
f Medical Disability Applicants	1	1*	0	0	0	0	0	0	0			
g Medical Disability - Appeals	0	0*	2	0	2	2	3	2	1			
h Deferred Age (W/o Survivor Benefits)	0	0	0	0	0	1	0	0	0			
i Deferred Age (W/ Survivor Benefits)	15	15*	20	3	4	5	8	9	10			
j Survivor Annuity Benefits	0	0*	1	0	0	1	2	0	0			
k Minor Children Survivor Benefits	0	0*	1	1	1	0	0	1	1			
l Disabled Adult Survivor Benefits	32	32*	40	35	15	12	15	13	18			
m New Retirees	2	0*	1	1	1	1	1	1	1	0	0	0
No. of Committee Meetings Held	0	0*	0	0	0	0	0	0	0	0	0	0
Communications Received	0	0*	0	0	0	0	0	0	0	0	0	0
Communication Acted On	0	0*	0	0	0	0	0	0	0	0	0	0

* No scheduled meeting held during the month of September, 2008



George A. Santos
Members' & Benefits Committee, Chairman

Katherine T.E. Taitano
Members' & Benefits Committee, Vice-Chairperson

Antolina S. Leon Guerrero
Trustee

April 24, 2009

MEMORANDUM

TO: Chairman, Board of Trustees
Government of Guam Retirement Fund

FROM: Chairperson, Members' & Benefits Committee,
Government of Guam Retirement Fund

SUBJECT: April, 2009- Report

Please find attached the Members' and Benefits Committee's April, 2009 Report. This report accurately highlights the significant activities and action items reviewed and administered to during the April period.

Should you require further information concerning this report, feel free to contact me at your earliest convenience.


GEORGE A. SANTOS

I. TOTAL MEMBERS SERVED:

A. No. of Active Members

1.	Defined Benefits	3,841
2.	Defined Contributions	<u>7,032</u>

10,873

B. No. of Retirees

1.	Defined Benefits	6,898
2.	Defined Contributions	<u>239</u>

7,137

18,010

II. TOTAL STAFFING:

A. Benefit Services Department

1.	Budget 2009	13
	Actual	

10

B. Members' Services Division

1.	Budget 2009	9
	Actual	

5

III. TOTAL CASES PENDING

A.	Section 8119 Applicants Pre 10/01/81	20/25/60	
	Section 8120 Applicants Post 10/01/81	25/30/60	
	Section 8120.1 Applicants Post 08/22/84	25/30/65	
	1. Age Retirement	A. Optional	1
		B. Regular	1
		C. ERIP	0
			2
	2. Service Retirement	A. Regular	4
		B. ERIP	0
			4
B.	Section 8123 Applicants Medical Disability		5
C.	Section 8126 Applicants Medical Disability Appeals		0
D.	Section 8130 Applicants Deferred Age w/o Survivor Benefits		1
	Section 8130 Applicants Deferred Age w/Survivor Benefits		0
E.	Section 8134 Applicants (a) Surviving Spouse		10
	(a).3 Minor Children		0
	(a) 4C Disabled Adult Survivor		1
F.	New Retirees (Nos. 1538-1555)		<u>18</u>
	TOTAL CASES REVIEWED		41

IV. REVIEW AND FINDINGS

Based on our review and findings during our meeting of March 11, 2009, the following applications are recommended for **APPROVAL** to the Board of Trustees:

MEMBERS AND BENEFITS RETIREMENT APPLICANTS

A. SECTION 8119, 8120, 8120.1

1. Age Retirement Applicant (§8120. after 10/01/81)

a.	Name:	Delfin M. De Leon
	Date of Birth:	
	Department:	Guam International Airport Authority
	Length of Service:	27 Years 06 Months 00 Days
	Service Factor:	27.500
	Average Annual Salary:	\$49,753.60
	Annual Annuity:	\$31,717.92
	Percentage Earned:	63.750000
	Effective Date:	February 28, 2009

2. Optional Retirement Applicant (§8120. after 10/01/81)

a.	Name:	Richard Q. Calamba
	Date of Birth:	
	Department:	Mental Health & Substance Abuse
	Length of Service:	26 Years 02 Months 15 Days
	Service Factor:	26.208
	Average Annual Salary:	\$50,565.47
	Annual Annuity:	\$27,235.92
	Percentage Earned:	53.862685
	Effective Date:	January 17, 2009

3. Service Retirement Applicants (§8119. prior to 10/01/81)
- a. Name: Nonito C. Blas
Date of Birth:
Department: Mayor's Council
Length of Service: 30 Years 10 Months 00 Days
Service Factor: 30.833
Average Annual Salary: \$46,662.67
Annual Annuity: \$33,635.52
Percentage Earned: 72.082287
Effective Date: January 06, 2009
- b. Name: Paul F. San Nicolas
Date of Birth:
Department: Guam Fire Department
Length of Service: 33 Years 09 Months 15 Days
Service Factor: 33.791
Average Annual Salary: \$79,279.63
Annual Annuity: \$63,009.36
Percentage Earned: 79.477363
Effective Date: January 13, 2009
- c. Name: Jacqueline Q. Taimanglo
Date of Birth:
Department: Department of Revenue & Taxation
Length of Service: 27 Years 09 Months 15 Days
Service Factor: 27.791
Average Annual Salary: \$30,487.70
Annual Annuity: \$19,657.68
Percentage Earned: 64.477412
Effective Date: January 01, 2009

1(b) Service Retirement Applicant (§8120.1 after 08/22/84)

a. Name: Harold R. Wood
Date of Birth:
Department: University of Guam
Length of Service: 30 Years 05 Months 00 Days
Service Factor: 30.416
Average Annual Salary: \$65,923.13
Annual Annuity: \$46,831.68
Percentage Earned: 71.039830
Effective Date: February 07, 2009

B. SECTION 8130 DEFERRED AGE RETIREMENT APPLICANT without SURVIVOR BENEFITS

a. Name: Carolyn M. Kanter
Date of Birth:
Department: Guam Public School System
Length of Service: 11 Years 08 Months 15 Days
Service Factor: 11.708
Average Annual Salary: \$40,906.76
Annual Annuity: \$ 9,928.08
Percentage Earned: 24.270022
Effective Date: December 23, 2008

C. SECTION 8134 SURVIVOR ANNUITY APPLICANTS

1. (a) Surviving Spouse Annuity (a) (§8119. Prior to 10/10/81)

a. Name: Peter S. Aguon
Date of Death: March 12, 2009
Annuity due Decease: \$28,695.84
Surviving Spouse: Monica Q. Aguon
Survivor's Annuity: \$14,347.92
Percentage Earned: 50%
Effective Date: March 12, 2009

- b. Name: Elgin Alonzo Canton
Date of Death: February 27, 2009
Annuity due Decease: \$45,037.92
Surviving Spouse: Kikuko E. Canton
Survivor's Annuity: \$22,518.96
Percentage Earned: 50%
Effective Date: February 27, 2009
- c. Name: Victoria P. Estoy
Date of Death: February 14, 2009
Annuity due Decease: \$22,582.80
Surviving Spouse: Virgilio A. Estoy
Survivor's Annuity: \$11,291.52
Percentage Earned: 50%
Effective Date: February 14, 2009
- d. Name: Joseph A. Guerrero
Date of Death: February 16, 2006
Annuity due Decease: \$10,252.80
Surviving Spouse: Paris P. Guerrero
Survivor's Annuity: \$ 5,126.40
Percentage Earned: 50%
Effective Date: February 16, 2006
- e. Name: Annie C. Moya
Date of Death: November 13, 2008
Annuity due Decease: \$15,076.08
Surviving Spouse: Roberto A. Moya
Survivor's Annuity: \$ 7,538.16
Percentage Earned: 50%
Effective Date: November 13, 2008
- f. Name: Jose Q. Pangelinan
Date of Death: February 24, 2009
Annuity due Decease: \$14,919.36
Surviving Spouse: Dolores C. Pangelinan
Survivor's Annuity: \$ 7,459.68
Percentage Earned: 50%
Effective Date: February 24, 2009

- g. Name: Richard N. Prelosky
Date of Death: November 30, 2008
Annuity due Decease: \$40,018.56
Surviving Spouse: Mary D.B. Prelosky
Survivor's Annuity: \$20,009.28
Percentage Earned: 50%
Effective Date: November 30, 2008
- h. Name: Joseph C. Santos
Date of Death: March 15, 2009
Annuity due Decease: \$15,180.00
Surviving Spouse: Sharon F. Santos
Survivor's Annuity: \$ 7,590.00
Percentage Earned: 50%
Effective Date: March 15, 2009
- i. Name: Richard T. Saville
Date of Death: September 02, 2007
Annuity due Decease: \$35,645.04
Surviving Spouse: Mary Lou F. Saville
Survivor's Annuity: \$17,822.64
Percentage Earned: 50%
Effective Date: September 02, 2007
- j. Name: Juan A. Soriano
Date of Death: February 10, 2009
Annuity due Decease: \$43,552.56
Surviving Spouse: Barcelisa C. Soriano
Survivor's Annuity: \$21,776.40
Percentage Earned: 50%
Effective Date: February 10, 2009

D. SUPPLEMENTAL LISTING OF NEW RETIREES AND FINALIZED RETIREMENT ANNUITIES

1538	Name	Mary Lou F. Saville
	Surviving Spouse of	Richard T. Saville
	Agency	Dept. of Corrections
	Effective Date	September 02, 2007

1539	Name Surviving Spouse of Agency Effective Date	Roberto A. Moya Annie C. Moya Dept. of Public Health & Social Services November 13, 2008
1540	Name Surviving Spouse of Agency Effective Date	Mary DB Prelosky Richard N. Prelosky University of Guam November 30, 2008
1541	Name Date of Birth Agency Effective Date	Rosita C. Yamashita Guam Memorial Hospital Authority December 05, 2008
1542	Name Date of Birth Department Effective Date	Anthony A. Bamba Guam Public School System December 24, 2008
1543	Name Date of Birth Department Effective Date	Pedro D. Paulino Mayor's Council January 06, 2009
1544	Name Date of Birth Department Effective Date	Ignacio B. Valdez Department of Public Works February 06, 2009
1545	Name Surviving Spouse of Department Effective Date	Barcelisa C. Soriano Juan A. Soriano Guam Water Works Authority February 10, 2009
1546	Name Date of Birth Department Effective Date	Wilfred D. Castro Guam Water Works Authority February 12, 2009

1547	Name Surviving Spouse of Department Effective Date	Virgilio A. Estoy Victoria D. Estoy Guam Memorial Hospital Authority February 03, 2009
1548	Name Date of Birth Department Effective Date	Christopher H. Matthews University of Guam February 21, 2009
1549	Name Surviving Spouse of Agency Effective Date	Dolores C. Pangelinan Jose Q. Pangelinan University of Guam February 24, 2009
1550	Name Surviving Spouse of Agency Effective Date	Kikuko E. Canton Elgin Alonzo Canton Guam Community College February 27, 2009
1551	Name Date of Birth Agency Effective Date	Delfin M. De Leon Guam International Airport Authority February 28, 2009
1552	Name Date of Birth Agency Effective Date	Daniel T. Mendiola Guam Public School System February 28, 2009
1553	Name Surviving Spouse of Agency Effective Date	Monica Q. Aguon Peter S. Aguon Guam Public School System March 12, 2009
1554	Name Surviving Spouse of Agency Effective Date	Sharon F. Santos Joseph C. Santos Guam Public School System March 15, 2009

1555 Name	Gloria C. Matananae
Date of Birth	
Agency	Guam Public School System
Effective Date	April 09, 2009

V. REVIEW AND FINDINGS

Based on our review and findings during our meeting of April 08, 2009 the following application is recommended for DISAPPROVAL to the Board of Trustees:

Application for Disabled Adult Survivor Benefits, 4GCA Chapter 8, Subsection 8134*1289

Disabled Adult	Jocelyn T. Nededog
Date of Birth	
Age	Forty-Three (43) Years Old

Name of Deceased Retiree	Josefina T. Nededog
Employing Department	Judiciary of Guam
Years of Service	31 Years 05 Months 00 Days
Position Title	Probation Officer
Marital Status	Married
Date of Birth	
Date of Death	January 08, 2009
Date of Application	February 19, 2009

Jocelyn T. Nededog is applying for Disabled Adult Survivor benefits on behalf of herself. Ms. Nededog is the natural child of Josefina T. Nededog, deceased retiree who passed away on January 08, 2009.

In support of her application, Ms. Nededog has provided a copy of her birth certificate, two (2) Report of Medical Examination of Minor Child disability forms, as well as a copy of the death certificate of her deceased mother.

FINDINGS:

Pursuant to Section 8134 4 GCA. Payment to Children Disabled requires as a condition, an examination by two (2) licensed physicians to affirm that the applicant is found to be permanently physically or mentally disabled and incapable

of self-support. One (1) of two (2) licensed physicians voted not to affirm and therefore supports the idea that Ms. Nededog is capable of self-support.

Consequently, we recommend DISAPPROVAL of this application.

Section 8134(4)(c) 4GCA Chapter 8 reads:

"(c) Payment to Children Disabled Before Eighteen (18) Years. Upon death of an annuitant, or a member while in service having completed at least three (3) years of total service, if a surviving child or children is disabled, annuities shall be payable to them after age eighteen (18) at the same annual rate as if they were minor children under the age of eighteen (18); provided however, that such annuity shall be conditional upon the child being disabled prior to the child's eighteenth (18th) birthday and having been examined by two (2) licensed physicians before attaining the age of eighteen (18), or within one (1) year of the death of the annuitant or member, and found to be permanently physically or mentally disabled and incapable of self-support. The results of such examination may be submitted to the Board at any time prior to the child's eighteenth (18th) birthday, or within one (1) year of the death of the annuitant or member."

VI. REVIEW AND FINDINGS

Based on our review and findings during our meeting of April 08, 2009, the following application is recommended to be forwarded to the Board of Trustees for their review/discussion and disposition.

A. Section 8123 Disability Applicant

1. Applicant Number	09-5449
Date of Birth	
Department	Revenue & Taxation
Length of Service	25 Years 03 Months 00 Days
Date of Application	December 22, 2008

VII. REVIEW AND FINDINGS

1. Correspondence # 08-03

Applicant: Jesus G. Duenas
Agency: Department of Public Works

Request:

Mr. Duenas has submitted a request to be granted the opportunity to apply for re-deposit Service Credit for prior year employment with Government of Guam.

Service History:

04/27/69 - 02/21/70	PUAG	Refunded Contributions
05/31/84 - 05/31/89	US Army	5 Yrs free Military Credit
03/26/90 - Present	Customs & Quarantine Dept of Public Works	Member

Reference: REGULATION CONCERNING CLAIMS TO OBTAIN SERVICE CREDIT, Chapter V§5.1(b). Redeposit:

Prior, Inactive or Subsequently Refunded Members. Any prior or inactive member as of April 10, 1989 or any member who refunds after April 10, 1989, who desires to obtain credit for refunded services shall, upon return to active membership status, claim to repay contributions withdrawn on such form as provided by the Director and either make full payment or installment arrangements within one hundred eighty (180) days of his return to membership status or the effective date of these rules, whichever is later. Such redeposit shall be arranged in the same manner, and with the same installment options and restrictions, except as herein specified, as are applicable to current members and which are described by these rules and Retirement Law. A person who fails to initiate redeposit within the time limitation hereof, will be deemed to have waived his eligibility for repayment and to have forfeited service credits for which refund was received.

Discussion:

An audit of Mr. Duenas's retirement file did not identify evidence of such application form or that payment arrangement for redeposit Service Credit was made within the application deadline as mandated.

Staff Recommendation:

Pursuant to statute requirements, the request for redeposit Service Credit should be denied on the basis that application and payment arrangement was not made within the time limitation of 180 days upon reemployment.

M&B Committee Recommendation:

The committee voted to affirm staff's recommendation and therefore recommends **DISAPPROVAL** of this request.

VIII. REVIEW AND FINDINGS

2. Correspondence # 08-04

Applicant: Alan F. Haeuser
Agency: Department of Law

Request:

Mr. Haeuser is requesting for reconsideration of his application to claim Redeposit Service Credit previously denied by the Board of Trustees at their meeting of Marc 14, 2008.

Service History:

08/04/80 to 0/24/83	Public Defender/GEDA	Involuntary Termination/ Refund
02/05/90 to 04/01/91	Department of Law	Termination/Refund
04/06/91 to 07/05/97	Department of Law (Case #SP003-92)	Settlement payment received
06/24/97 to Present	Department of Law	Reinstated Member

Discussion:

The committee reviewed the initial request presented at the M&B committee meeting on February 20, 2008 (ref: Correspondence # 07-07).

The recommendation was to deny redeposit service credit claims on the basis that documents on file indicate applicant acknowledged deadline to claim such credits and subsequently failed to initiate payment arrangements pursuant to statute requirement.

Attorney Mitchell F. Thompson representing Mr. Haeuser submits letter dated March 24, 2009, requesting that the Board of Trustees allow his client the opportunity to address the Board for reconsideration of his claims for redeposit service credit for retirement purposes.

Staff Recommendation:

Reaffirm the previous decision to deny service claims on the basis that no new information or additional findings were discovered to merit such reconsideration.

M&B Committee Recommendation:

The committee voted to affirm staff recommendation and therefore recommends **DISAPPROVAL** of this request.

IX. REVIEW AND FINDINGS

3. Correspondence Number 08-05

Applicant: Paul M.A. Guerrero (via the Law Office of John S. Unpingco & Associates, LLC)

Agency: Guam Power Authority

Request:

Attorney John S. Unpingco, counsel for Mr. Paul M.A. Guerrero has submitted a letter to the Director of the Fund dated April 03, 2009 requesting that the disability case of Mr. Guerrero be reconsidered by the Board to medically retire Mr. Guerrero.

Service History:

Mr. Guerrero began full time employment with the Guam Power Authority on October 12, 1995 as a Plant Utility Worker.

Discussion:

Mr. Guerrero's first application for Disability retirement was presented to the Members' & Benefits Committee on August 16, 2006. This application was disapproved at the September 08, 2006 regular Board of Trustees meeting. A letter of intent to appeal was received by the Fund on October 02, 2006. After being tabled several times for various reasons, the appeal was presented and discussed at the July 15, 2008 M&B Committee meeting. At this meeting the appeal was tabled pending the Board of Trustee's recommendation on the case. The application was presented and discussed at the October 03, 2008 (which was a reconvened Board of Trustee's September 27, 2008). Mr. Guerrero's application for disability retirement was disapproved at this meeting.

M&B Committee's recommendation:

The committee voted to uphold and affirm the decision of the Board of Trustees and therefore recommends **DISAPPROVAL** of this request.