

**LAW ENFORCEMENT RETIREMENT BENEFITS STUDY COMMITTEE**

Authorized by Act 25 of the 2019 Legislative Session

BGS-MTPL Conference Room

**September 27, 2019 – 1:00 p.m.**

**Members present:**

BETH PEARCE, Chair, Vermont State Treasurer

SENATOR JANE KITCHEL, Chair of the Senate Committee on Appropriations

SENATOR JEANETTE WHITE, Chair of the Senate Committee on Government Operations

REPRESENTATIVE MAIDA TOWNSEND, Designee Chair of the House Committee on Appropriations

REPRESENTATIVE JOHN GANNON, Designee Chair of the House Committee on Government Operations

BETH FASTIGGI, Commissioner of Human Resources

JOHN FEDERICO, Member appointed by the Vermont State Employees' Association

MICHAEL O'NEIL, Member appointed by the Vermont Troopers' Association

**Members absent:**

ROGER DUMAS, Chair of the Vermont State Employees' Retirement System

INGRID JONAS, Designee Commissioner of the Department of Public Safety

**Also attending:**

Tim Duggan, Assistant Attorney General, Office of the State Treasurer

Erika Wolffing, Director of Retirement Operations

Harold Schwartz, Director Department of Human Resources Operations

Steve Howard, Executive Director Vermont State Employees' Association

Tom Abdelnour, Legislative Specialist, Vermont State Employees' Association

Annie Noonan, Department of States Attorneys and Sheriffs – via telephone

The Chair, Beth Pearce, called the Friday, September 27, 2019 committee meeting to order at 1:05 p.m., which was held in the BGS-MTPL Conference Room, Pavilion Building, 4<sup>th</sup> Floor, 109 State Street, Montpelier, VT.

**Item 1:           Agenda Approval and Announcements**

There were no announcements or changes made to the agenda.

**Item 2:           Approve the minutes of August 26, 2019**

**On a motion made by Senator Kitchel, seconded by Mr. O'Neil, the Committee voted unanimously to approve the agenda.**

**Item 3:           Review Positions in VSERS Group C verified by DHR**

Ms. Wolffing presented the updated list of positions currently in VSERS Group C. The Retirement Office worked with the Department of Human Resources to compare lists and add a count of number of employees currently in each job specification. The job specifications will be reviewed by the sub-committee at a later date. The sub-committee is made up of Mr. O'Neil, Mr. Federico, Ms. Fastiggi, Senator White, Representative Gannon, and Ms. Pearce.

Senator White noted that the list included on 1 Capitol Police Officer and thought there were actually 4. Ms. Wolffing stated should would verify the number in advance of the next meeting.

**Item 4: Working Definition of Law Enforcement Officer**

Mr. Duggan presented the working definition the proposed working definition of a 'law enforcement officer' as outlined in his memo to the committee dated September 27, 2019. The proposal includes the definition of a law enforcement officer from the ADEA and a list of factors to consider when evaluating a position against the ADEA definition. The factors include whether the primary duties constitute (50% or more) of the position's working time, factors from the Merit Systems Protection Board, and factors from the Watson Court.

The Committee discussed the working definition and sought clarification on various pieces of the factors. The factors are not prioritized or weighted and are for consideration during the process of reviewing the job specifications. The Committee discussed the distinction between firefighters who were added to Group C versus the other groups added under the premise that those positions are law enforcement related. The Committee requested a historical timeline of when groups joined Group C for the next meeting.

**On a motion made by Mr. O'Neil, seconded by Mr. Federico, the Board voted unanimously to accept the working definition of law enforcement officer as presented in the memorandum from staff dated September 27, 2019, adding 'certified' to the definition and clarifying that the factors are not weighted.**

**Item 5: Review Research from other States**

Ms. Wolffig presented the research on law enforcement retirement systems in other states from NCSL. The research is from 2012 and includes information about the normal retirement age, mandatory retirement age, and pension benefits. The committee agreed to address mandatory retirement age as a second step once the review of the sub-committee is complete.

**Item 6: Other Business**

The Committee asked that the sub-group meet in advance of the October meeting to begin the review of positions and to provide and update to the full committee at the next meeting.


**Item 7: Adjournment**

**On a motion made by Senator Kitchel, seconded by Ms. Fastiggi, the Board voted unanimously to adjourn at 2:06 p.m.**

**Next Meeting Date:**

The next Law Enforcement Retirement Benefits Study Committee Meeting is on October 31, 2019 at 1:00 p.m.

Respectfully submitted.



Erika Wolffig  
Director of Retirement Operations, Office of the State Treasurer