



State of New Jersey

DEPARTMENT OF THE TREASURY
DIVISION OF PENSIONS AND BENEFITS
P. O. Box 295

TRENTON, NEW JERSEY 08625-0295
Telephone (609) 292-7524 / Facsimile (609) 777-1779
TRS 711 (609) 292-6683
www.nj.gov/treasury/pensions

ELIZABETH MAHER MUOIO
Acting State Treasurer

JOHN D. MEGARIOTIS
Acting Director

PHILIP D. MURPHY
Governor

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Lt. Governor

February 2, 2018

Zazzali, Fagella, Nowak, Kleinbaum & Friedman
Jason E. Sokolowski, Esquire

[REDACTED]
[REDACTED]

Sent via email to: [REDACTED]

RE: Tamara Lynch

[REDACTED]
[REDACTED]

Dear Mr. Sokolowski:

At its meeting on February 1, 2018, the Board of Trustees of the Teachers' Pension and Annuity Fund (TPAF) considered the following in your appeal on behalf of your client, Tamara Lynch:

- a) All exhibits; and
- b) The Initial Decision of Administrative Law Judge (ALJ) Evelyn J. Marose, dated December 28, 2017.

Thereafter, the Board adopted the Initial Decision of ALJ Marose, thereby reversing its original determination and approving Ms. Lynch's application for Ordinary Disability retirement benefits as she is considered totally and permanently disabled from the performance of her regular and assigned duties. Therefore, Ms. Lynch is approved for Ordinary Disability retirement benefits effective June 1, 2012, under her payment selection of the Maximum option.

Ms. Lynch has the right to change this selection to another retirement option by filing written notification with the Division of Pensions and Benefits' Retirement Bureau within 30 days from the date of Board approval; otherwise, the retirement will stand as approved and cannot be changed for any other reason.

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the Board approves a member for a disability retirement allowance, the member's retirement application shall not be withdrawn or canceled, or amended to a later retirement date than the date specified in the approved retirement application.

This matter is being referred to the Retirement Bureau to process Ms. Lynch's Ordinary Disability retirement benefits, retroactive to June 1, 2012. Please allow approximately 4 weeks for the processing of this benefit.

Ms. Lynch should be aware that a retirement allowance payable to a disability retiree is subject to adjustment if earnings from employment after retirement exceed the difference between the pension portion of the retirement allowance and the salary attributable to the former position.

Jason E. Sokolowski, Esq.
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The statute permits the Board of Trustees to require disability retirees to undergo annual medical examinations to determine if they continue to be totally and permanently disabled and, therefore, eligible for continued receipt of a disability retirement allowance.

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 Certifying Officer Memorandum dated August 22, 2014. 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 Teachers' Pension and Annuity Fund hereby adopts the findings of fact and conclusions of law of the Administrative Law Judge's Initial Decision and further adopts the recommendations contained therein.

Sincerely,



Angelina Scales, Secretary
Board of Trustees
Teachers' Pension and Annuity Fund

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c: V. McManus (ET); L. Milton (ET); P. Sarti (ET); M. Munko (ET)
DAG Robert Garrison (ET)
OAL, Attn: Library (OAL Decisions) (ET)
Tamara Lynch
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